

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 30th October, 1996

The House met at 9.00 a.m.

*[Mr. Deputy Speaker in the Chair]*

PRAYERS

## ORAL ANSWERS TO QUESTIONS

*Question No.443*

### IMPROVEMENT OF POLICE FORCE

**Dr. Otieno-Kopiyo** asked the Minister of State, Office of the President what plans does he have to improve the police force capability to deal with political violence.

**The Assistant Minister, Office of the President** (Mr. Sunkuli): Mr. Deputy Speaker, Sir, I beg to reply. The police force is capable of dealing with all types of violence including violence related to political.

**Dr. Otieno-Kopiyo:** Mr. Deputy Speaker, Sir, arising from the ill-informed answer from the Assistant Minister, is he aware that many Kenyans are astounded by the partisan manner in which the Kenyan Police Force has dealt with political violence, since way back 1992 when some sections of Kenya were zoned off as KANU areas? Both the Provincial Administration and the police were used effectively to bar other political parties from venturing into areas of Rift Valley, for example, which then enabled KANU to win 42 seats unopposed because of this method. There have been other acts of violence in some parts of this country. What is the Assistant Minister going to do to ensure that police are non-partisan in carrying out duties, particularly relating to election security?

**Mr. Sunkuli:** Mr. Deputy Speaker, Sir, the police are not partisan in dealing with political violence. The hon. Member is misinforming himself and this House because there were some places like the place where he was elected---I know that he was elected in his area fairly and all the other people from the Luo-Nyanza, for instance, were elected fairly. There was no political violence in the KANU zones. Whereas there was no political violence in the KANU zones, there were other areas, other than his area where polling stations were overran and the police were later unable to deal with the situation, not because they were partisan, but because the members of the Opposition were very notorious in overrunning polling stations.

**Dr. Kituyi:** Mr. Deputy Speaker, arising from that "childish" reply could the Assistant Minister explain to this House who is in charge of police when controlling crowd behaviour at political rallies? Is it the head of the police station or the District Officer?

**Mr. Sunkuli:** Mr. Deputy Speaker, Sir, I do not answer pompous questions. If somebody out of his own character calls me childish, then I am not obliged to answer such pompous questions.

**Dr. Kituyi:** Mr. Deputy Speaker, Sir, it is well known in this country that a leader of a political party was once stopped at a road block and a District Officer ordered policemen to shoot him. For example, this happened to hon. Kibaki, in 1992, at Webuye. It is known that a DO ordered policemen to disrupt a licensed rally in Mwea recently. These are serious matters and it is important for us to know whether the police are under the command of a DO or a police officer? Now, notwithstanding what the Assistant Minister said in response to an earlier question which I thought was an outrageous reply this in itself is not a pompous question could he answer this a question; who is in charge of police in such situations, a DO or a police officer?

**Mr. Sunkuli:** Mr. Deputy Speaker, Sir, I am sure the hon. Member has read the Standing Orders correctly. The question he is asking has an answer which is clearly stated in the law.

**Mr. Maore:** On a point of order, Mr. Deputy Speaker, Sir. Even in your own judgement, as the Chair that sits in the judgement of such deliberations, do you not believe that the Assistant Minister is outrageously out of order by avoiding to answer a very legitimate and pertinent question on an issue that we experience everyday? There is confusion between the DO who takes orders from the KANU leaders and the party youth wingers who command the police to shoot and the police do it. Now, we are asking for clarification from the Government. Is Hon. Sunkuli

representing the Government or his other interests because he is are not coming out clearly?

**Mr. Sunkuli:** Mr. Deputy Speaker, Sir, if the hon. Members of the Opposition want good answers, then they must be courteous enough. They must use parliamentary language, otherwise, we cannot sit down and be provoked. They must also elicit answers from the Government in a manner that will make me give them an answer. I am not obliged to give an answer when somebody is being rude to me. He must withdraw the word "childish" or else I do not answer the question.

**Dr. Kituyi:** Mr. Deputy Speaker, Sir, I would like to apologise.

**Mr. Deputy Speaker:** Order! Order! I think it is important, if we are going to get on properly with our business, that some minimum of respect be maintained between hon. Members, and in particular between the two sides of the House. It is up to you to set up the mood or respect within which you can ask your legitimate questions and get, hopefully, appropriate answers. Sometimes, rarely, the Chair does take the initiative in ruling language out of order and calling on hon. Members to withdraw or if necessary, apologise, but normally, we leave it to the objection of the hon. Members. I do not know whether it was the calling of the word "childish" which started all these things that put us off track, or the tone of the earlier reply referring to the Opposition. But because hon. Sunkuli did not seek a withdrawal at that stage, I felt, perhaps, I should not take the initiative. I really want to go back to that, I think, the word "childish" is out of order and I hope that should not bar the Assistant Minister answering questions.

**Mr. Sunkuli:** Mr. Deputy Speaker, Sir, with that having been settled, can the hon. Member, kindly, repeat the question?

**Mr. Arte:** On a point of order, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Order! Mr. Maore has the Floor.

**Mr. Maore:** Mr. Deputy Speaker, Sir, could the Assistant Minister tell the House who issues the commands during political rallies; the police officers or the District Officers?

**Mr. Arte:** On a point of order, Mr. Deputy Speaker, Sir.

**Mr. Sunkuli:** Mr. Deputy Speaker, Sir, the police, in every station, are under the Officer Commanding the Police Station (OCS).

**Mr. Magwaga:** On a point of order, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Mr. Sunkuli, you have the Floor.

**Mr. Sunkuli:** Mr. Deputy Speaker, Sir, as I have said the police are under the OCS, who is under the OCPD, who is also under the PPO and who in turn is under the Commissioner of Police. But it must be understood that in the circumstances of our country, the District Commissioner is the Chairman of the District Security Committee.

**Mr. Magwaga:** On a point of order, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Next Question, Mr. John Busolo.

**Mr. Magwaga:** On a point of order, Mr. Deputy Speaker, Sir. I heard the Chair ruling that it is out of order to use the word "childish". Can he---

**Mr. Deputy Speaker:** Yes, and my ruling stands. Order! Order! Next Question, Mr. John Busolo.

*Question No. 760*

WORKSHOPS FOR DISABLED PERSONS

**Mr. Busolo** asked the Minister of State, Office of the President:-

(a) what plans the National Fund for the Disabled have to set up sheltered workshops for the disabled persons who cannot be employed ordinarily; and,

(b) what plans the Ministry has to up such workshops in Webuye Division.

**The Assistant Minister, Office of the President (Mr. Sunkuli):** Mr. Deputy Speaker, Sir, I am afraid hon. Manga who was supposed to answer this Question has not come.

**Mr. Deputy Speaker:** The Question is stood over for the time being.

Next Question, Mr. Kiraitu Murungi.

*Question No. 196*

ACTION AGAINST ADMINISTRATION POLICEMEN

**Mr. Murungi** asked the Minister of State, Office of the President:-

(a) what steps the Government has taken against Administration Policemen who robbed and murdered the Headmaster of Kiroone Primary School, a Mr. Mbae, at Mikumbune Market on 2nd June, 1995;

(b) what steps the Government has taken against the two Administration Policemen attached to Abogeta Chief's Camp, who viciously attacked and injured Mr. Kimathi Samson at Kionyo Market on 1st June, 1995; and,

(c) given the rampant violence, corruption, crime and lawlessness by the Administration Policemen countrywide, if the Government could disband this force and re-integrate it into the regular police force.

**The Assistant Minister, Office of the President (Mr. Sunkuli):** Mr. Deputy Speaker, Sir, I beg to give the following reply.

Mr. Deputy Speaker, Sir, I had given an answer to this Question on Wednesday, 15th November, 1995, which was then listed as No 694. The Question has been reproduced verbatim.

**Mr. Deputy Speaker:** I am afraid it is still legal, if it is not in the same Session. I am sure there must have been some oversight on the part of Question No 694.

**The Assistant Minister, Office of the President (Mr. Sunkuli):** Mr. Deputy Speaker, Sir, I gave an answer, and I am saying that unless the hon. Member wants me to repeat the answer, it is still as I gave him at that time.

**Mr. Deputy Speaker:** Was the hon. Kiraitu Murungi the one who asked the Question?

**The Assistant Minister, Office of the President (Mr. Sunkuli):** Yes, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Hon. Kiraitu Murungi, is that correct?

**Mr. Murungi:** Mr. Deputy Speaker, Sir, the Question was asked in 1994, and no proper answer was given. So, I revived the Question immediately in this Session which is allowed under the Standing Orders. So, I want the Assistant Minister to give an answer.

**The Assistant Minister, Office of the President (Mr. Sunkuli):** Mr. Deputy Speaker, Sir, I, therefore, give the answer which I gave in 1995.

**Mr. Achieng'-Oneko:** On a point of order, Mr. Deputy Speaker, Sir. Hon. Kiraitu Murungi said that he had asked this Question in 1994, and the Assistant Minister is referring to a Question and an answer in 1995. I think, he is referring to another Question altogether.

**Mr. Deputy Speaker:** Mr. Assistant Minister, give the answer for 1996.

**The Assistant Minister, Office of the President (Mr. Sunkuli):** Mr. Deputy Speaker, Sir, I beg to reply.

(a) APC Boniface Mutitu, P/No 79134436, was charged with the murder of the late Julius Mbae, but he died at Meru Prison Remand before the case could be finalised.

(b) Anthony Kimathi and not Samson Kimathi, was arrested and charged together with six other suspects for the offence of creating a disturbance by threatening to beat two Administration Policemen and burn down Abogeta Chief's Camp vide Nkubu Court File No 701/95. This case is set for hearing on 14th November, 1996.

(c) The allegations made against Administration Policemen are too generalised. The Government has no plans to disband the Administration Police Force, or merge it with the Kenya Police, but will deal firmly with any errant officer.

**Mr. Murungi:** Mr. Deputy Speaker, Sir, with regard to "a", I am satisfied, because since the Administration Policeman has died, no further action can be taken against him. But with regards to "b", the Question put to the Minister is: What action has the Government taken against the two Administration Policemen? The answer he gave is the action they have taken against the innocent wananchi. I still insist that the Assistant Minister tells us what action they have taken against the Administration Policemen, because they were arrested by wananchi and they were drunk and disorderly and for beating people in a bar. They were handed over to the police by wananchi. But instead of the police charging the Administration Policemen in court, they released them and arrested wananchi who took them to the police station. So, I want the Assistant Minister to tell us why it is wananchi and not the Administration Policemen who were taken to court by the police? What action has been taken against the two Administration Policemen, have they been dismissed from the Public Service for gross misconduct, getting drunk and beating people up in a bar?

With regard to "c", it is well known in this country that the Administration Police, who are also known as Askari Kanga, are colonial police force who were used by the colonial Government to assist the chiefs in the colonial days to oppress the natives of this country. Now that Kenya is an independent country, is it not time that we abolished this colonial force?

**Mr. Sunkuli:** Mr. Deputy Speaker, Sir, with respect to part "b" of the Question, I have found no evidence that the two Administration Policemen, that is P/No 9008668, APC Cyrus Kirema, and P/No 93049425, APC Charles Mutharo, attacked the said Samson Kimathi. However, on 1st June, 1995, several people were arrested after they created a disturbance by threatening to beat up the two Administration Policemen and burn the Abogeta Chief's Camp in a bid to rescue a suspect, a Mr. Anthony Kimathi, from lawful custody. Mr. Kimathi escaped while he was still

handcuffed. There being no evidence to implicate the two Administration Policemen, I have no reason to say that they should be charged. However, I have already stated that there is an inquest pending before the High Court. If there is an inquest pending and the Magistrate finds that these two Administration Policemen had a hand in the death, I am sure in his wisdom, he will recommend that they be arrested.

**Mr. Raila:** Mr. Deputy Speaker, Sir, the Assistant Minister is not really answering the second part of the Question, with regard to what action the Government is going to take to instil some discipline in the Administration Police Force which is still suffering from colonial hang-overs. Yesterday, Administration Policemen accompanied a land grabber to go and grab land in Kibera. They were faced by irate residents of Kibera and chased away. What right do the Administration Policemen have to accompany a land grabber who is going to grab public land? Can the Assistant Minister tell the House, what action the Government is going to take to instil discipline and to take action against corrupt Administration police who are being used to grab public property?

**Mr. Sunkuli:** Mr. Deputy Speaker, Sir, administration Police are trained officers. As I have already said, we are prepared to deal with errant officers who disobey or contravene the law. We have also recently launched a programme of retraining some of the APs whom we think are not performing their duties properly and also enhancing the training of those who are already in the force.

*Question No.202*

COST OF DIPLOMATIC MISSIONS

**Mr. Deputy Speaker:** Mr. Njehu Gatabaki not in. His Question stood over for the moment.

*Question No.674*

ELECTRIFICATION IN NJORO

**Bishop Kimani**, on behalf of **Mr. Njenga Mungai**, asked the Minister for Energy whether he could consider effecting rural electrification programme in the following centres in Njoro Division: Gachuhi; Kihingo; Mastoo Mbili; Deffo; Likia Farm Centre and Mau Narok.

**The Minister for Energy** (Mr. Ngala): Mr. Deputy Speaker, Sir, I beg to reply.

Yes, the Ministry will effect rural electrification programmes in Gachui, Kihingo, Mastoo Mbili, Deffo, Likia Farm Centre and Mau Narok, all in Njoro Division when sufficient funds have been secured. The project would need an estimated Kshs30 million.

**Bishop Kimani:** Mr. Deputy Speaker, Sir, arising from the answer given by the Minister, I highly appreciate that he is looking for Kshs30 million to electrify these areas. Is he aware that we have so many youths in these areas and the only centre with electricity is Njoro town? I have high respect for him because I know he is a man of his words. Could he use the money as he gets it portion by portion instead of waiting for Kshs30 million to electrify the whole area? He can start with Kihingo where we have so many youths who are qualified in *Jua Kali* skills so that they can do their jobs? The electrification of this centres could give these youths employment.

**Mr. Ngala:** Mr. Deputy Speaker, Sir, I was dealing with the question as it had been put, but if the hon. Member feels that we need to do it in phases, I am sure the estimates can be worked out and if the funds are available then that project could be undertaken.

**Mr. J.N. Mungai:** Mr. Deputy Speaker, Sir, I thank my colleague for asking the Question on my behalf. This is not the first time that I have asked this question and all the times I have asked this Question the answer I got was; "when funds are available." We have even been given estimates. Indeed, there was a time when we were given an estimate of Kshs20 million. Since that time nothing has happened. Today we are getting the same answer; "when the funds are available". Some of these things that we are talking about including electricity are available at Egerton University and in the nearby shambas. For instance, one white farmer who lives nearby has extended electricity to his farm at Delbark. It is only a matter of extending electricity two kilometres to one of the centres. Can the Minister tell us whether the same answer of "when the funds are available" will continue to come into this House, or he has some plans to immediately look for funds instead of giving us the answer "when the funds are available". When will the funds be available?

**Mr. Ngala:** Mr. Deputy Speaker, Sir, I am very serious about the answer I am giving. If the answer which was previously given talked about Kshs20 million, we should realise that the costs have gone up and the amount that is required now is Kshs30 million to cover a distance of 30 kilometres, but not two kilometres. Therefore, when the

funds will be available, this project will be undertaken because there is a plan to look for the money.

**Mr. J.N. Mungai:** On a point of order, Mr. Speaker, Sir. The Minister is telling us about "when the funds become available". I wonder whether the Minister is aware that the Managing Director of Kenya Power and Lighting, who we suspect wants to contest for a Parliamentary seat in a constituency which was split from Molo Constituency is already travelling around the areas that we are talking about, promising people electricity and persuading them to join KANU so that electricity can go to the their areas, just the same way he did in Kipipiri. Where will the funds come from? Now this Managing Director is promising people that electricity will be provided once they go back to KANU, although the Minister does not know where the funds are going to come from?

**Mr. Ngala:** Mr. Deputy Speaker, Sir, I do not want to be dragged into what the hon. Member believes the Managing Director is doing. I am only giving a reply as it pertains to the Question. Therefore, we will try our best when funds become available to undertake the project. I do not want to give any improper insinuation on the Managing Director. So that is what I stand by. Kshs30 is what is require for the project to be completed.

*Question No.736*

NUMBER OF STUDENTS IN UNIVERSITIES

**Mr. Mulusya** asked the Minister for Education:-

- (a) how many students were admitted in the national universities from each of the four district of Ukambani in the 1995/96 academic year,
- (b) how many students applied for loans from the Higher Education Loans Board for the same period from each district and how many qualified for these loans; and,
- (c) how much in total, in each district, were the students allocated.

**The Minister for Education** (Mr. Kamotho): Mr. Deputy Speaker, Sir, with the permission of the House, I would like that Question to be postponed because I discovered that there were statistical errors in the answer given. I promise to give the answer tomorrow.

**Mr. Deputy Speaker:** I direct that the Question No.736 be put on the Order Paper at the earliest convenient.

**Mr. Mulusya:** On a point of order, Mr. Deputy Speaker, Sir. The Minister has said that he can answer the Question tomorrow afternoon.

**Mr. Deputy Speaker:** No, it is not possible because I think---

**Mr. Mulusya:** It can also be moved to Tuesday next week.

*Question No.833*

OWNERSHIP OF FINANCIAL INSTITUTIONS

**Mr. Mwaure** asked the Minister for Finance:-

- (a) whether he was aware that 90 per cent of financial institutions and privately owned banks operating in Kenya to day are foreign owned,
- (b) whether he was further aware that between 1984 and 1990, 90 per cent of the financial institutions and banks owned by indigenous Kenyans were closed down; and
- (c) if the answer to "a" and "b" above are in the affirmative, he could inform this House how many of such institutions are currently owned/ controlled by foreigners and how many are owned by indigenous Kenyans.

**The Assistant Minister for Finance** (Mr. Keah) Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware that 90 per cent of financial institutions and private banks operating in Kenya today are foreign owned.

(b) I am not aware that between 1984 and 1990, 90 per cent of the financial institutions and banks owned by indigenous Kenyans were closed down.

(c) In view of the answer to "a" and "b" which I have just given part "c" does not arise.

**Mr. Mwaure:** It is a very disappointing answer. I request the Assistant Minister to give the House the current breakdown of the licensed private banks which are operating in the country. Could he give the number of the banks which are presently privately owned in this country?

**Mr. Keah:** Mr. Deputy Speaker, Sir, yes, I will gladly do that. There are 75 banking institutions owned in the following manner:

(a) Wholly foreign-owned: There are ten institutions constituting 13 per cent of the total.

(b) Foreign and locally-owned: There are eight institutions constituting 11 per cent.

- (c) Foreign and State-owned: There are two institutions representing three per cent.
  - (d) Wholly locally-owned: There are 46 institutions representing 61 per cent.
  - (e) Locally and State-owned: There are five institutions representing seven per cent.
  - (f) Wholly State-owned: There are four institutions representing five per cent.
- The total is seventy five institutions and that is the 100 per cent.

**Mr. Mwaura:** Of these 46 locally-owned banks in the country, could the Assistant Minister be kind enough to tell the House the nationality of the people who own these banks? Are they owned by the indigenous Kenyans and if so, who owns them and what is the proportion of the shareholding in these banks?

**Mr. Keah:** Mr. Deputy Speaker, Sir, we do not keep an analysis of indigenous and non-indigenous owners of these banks. That is tribalism and, I think, it would not be in the interest of this House and of this country for us to give a breakdown in that order.

**Prof. Anyang'-Nyong'o:** Mr. Deputy Speaker, Sir, I am surprised to hear the Assistant Minister give that answer precisely because the all the House wants to know are the facts. If, indeed, there are facts identifying the nationality of the ownership of a bank, I do not see how it can be put to improper use. In any case, in our identity cards, we are required by the Government to identify ourselves in terms of ethnic identity. That notwithstanding, I would like to ask a supplementary question which is: What was the reason behind the Government forcing financial institutions to turn themselves into banks and since they turned themselves into banks, what has been the advantage that the fiscal and monetary regimes in this country have had as a result of that?

**Mr. Keah:** Mr. Deputy Speaker, Sir, that is a very major supplementary question. It is not entirely related to this Question and I would like to give that answer through an appropriate Question.

**Mr. Mwaura:** Mr. Deputy Speaker, Sir, could the Assistant Minister tell the House how many of these banks have been sued in a court of law because of the contravention of the financial laws? For example, we know that the owner of the closed Trade Bank ran away with billions of Kenya shillings. How many of these banks have been sued in a court of law for committing a similar crime in this country?

**Mr. Keah:** Mr. Deputy Speaker, Sir, once again I do not have an answer with me. I did not anticipate that question as to how many bankers have been prosecuted and how many have not been prosecuted. But if that is put in a question form, I shall provide the answer.

*Question No.935*

NUMBER OF TYPHOID CASES

**Mr. Farah** asked the Minister for Health:-

- (a) how many cases of typhoid were reported in Garissa General Hospital between January and July 1996; and,
- (b) why are there so many cases; and what is the Ministry doing about the problem.

**The Assistant Minister for Health** (Mr. Criticos): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Between January 1996 and July 1996, there were 697 laboratory confirmed typhoid cases at Garissa Provincial General Hospital and 946 cases were confirmed as positive from the various rural health facilities.

(b) The spread of the disease has been attributed to the use of unprotected and untreated dam water as the sole source of water in the area and the communities attitude towards the use and provision of the latrines.

My Ministry has embarked on a vigorous health education campaign through barazas and various places where the disease is prevalent. Already there are field teams in the most affected areas. All clinically and laboratory diagnosed cases are treated with effective drugs at Garissa Provincial General Hospital and other various rural health facilities in the affected areas.

My Ministry's headquarters has provided funds for the teams going to the affected areas while the Medical Supplies Co-ordinating Unit supplies the drugs which they were given promptly and adequately.

**Mr. Farah:** Mr. Deputy Speaker, Sir, in view of the misleading answer given by the Assistant Minister, in Garissa we do not use dam water. We have Tana River and the residents of Garissa are contracting this disease through the normal water supply of the Ministry of Land Reclamation, Regional and Water Development. Could the Assistant Minister confirm that the water supplied through the system is not treated? There are no dams in Garissa town and we have had a drought and there have never been dams holding water in other parts of Garissa District. Could the Assistant Minister confirm that this problem actually arises from the water supplied by the Ministry itself to the residents of Garissa District? The river water is contaminated and not properly treated.

**Mr. Criticos:** Mr. Deputy Speaker, Sir, in all fairness to me, this treatment of water does not really arise in

the Ministry. Now, there might be some dams not particularly in Garissa Town, but we are talking about the whole area since the cases were reported from various areas which were treated in hospital. So, in all fairness if you can direct the question to the relevant Ministry, I will appreciate it. My job is to send my team to the affected area to treat the innocent wananchi who are suffering from this disease.

**Prof. Mzee:** Mr. Deputy Speaker, Sir, the answer from the Assistant Minister is totally unacceptable because it is not the duty of the Ministry of Health to only cure but their primary duty is to prevent diseases. Are you forgetting that prevention comes before cure? It looks like the Assistant Minister has forgotten that the primary duty of the Ministry of Health is to prevent disease outbreaks. First his answer is very unsatisfactory because the community he has referred to is a Muslim community which has very strict ethics on how to visit toilets. They cannot defecate in dams and they cannot urinate in rivers. It is forbidden in the Islamic faith. He has to know that. There is a breakdown in upholding the standards of health in this country and this Ministry is responsible for the health of the individual. Could the Assistant Minister tell us what the cause of this outbreak of typhoid is and what his Ministry is doing to prevent it? It is simple and straightforward.

**Mr. Criticos:** Mr. Deputy Speaker, Sir, it is needless to answer the hon. professor since I come from the Coast Province and I know the muslim habits.

Secondly, it is very obvious our Ministry is there to offer preventive measures. But, if there is an outbreak of a disease like this one, we have to move in very quickly and arrest the situation. Now, what I am saying is that it is beyond my control as the Assistant Minister for Health to control the water because that job belongs to the relevant Ministry. This is what I am saying.

**Mr. Farah:** Mr. Deputy Speaker, Sir, the hon. Assistant Minister for Health is from the Government, and there is the collective responsibility of the Government. The Minister for Land Reclamation, Regional and Water Development, who comes from Garissa and whose relatives are affected with typhoid because they cannot get clean water, is also from the same Government. Can the Assistant Minister tell us - without evading that collective responsibility, instead of trying to say that there are dams in Garissa Town which are not there - how he intends to solve that problem in liaison with the right Ministry, because the problem now is an out-break of a disease? How is he going to prevent any further outbreaks of the disease through his Government?

**Mr. Criticos:** Mr. Deputy Speaker, Sir, I thought I had already answered that one. What I said is that the outbreak is being contained and obviously, I am going to contact our counterpart from the other side. But as I said here, the best prevention is for people to maintain hygienic conditions which I am sure the Muslim community has been made aware.

**Mr. Farah:** On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister is insisting in taking the same line; he is persisting in trying to mislead the House. In your own answer here you have said, 697 cattle from Garissa Town and Garissa Town uses the normal water supply from the Ministry of Land Reclamation, Regional and Water Development; how can you tell them to go and boil that water and why should that water from the Ministry's supplies be contaminated? Can he tell us how, in the spirit of his collective responsibility, he intends to make sure that, that water is not contaminated?

**Mr. Criticos:** Mr. Deputy Speaker, Sir, I might as well inform the hon. Member again what I said earlier, that there is also a river there. So, how do we know how many people were in the river? We have got people who are adults and they are getting water from dams elsewhere. How do I know the source? This matter should be presented to the relevant Minister and the Ministry. In fact, the hon. Minister comes from the same area.

**Mr. Deputy Speaker:** Next Question!

*Question No.1001*

CESS PAID TO COUNTY COUNCIL

**Mr. Busolo**, on behalf of **Mr. Wetangula**, asked the Minister for Local Government:-

- (a) how much cess was paid by Nzoia Sugar Company to Bungoma County Council during the year 1995; and
- (b) how the said money, if any, was utilised.

**The Assistant Minister for Local Government (Dr. Wameyo):** Mr. Deputy Speaker, Sir, may I plead with the hon. Member to give me some time because the figures I was given, when I add them up, they do not tally with the money received. I have sent that question to the people concerned and I am still waiting for an answer.

**Mr. Busolo:** Mr. Speaker, Sir, since the hon. Assistant Minister anticipated my supplementary, I am satisfied with his request, but he should tell us when.

**Mr. Deputy Speaker:** Later! Next Question!

*Question No.213*

ISSUANCE OF TITLE DEEDS

**Mr. Kamuyu** asked the Minister for Lands and Settlement what is delaying the issuance of title deeds to the residents of Muslim Village in Riruta, yet the survey work has been completed.

**The Assistant Minister for Lands and Settlement** (Mr. Kaino): Mr. Speaker, Sir, I beg to reply.

The issuance of title deeds to the residents of Muslim village in Riruta is being delayed because my Ministry has no records of the survey works which is necessary for land registration and issuance of title deeds.

**Mr. Kamuyu:** Mr. Deputy Speaker, Sir, I am shocked by the ignorance and lack of information of this Assistant Minister because the survey was completed in April, 1990 and 317 plots have already been surveyed by one, Mr. Njue from his own Ministry who is the District Surveyor. Apparently the files and records are now lost in his own Ministry conveniently, because now we are told that this area is about to be grabbed by the "big fish" and handed over to some developers. Can the Assistant Minister honestly tell us whether he will be prepared to go back - because he as a person has a fairly good record - to his Ministry, get Mr. Njue, the proper records and the full information, then come back or, alternatively, come with me to the Muslim Village because this matter has become a perennial question since 1989?

**Mr. Kaino:** Mr. Deputy Speaker, Sir, whoever the "big fish" are, is actually known to the Member. But while I appreciate the person's name he has given me, who can check, I would like to say that there is no record up to today. We have some bogus surveyors. I do not want to deny that we have private surveyors and also illegal surveyors who survey the land---

**Mr. Kamuyu:** On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to continue misleading this House when I personally accompanied Mr. Njue as far back as 1990?

**An hon. Member:** Who is Njue?

**Mr. Kamuyu:** He is the District Surveyor, to your ignorance. He actually completed the survey and there was some amount of money which was supposed to have been paid by these poor muslims. the deed plan and everything else has been completed. Can the Assistant Minister be honest enough to go back to his Ministry and dig into the files? Because he says here that the Ministry has no records. The truth is, the Ministry has records, they are only conveniently lost and I know that there are plans to grab this land. He should come back through your courtesy Mr. Deputy Speaker, Sir, so that we can have a proper answer after he has inquired from that District Surveyor.

**Mr. Nthenge:** Let him investigate.

**Mr. Kaino:** Mr. Deputy Speaker, Sir, I am not aware of the intentions and the plans to grab that land, but we shall investigate very seriously.

**Mr. Farah:** Mr. Deputy Speaker, Sir, time and again, we have seen similar answers being given, whenever it is Muslim land in these urban areas. In Nyeri, Majengo area for Muslims has not been surveyed, there is no title deed. In Nairobi, Majengo has got its own problems, the same applies to Kibera and now Riruta. Can the Assistant Minister first of all tell us when he is going to investigate and come back to us and can he also confirm or deny that this is a deliberate discrimination against the Muslims?

**Mr. Kaino:** Mr. Deputy Speaker, Sir, there are plans underway and in fact at an advanced stage, for the Muslim and Nubian communities who are in all urban areas are settled. The Government has done a commendable job to see to it that where there are Nubians whether in Kisumu, Eldoret, Ravine, Nairobi or anywhere else, plans are at an advanced stage to see that those people are settled. As for the physical planning of the area, something is being done to see that, those communities are settled properly.

**Mr. Kamuyu:** Mr. Deputy Speaker, Sir, you did hear a very, very confirmed promise from this Assistant Minister whose name is hon. Kaino, saying that he is going to bring the answer to this House after investigations. Can hon. Kaino, bring the answer tomorrow or Tuesday next week? He has to be specific.

You do not even know the meaning of that word, "Kaino".

**Mr. Kaino:** Mr. Deputy Speaker, Sir, what I said is that my Ministry is going to seriously investigate whether there are plans to grab that land.

**Mr. Deputy Speaker:** Can you give the date, Mr. Kaino?

**Mr. Kaino:** Mr. Deputy Speaker, Sir, certainly on Wednesday next week, I will bring answers relating to the plans to grab that land and the arrangement which the Government has for the Muslim community as well as the Nubian communities.



*Question No.447*

## PAYMENT TO PLAINTIFF

**Mr. Mutahi** asked the Attorney-General when the amount in case No.284 of 1979, High Court, Nyeri, will be paid to the plaintiff by defendants.

**The Attorney-General** (Mr. Wako): Mr. Deputy Speaker, Sir, I beg to reply.

This is a civil suit between Wagwano Wa Mumbi Kenya Limited and Paulo Mbithi and Mrs. Angelina Wairimu, wife of Paulo Mbithi. The Government is not party to the suit. It is, therefore, upto the plaintiff to pursue payment by the defendants by obtaining appropriate orders for execution. The decree is there and it is enforceable.

**Mr. Mutahi:** Mr. Deputy Speaker Sir, whether these shareholders are going to obtain the appropriate court orders for execution, according to the small investigation that the poor shareholders have done, it seems that these people do not have any assets that can be sold. What I wanted from the Attorney-General is what action he can take to assist them to get this money back? They had paid over Kshs1 million and there is nothing that can be sold from Mumbi. So, is there anything which the Attorney-General can do to assist these people?

**Mr. Wako:** It appears to me that the plaintiffs have very good advocates because they have fought all the way to the Court of Appeal and have succeeded. Therefore, it is within their competence to find ways and means in which they can execute the decree.

**Mr. Deputy Speaker:** Question 760 for the second time!

*Question No.760*

## WORKSHOPS FOR DISABLED PERSONS

**Mr. Busolo** asked the Minister of State, Office of the President:-

(a) what plans the National Fund for the Disabled have to set up sheltered workshops for the disabled who cannot be employed ordinarily; and,

(b) what plans does the Ministry have to put up such workshops in Webuye.

**The Assistant Minister, Office of the President** (Mr. Manga): Mr. Deputy Speaker, Sir, I apologise for coming late, and I beg to reply.

(a) The National Fund for the Disabled does not have any plans to set up sheltered workshops.

(b) There are no plans to put up sheltered workshops in Webuye Division.

**Mr. Busolo:** Mr. Deputy Speaker Sir, could the Assistant Minister tell the House what this Fund for the Disabled is for?

**Mr. Manga:** Mr. Deputy Speaker Sir, the current policy for the National Fund for the Disabled is to assist various organisations and institutions which have established workshops and other facilities for the disabled, so that they can improve their capacity and cater for more people in a better way. That is the policy.

**Mr. Busolo:** Could you tell us some of the organizations that these funds have assisted. Could you name some of them?

**Mr. Manga:** The hon. Member knows the organizations and I do not think it is necessary for me to give them.

**Mr. Busolo:** Mr. Deputy Speaker, Sir, I do not know them. I am not that stupid to ask Questions which I know the answer. I do not know them and he should tell us!

**Mr. Deputy Speaker:** Be generous, Mr. Manga and give him some examples.

**Mr. Manga:** Mr. Deputy Speaker, Sir, these include, Simbarare, Bombolulu Handcraft and all these organizations are there.

**Dr. Lwali-Oyondi:** Mr. Deputy Speaker, Sir, the sums that were collected for the disabled were supposed to have been used to buy some houses, including Rehema House. Could the Assistant Minister tell us who the recipient of the rents received from Rehema House is?

**Mr. Manga:** There is a Board of Trustees managing this Fund and the funds are being revolved. So, it is a revolving fund and the rent received goes into its use.

*Question No.202*

## COST OF DIPLOMATIC MISSIONS

**Mr. Obwocha**, on behalf of **Gatabaki**, asked the Minister for Foreign Affairs and International Co-operation:-

(a) how many foreign diplomatic missions has Kenya got and how much does it cost to maintain each mission; and,

(b) what is the criteria of opening and staffing such missions.

**Mr. Deputy Speaker:** May, I know from Obwocha whether he has express instructions from hon. Gatabaki? The reason why I am doing this is because I had been approached earlier on by hon. Icharia, who informed me that hon. Gatabaki has lost his father and he is busy with funeral arrangements and that he had instructions that the Question should be deferred. For the avoidance of doubt, do you have express instructions to ask the Question on his behalf?

**Mr. Obwocha:** Yes, Mr. Deputy Speaker, Sir, I do.

**Mr. Deputy Speaker:** Hon. Icharia, in that case we can proceed with the Question. In any case, by looking at the Question, I do not think there is any harm if we deal with it. Anybody from the Ministry of Foreign Affairs and International Co-operation? Is there nobody from the Ministry of Foreign Affairs and International Co-operation? The Question is therefore, deferred.

**Mr. Obwocha:** But I have a written answer here!

**Mr. Deputy Speaker:** Do you want to answer it on his behalf?

**Mr. Obwocha:** Mr. Deputy Speaker, Sir, I wish to know when this Question is coming up again because we have a lot of interest in it.

**Mr. Deputy Speaker:** I will not tell you that. The Question is deferred and it is supposed to come up at the earliest convenient time, normally, in about a week's time.

*(Question deferred)*

### QUESTION BY PRIVATE NOTICE

#### NEW VALUATION ROLL FOR MOMBASA MUNICIPALITY

**Prof. Mzee:** Mr. Deputy Speaker, Sir, I beg to ask the Minister for Local Government the following Question by Private Notice.

(a) Is the Minister aware that the Municipal Council of Mombasa had produced a new valuation roll this year(1996)?

(b) Is he further aware that the last valuation roll was done in 1994 and that the present assessment of unimproved site value for Old Town in Mombasa has been increased by over 1,000 per cent?

(c) Is he also aware that the Old Town area of Mombasa has been gazetted as part of a National Monument, which means the area must be preserved as it is?

(d) What was the basis for this increase of unimproved site value by over 1,000 per cent?

**The Assistant Minister for Local Government (Dr. Wameyo):** Mr. Deputy Speaker, Sir, I beg to reply.

The Matter in question is under a valuation court in Mombasa and, therefore, it is *sub judice*.

**Prof. Mzee:** I will never accept that answer because the demand notices are already out. I have the demand notices here for the new rates. He should tell us the court and case number. I know that there is no such a thing! What the Municipal Council has asked for is that, if one is objecting to this, he should see the Mayor. That does not mean there is a case in the court. This Assistant Minister is misleading this House. He should tell us the court and the case number. Otherwise, I will need your protection, Mr. Deputy Speaker, Sir. You should direct him to answer the Question.

**Dr. Wameyo:** This matter is before the Mombasa valuation court.

**Prof. Mzee:** Mr. Deputy Speaker, Sir, there is no such a court like the Mombasa Valuation Court. The Assistant Minister is misleading and I need the protection of the Chair. He should be compelled to answer the Question!

**Mr. Deputy Speaker:** Dr. Wameyo, why can you not be serious. You are saying that there is a Mombasa Valuation Court which received this matter and it is supposed to be a court of law?

**Dr. Wameyo:** That is how I understand it.

**Prof. Mzee:** Mr. Deputy Speaker, Sir, this Assistant Minister should be informed that there is no such a thing in our law. You are a lawyer, Mr. Deputy Speaker, Sir, and you know this. He is refusing to answer this

Question. I am requesting you to order him to answer the Question.

**Dr. Wameyo:** Mr. Deputy Speaker, Sir, since this matter is before a valuation court, it is *sub judice*.

**Mr. Deputy Speaker:** What is the case number?

**Dr. Wameyo:** Mr. Deputy Speaker, Sir, I do not have that information, but I can bring it this afternoon.

**Mr. Deputy Speaker:** Very good. Give us those particulars this afternoon.

### POINTS OF ORDER

#### REQUEST FOR MINISTERIAL STATEMENT ON POWER RATIONING

**Prof. Mzee:** On a point of order, Mr. Deputy Speaker, Sir. I rise on a point of order to request a Ministerial Statement from the Minister for Energy. I want him to tell this House what the current status of power supply in Mombasa and the Coast in general is. That area is being subjected to over 12 hours of power rationing everyday. A lot of money is being lost in businesses and more is being spent on operating generators. Also, many tourists are suing the tourist industry to be compensated for non-provision of air conditioning and electricity during the peak hours of the night. I want the Ministry to tell us what is happening with electricity in the Coast, Mombasa and the country in general. With the advertisement on power supply in today's [Prof. Mzee] newspapers it looks as if the phenomenon of power rationing is there to stay. I am glad to note that the Minister, Hon. Ngala, is here.

**The Minister for Energy (Mr. Ngala):** Mr. Deputy Speaker, Sir, I do not know whether it is necessary for me to give a Ministerial Statement on this matter. This is because the Kenya Power and Lighting Company (KPLC) have issued a statement and explained the position. That position is current enough to inform the public of the short supply of power and its causes. Therefore, I do not know whether I should give a Ministerial Statement when the KPLC have given sufficient information as to the cause of power rationing. **Prof. Mzee:** Mr. Deputy Speaker, Sir, I want the Minister to tell the House how long this situation will take. He should also explain what measures are being taken to bring it to an end. Kenyans, including myself, would like to know this.

**The Minister for Energy (Mr. Ngala):** Well, Mr. Deputy Speaker, Sir, if that is the wish of the House, we will prepare a statement and bring it to the House.

#### INSECURITY IN NYAMBENE AND THARAKA/NITHI

**Mr. Murungi:** On a point of order, Mr. Deputy Speaker, Sir. I am rising on a point of order to demand a Ministerial Statement from the Minister in charge of internal security, Office of the President, regarding the deteriorating security situation in Nyambene and Tharaka/Nithi District. On Saturday, 26.10.96, soon after the Provincial Commissioner, Eastern Province, had visited Tharaka North Division and assured wananchi that peace had been restored in the area, that same night heavily armed raiders from Nyambene District - in fact, they were from the constituency of hon. Kalweo - invaded that division and annexed three quarters of it. Eight primary schools in the division have closed down, although this is examination time. So, children are suffering. I am demanding that the Minister tells this House the root causes of the violent clashes between the Igembe and Tharaka people in Nyambene and Tharaka/Nithi Districts. Secondly, we want to know what immediate action the Government is taking to restore peace in this area, and what long-lasting solution the Ministry has for restoring peace and order in that area.

**The Assistant Minister, Office of the President (Mr. Sunkuli):** Mr. Deputy Speaker, Sir, we shall give a statement tomorrow.

### MOTIONS

#### ESTABLISHMENT OF REMEDIAL PROCESS

##### IN PUBLIC UNIVERSITIES

THAT, being conscious of the need to distribute higher education opportunities equitably throughout the country, and considering that some districts in this country have seriously lagged behind educationally due to historical, geographical and cultural reasons, this House urges the Government to establish one-year-remedial courses in public universities for selected bright KCSE students from the specific districts to prepare them for university entry.

(Mr. Mcharo on 23.10.96)

(Resumption of debate interrupted on 23.10.96)

**Mr. Deputy Speaker:** Hon. Sunkuli, I understand you had the Floor last time.

**The Assistant Minister, Office of the President** (Mr. Sunkuli): Mr. Deputy Speaker, Sir, last time when I stood to contribute to this Motion I was fervently opposing it. But now I am not as fervently opposing it as I was at that time. This is because I am duly informed that the hon. Minister for Education will move an amendment to it. It is very crucial to know that as it is now, the Motion requires that when students from disadvantaged areas go to university they should be trained in a separate system so that they can fit in with the rest. I was objecting to that because I know that the mere fact that students come from rural areas does not mean that they are not as polished as the students from "perch", as schools in Nairobi are called. I think that although most of us went to schools in rural areas we are just as qualified as those people who went to Alliance High School.

If it is a question of making sure that students qualify to go to university let them be trained outside the university to so qualify. Once students are in university it is not possible to train them again inside there as if they were not qualified to be there. Either they are qualified to be in university or they are not.

I also wanted to mention one matter that I have had occasion to state before in this House. In the University of Nairobi, Kenyatta University and other universities lecturers treat their students very unfairly. It is important that lecturers be told this. I know that it is possible for you to do your masters degree in the University of Nairobi for six years without qualifying, unless you talk nicely to your lecturer. Many of the lecturers are tribalistic. During my time in the university it was not possible to get a first class degree in the Faculty of Law if you did not speak Luo. Although I would rate myself as first class lawyer, there are some people today who qualified to obtain first class degrees because they were awarded the degrees by their tribesmen. There is a lot of tribalism practised in marking internal examinations within the Kenyan universities today. It is not good---

**Dr. Lwali-Oyondi:** On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister is making a very serious allegation against our universities. Can he substantiate it or withdraw the remarks and apologise?

**The Assistant Minister, Office of the Office** (Mr. Sunkuli): Mr. Deputy Speaker, Sir, having gone through university I do remember that one time when I was doing criminal law somebody copied his answer from mine and he got 16 marks out of 20 marks while I got eight marks out of 20 marks. This answer was on the same paper. That is not the right thing to do. Many girls, for instance, are disadvantaged if they do not comply with the wishes of the lecturers. I think I must say this---

**Mr. Obure:** On a point of order, Mr. Deputy Speaker, Sir.

**The Assistant Minister, Office of the President** (Mr. Sunkuli): Mr. Deputy Speaker, Sir, my friend went to the United States of America for his studies and I do not know why he is complaining. The lecturers there are not as unfair as they are here. He should let me talk because I went to a university in Kenya.

**Mr. Obure:** On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to imply that when he was at the university there was cheating and so he did not pass his examination? Was he copying his answers from those of other students? Is that what he is practising in the Government?

**The Assistant Minister, Office of the President** (Mr. Sunkuli): Mr. Speaker, Sir, the hon. Member was not advantaged enough to have gone to a university in Kenya. If he had, he would still be repeating his course now!

**Mr. Gitau:** On a point of order, Mr. Speaker, Sir. The statement by the Assistant Minister casts a shadow of doubt on Luo lawyers, whom we know are outstanding! Is he in order to tell Kenyans that Luo lawyers were not qualified to get first class degrees?

**The Assistant Minister, Office of the President** (Mr. Sunkuli): Mr. Deputy Speaker, Sir, I do not know whether the hon. Member is qualified to comment on anything about university. But what I am saying is that---

**Mr. Gitau:** On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister cannot say that I am not qualified to comment because I am a graduate of the University of Nairobi, just as he is! **The Assistant Minister, Office of the President** (Mr. Sunkuli): Mr. Deputy Speaker, Sir, I am saying that it is not important to tell us that you pass examinations because you have eaten this or that. What I am saying is that the lecturers should be fair even to the ladies. That is all we are trying to say. It is important to say that so that tribalism is not the basis for determining who passes.

Mr. Deputy Speaker, Sir, with those few remarks, I therefore, support.

**Mr. Deputy Speaker:** Order! Hon. Sunkuli has finished. If there is nobody to contribute I---

**Mr. Obure:** Thank you, Mr. Deputy Speaker, Sir. It is very important that we should be fair in the distribution of our national wealth because we are all Kenyans. It is high time that this nation thought along the line of

equal distribution of wealth; be it land, education or natural resources. A lot of disciplines have been sidelined. I am sorry to say that hon. Sunkuli, is against this Motion while the Maasais have lagged behind. I am sorry to say that hon. Sunkuli should not have been elected to this House because he is one person who has let the Maasai down. Instead of encouraging the students to go to school, study and qualify to go to university, he takes the students from school to practice moranism. It is the same person who stands up and says that we are not qualified.

**The Assistant Minister, Office of the President** (Mr. Sunkuli): On a point of order, Mr. Deputy Speaker, Sir. Is hon. Obure in order to personalise this debate by stating that I have taken students to the *manyatta*, when, in fact, there are no people in the *manyatta* now? They have all graduated. The truth is that hon. Obure does not go to his constituency. He sits here in Nairobi and imagines things that happen down there. Is he right to personalise this debate?

**Mr. Obure:** Mr. Deputy Speaker, Sir, I am not personalising, but I am trying to help hon. Sunkuli by telling him that there are some districts which have been marginalised. If I was to ask how many Maasais are in the university, you would be surprised that hardly any Maasai lady is there. All I am saying here is that we should be fair in distributing the wealth of this nation. Some districts have been marginalised. For example, the Kisii community have been let down because they are the most hard-working people in this country today. They produce food which feeds this nation. They are the people who work very hard to produce tea and other cash crops that earn foreign currency. What happened here is that the Kisii have excelled in examinations. I remember in 1983, it was a Kisii who led in the Kenya Advanced Certificate of Examination (K.A.C.E). But what has happened here is: the Kisii community has not got its own share of the students being admitted to the university. So, it is up to the Minister and this Government to know that the Kisii community and other communities have realised that we have been sidelined. It is only fair that in our institutions of learning today, there must be enough resources and learning equipment to be fairly distributed to these schools. I do not see how a student in Nyamisocho Secondary School who has not seen a test tube, can be compared with a student in Alliance High School. I do not think it is practicable to set the same examinations for all the students and expect students from the rural and the well to do school to equally excel. I would suggest that the Minister for Education, hon. Kamotho, should devise a way in which the qualified teachers are equitably distributed. Secondly, equipment like science equipment should also be fairly distributed to schools. Some of the officials who went to Alliance School have made a habit of donating a lot of money to this school and that is why some of the districts are lagging behind.

The problems we are facing today are also as a result of lack of knowledge by members of Boards of Governors appointed to these schools. I do not understand how a Minister for Education gives appointment letters to illiterate people as members to these Boards, thus, giving them the mandate to run down the education system in our country. This needs to be looked into so that our institutions of learning are run by qualified people. Our system of education has also been hindered by corruption. The teachers running these institutions have run them down. The heads of these institutions are busy managing their own business and the Minister knows this, but nothing is being done about it. We as politicians---

### QUORUM

**Mr. Kavisi:** On a point of order, Mr. Deputy Speaker, Sir. The House has no quorum.

**Mr. Deputy Speaker:** I confirm that there is no quorum. I direct that the Division Bell be rung.

*(The Division Bell was rung)*

**Mr. Deputy Speaker:** Order! We have a quorum now. You may proceed, Mr. Obure.

**Mr. Obure:** Mr. Deputy Speaker, Sir, I think we are being unfair to our teachers. Today, our teachers are the most poorly paid in the Southern part of Africa. With the meagre pay of Kshs2,000 a teacher is expected to take care of his family, pay medical bills and attend to other family obligations. Do we really expect this man to excel in the class?

I think we are being unfair to our teachers. Our teachers must be paid handsomely in order to produce good results. The Permanent Secretary and the Minister for Education were educated by a teacher. I think our head of State should also look into this matter because he was once a teacher. He is being unfair to teachers by failing to pay them good salaries. Why can we not pay our teachers well so that they stop indulging in other income generating businesses at the expense of our students? Most of the teachers in Kisii have gone into matatu business and others have opened shops and nobody cares about the pupils any more. When they are asked why they are doing this kind of thing they complain that their salaries are not enough. The Government should look into this matter.

Mr. Deputy Speaker, Sir, there is one thing that touches on the Kisii community and this nation at large; the

question of teachers in private teachers training colleges. Teachers who have trained in private teachers training colleges, for example, Nyabururu, Migori and others sit for the same exams as teachers in Government teachers training colleges. They even do much more better than teachers in the Government institutions. Why can we not employ these teachers? Today in Kisii, we have a shortage of teachers and I think the same thing is happening in the country. Our hon. Minister and this Government have deliberately decided to punish teachers. Today, parents spend much money in promoting education in this country. Parents of these teachers have spent so much money in their education and after graduating, they are now sitting at home with no employment. Do we have different education systems here? We have a private education system and a Government aided education. I suggest that our hon. Minister takes up this matter seriously because we have a shortage of teachers and we need to employ them.

With those few remarks, I beg to support.

**The Minister for Education** (Mr. Kamotho): Mr. Deputy Speaker, Sir, I would like to start by saying that the Government supports the principle of this Motion.

I am aware of the historical and cultural factors which have militated against the development of education in some parts of this country for a long time. It is because of this awareness that the Government puts in place various programmes and provisions such as, School Feeding Programme, boarding facilities in primary schools, provision of text books and the bursary scheme which was passed by this particular House, all of which are aimed at facilitating access an enhancing retention at all levels of education in these areas. Rather than establishing one year remedial courses in our public universities for selected bright KCSE students from these areas as proposed by the hon. Member, the Ministry would be most willing to give such a student from disadvantaged areas and vulnerable groups a second chance in selected schools and colleges where they will be given remedial courses for them to qualify for admission into public and private universities on merit.

Very many gifted individuals from disadvantaged areas would be identified and trained in discipline of need such as human and veterinary medicine, engineering, nursing and education with the expectation that they will in turn serve as role models to other young people in their respective home areas.

Remedial education would also be provided for female students to enable them gain admission to universities on merit in contrast to lowering the cut-off points which gives them an acceptable stigma. It has become necessary to take affirmative action to correct the current imbalances between male and female students in our public universities. This exercise will require coordination of the work of the Joint Admission Board, the Kenya National Examination Council, the private universities and post-secondary training institutions.

The Commission for Higher Education is expected to play that coordination role. Public universities are expected to maintain high standards of education comparable to the rest of the world in the area. This, to me, is the challenge of our national development. Diverting this mission into remedial courses for students from disadvantaged districts will affect the teaching and research effort meant to promote national development.

I would also like to make this House aware that our current education system is extremely fair because we try to ensure that every district of this country gets an opportunity to get admission to our public universities. I would like to give a breakdown of those who were admitted to our public universities by provinces and if Members will like to have that information, I can table that list later.

During the 1994/95 year, the following students by provinces were admitted to our public universities.

PROVINCE	NO. OF STUDENTS
Coast	353
Western	964
Central	1,809
Nyanza	1,414
North Eastern	24
Nairobi	800
Eastern	1,592
Rift Valley	1,367

Out of all these, no district failed to push a substantial number of students to our public universities. We are aware that some areas, for historical reasons, get better opportunities to send more students to the universities than others, but as I said earlier on, the Government has taken several actions in order to end the imbalance which has existed over very many years.

To be able to remedy the situation further, I would like to support this Motion as amended. I would like, therefore, to propose the following slight amendment which is not really going to change drastically the content of the Motion.

The objective of the amendment is to ensure that we are not interfering with the traditional freedom of our public universities of selecting those whom they should teach. We do not want to interfere with the academic

freedom. We have the University Act here. So, we would like remedial courses not to be in within the existing university structure, but to be outside the university, so that we give a second chance to bright students from disadvantaged areas, and also, pockets of poverty in high potential areas, or those students who might fail to perform well in the national examinations due to calamities which may be beyond their control. There are students who lose their parents or relatives during examination period. They are normally very bright students. So, by so doing, that is, starting courses in some of our existing colleges, these students can be given a second chance to qualify for university entry on merit. We will remove that stigma of reducing the points for entry into our universities for girls or children from disadvantaged areas.

*[Mr. Deputy Speaker left the Chair]*

*[The Temporary Deputy Speaker  
(Mr. Ndotto) took the Chair]*

Therefore, I would like to suggest that the words in the fourth line, after the words "the Government", that is: "To establish one year remedial courses in public universities for selected bright KCSE students from the specific districts to prepare them for university entry", to be deleted and be substituted with the following clause:

"To give selected bright KCSE students from disadvantaged districts and vulnerable groups a second chance to qualify for admission in universities on merit".

I deliberately omitted the word "public", because if a student qualifies in the second trial, he or she should also qualify for admission into private universities.

Therefore, what we are saying here is that a student who is given a second chance will be treated like a school student. This examination would be administered by the Kenya National Examination Council, but coordinated by the Commission for Higher Education in collaboration with private universities and other post-secondary institutions. The objective of this is to ensure that we do not dilute our own national education system. This is done in many other countries, where remedial courses are provided so that the students can meet the minimum requirements for admission to universities. In some areas, they are called foundation courses.

Mr. Temporary Deputy Speaker, Sir, this proposal was also supported by the Presidential Commission which was appointed by His Excellency the President and headed by Prof. Mungai to look for ways of giving more equitable treatment of the Kenyan students who come from all parts of the country.

Therefore, without discrimination, I would like to propose that amendment of this Motion.

**The Minister for Culture and Social Services** (Mrs. Mwendwa): Thank you very much, Mr. Temporary Deputy Speaker, Sir. I stand to second the amendment.

This is a very good Motion and the amendment is in line with making the Motion even more effective. In this Motion, we are talking of disadvantaged districts. It is also very appropriate that this Motion comes at this time, when we have got drought throughout the country, and the examination is going on at the same time.

If you look at the tabulation in these disadvantaged districts as shown by the Minister, you will find that, for example, the whole of North Eastern Province had only 24 students who managed to go to public universities. That shows really, where the disadvantage is actually biting.

As we talk here, children are doing their examinations to go to the universities. Most of them are doing the examinations on empty stomachs. I support this amendment to suit especially those students who are doing their examinations at this time in these disadvantaged districts. This is because in these areas, it is not just that there is shortage of food, but they lack facilities, laboratories, lights and books. They do not have the same facilities as the children who come from the more advantaged areas.

Therefore, for them to be given a leeway to go to the universities is in order. When we were doing our examinations some years ago, we managed to go to good schools although we came from arid and semi-arid areas. Once in those schools, it did not take us long to catch up with the other children who had come from the advantaged areas. Therefore, I am very sure that if we could come from very dry areas and go to Alliance Girls and Boys and perform within a short time and manage to go to the universities, there is no question that when these students are given a chance to go to universities, they will perform well. If we can slightly lower the grades for these students from disadvantaged areas, instead of just sticking to the required grades, they will catch up with their brothers and sisters in the universities and do very well in time. In that way, we will be fair to the whole country, so that we do not have areas which have very many university graduates, while others have none.

Mr. Temporary Deputy Speaker, Sir, on the vulnerable groups, I can speak with authority regarding girls joining universities in this country. As we speak now, the ratio of men student in our universities is 70 per cent while women students is only 29 per cent, to be precise.

We do know that the girls are disadvantaged. Why are they disadvantaged? Well, mainly because of the cultural reasons. If a father is given a chance or he has to make a choice of sending his two children to university, a girl and a boy, and he has limited funds, he will send his son to the university. So, you find the girl child is disadvantaged. The same girl child is disadvantaged from birth because when it comes to domestic chores, the girl child is involved in the kitchen chores while the boy child is given a chance to study. Therefore, I would propose that, that disadvantaged girl child be advantaged in the admission to university. After all, in this country, we have got 51 per cent of female gender. We cannot afford to ignore girls and women of this country. The girl child should be supported, encouraged and allowed to join university because she has suffered all the disadvantages of the culture and customs of this country.

While we do have these disadvantaged areas, we do also have pockets of poverty within the very advantaged areas. For example, if we are talking about Nairobi, a student who is in the Upper Hill area or Muthaiga or in other posh areas, does not suffer the same as the student who is studying in Mathare Valley, Kawangware, Soweto and so on. It would be in order to support and encourage those students who are in these areas of pockets of poverty to be given a chance also to be able to join university because if we say that they will be admitted at par, we will find that we are going to lose a lot of really brilliant students who otherwise would have performed very well. But they cannot perform very well because of where they find themselves.

I would support this amendment to take care of both girls and boys who are in these pockets of poverty so that they can also get a chance to be in the universities with their brothers and sisters who happen to come from advantaged areas.

In so doing, we will be looking more deeper into the problem instead of just talking of these areas because there are areas within advantaged areas with pockets of poverty. If we look at these areas, we will take care of the Kenyans who should also be in our universities. I am very glad to find that the amendment is also not just meant for the public universities, but it is also meant for the private universities.

We do see the advantage of this amendment so that the whole cadre throughout the country is taken care of.

With those remarks, I beg to support the amendment.

*(Question of the first part of the amendment, that the words to be left out be let out, proposed)*

**Prof. Mzee:** Asante sana, Bw. Naibu Spika wa Muda, kwa kunipa nafasi hii ili nizungumze juu ya Hoja hii. Hoja hii ni muhimu sana kwa sababu inahusu elimu.

Ninaunga mkono kikamilifu marekebisho yaliyoletwa na mhe. Kamotho, Waziri wa Elimu, juu ya Hoja hii. Ninaunga mkono wazo lake la kutaka msimamo maalum juu ya wanafunzi wa kike. Jambo hili ni muhimu sana. Amapendekeza ya kwamba wanafunzi wa kike ambao wanataka kujiunga na vyuo vikuu hapa nchini, alama zao zitapunguzwa. Huu ni msimamo wa haki kwa wanafunzi wa kike.

Kisha akatoa katika Hoja hii marekebisho kuwaeleza wanafunzi ambao wanatoka katika sehemu ambazo ziko disadvantaged au kavu nao pia wapate nafasi ya kuingia katika vyuo vikuu hapa nchini. Mapendekezo haya ni mazuri sana ambayo yamesemwa na Waziri wa Elimu, mhe. Kamotho.

Ninataka kupendekeza jambo moja. Katika wilaya kavu nchini, utaona sehemu ambazo wanafunzi wanafanya vibaya sana katika elimu ni sehemu za Mkoa wa Pwani. Wilaya ya Mombasa huwa ni ya mwisho katika munispaa zote hapa nchini. Kwa hivyo, wilaya ya Mombasa ni moja ya hizi wilaya ambazo hazifanyi vizuri sana katika mitihani ya kitaifa. Wilaya ya Mombasa ni "disadvantaged" na itazamwe kwa macho ya rehema. Wilaya ya Tana River huwa ya mwisho katika mitihani ya kitaifa ikilinganishwa na wilaya zote za Kenya. Kwa hivyo, wilaya ya Tana River na Lamu zitazemwa kwa macho ya rehema.

Kwa ufupi, ninamwambia mhe. Waziri ya kwamba Pwani nzima ni disadvantaged na ikiwa Hoja hii itapita jambo la kwanza kutazama ni kurekebisha hali ya elimu katika Mkoa wa Pwani.

Mipango ambayo aliyaeleza Waziri ya kuwa baada ya kukubaliwa kwa Hoja hii kutakuwako na mtihani ambao utasimamiwa na Kenya National Examinations Council (KNEC) ni jambo ambalo ni nzuri sana. Kwa hivyo, mwanafunzi ambaye ana akili timamu na hakupata alama za kujiunga na chuo kikuu kutoka hizo sehemu za Pwani atapewa nafasi ya pili kufanya mtihani mwingine ambao utakuwa ni tofauti kidogo na Kenya Certificate of Secondary Education (KCSE) ili kumpa mwanafunzi yule nafasi ya pili ya kujiunga na chuo kikuu. Hili ni jambo nzuri sana.

Jambo hili litaondosha ujinga mkubwa sana. Tunajua Wabunge wengi kutoka Pwani ni mazuzu, "mafala" na wajinga, kwa sababu elimu katika sehemu---

*(Laughter)*



**The Assistant Minister for Finance** (Mr. Keah): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for hon. Prof. Mzee, kusema ya kwamba "Wabunge wote wa kutoka Pwani ni wajinga na mafala sana?"

**The Temporary Deputy Speaker** (Mr. Ndotto): He is totally out of order and he has to withdraw.

**Prof. Mzee:** Bw. Naibu Spika wa Muda, sikusema wote lakini nimesema baadhi yao. Kwa mfano, tuna mhe. Nassir ambaye ni "fala" la mwisho!

*(Laughter)*

**The Temporary Deputy Speaker** (Mr. Ndotto): Order! Order! May I order you to withdraw and apologise unconditionally?

**Prof. Mzee:** Bw. Naibu Spika wa Muda, ninayaondoa matamshi yangu kama alivyosema mhe. Keah kwa kuwa si Wabunge wote wa Pwani ambao ni "mafala" na mazuzu. Ninayaondolea bali matamshi yangu na kuomba msamaha.

**The Assistant Minister for Education** (Mr. Komora): On a point of order, Mr. Temporary Deputy Speaker, Sir. This withdrawal is conditional and we do not accept it. There is no hon. Member who is "fala". "Fala" ni mjinga. The electorate who elected any hon. Member to come to this hon. House are very intelligent, and they cannot elect a fool.

**Prof. Mzee:** Bw. Naibu Spika wa Muda, kuna mambo mawili muhimu ambayo yatawasaidia watoto kufanya vizuri katika mitihani yao. Jambo la kwanza ni---

**The Temporary Deputy Speaker** (Mr. Ndotto): Order! Order! What is the problem, hon. Nassir?

**The Assistant Minister for Information and Broadcasting** (Mr. Nassir): Jambo la nidhamu, Bw. Naibu Spika wa Muda. Mhe. Prof. Mzee hajayaondosha madai yake. Sisi Wabunge wa Pwani si "fala", lakini yeye ndiye "fala" aliyedanganywa na Wajaluo.

**The Temporary Deputy Speaker** (Mr. Ndotto): Order! Order!

**Prof. Mzee:** Bw. Naibu Spika wa Muda, mimi sina ukabila. Lakini ikiwa mhe. Nassir ana ukabila, ni shauri yake. Mimi sina haja kutaja habari ya kabila lolote.

**The Temporary Deputy Speaker** (Mr. Ndotto): Prof. Mzee, you are wasting your time and there is no point. May I, for the second time ask you to withdraw unconditionally and proceed because in the previous withdrawal, you had put a condition.

**Prof. Mzee:** Bw. Naibu Spika wa Muda, nimeyaondolea mbali madai yangu na ninaomba msamaha. Lakini ukweli ni kwamba binadamu wote si sawa. Kuna wengi hodari na wengine si hodari. Kuna wengine ambao ni mazuzu. Kwa hivyo, mazuzu wako. Mambo mawili ni muhimu katika kuwasaidia watoto waweze kufanya vizuri katika mitihani yao. Kwanza, ni bongo nzuri. Hakuna kabila lolote ambalo linamiliki bongo nzuri. Makabila yote yana wanafunzi hodari na mazuzu. Sehemu zote za Kenya kuna wanafunzi ambao ni hodari na mazuzu. Jambo ambalo linaleta tofauti baina ya watu katika sehemu moja na sehemu nyingine kuweza kupita mitihani yao ni mazingira ili kuwapa nafasi kuendelea na taalimu zao. Mara nyingi utaona kuwa matata ni viongozi hasa wale viongozi vizee, vikongwe ambavyo vimekaa kwenye viti vyao kwa muda mrefu na mahasidi ambao wanarudisha watu nyuma katika taalimu. Mkoa wa Pwani uko nyuma katika elimu kwa sababu ya viongozi wa aina hii. Ikiwa tutaweza kupiga kadiri kuwa sisi tuna viongozi ambao wataangalia elimu ya watoto wetu kwa bidii, basi itakuwa hatuna matata. Lakini tukiwa na vikongwe hivi, vizee hivi, ambavyo havijui ule umuhimu wa elimu, hatuwezi kuendelea. Kujua umuhimu wa elimu, sharti wewe mwenyewe uwe na elimu. Lakini ikiwa wewe mwenyewe huna elimu kabisa, hata kujibu maswali katika Bunge huwezi!

*(Laughter)*

Basi, wewe utaweza kweli kusimamia elimu katika eneo lako? Huwezi. Hii ndiyo sababu katika Mkoa wa Pwani sisi tuko nyuma kwa elimu, mazingira na kadhalika.

Kila tunapoanza mwaka, tunakuwa na upungufu wa walimu asilimia 23 katika shule za msingi. Kwa hivyo, ikiwa kweli sisi tuna Waziri ambaye anataka kurekebisha elimu hapa Kenya ili kusawasisha sehemu zote, ahakikishe kwamba kila sehemu ya nchi hii ina walimu wa kutosha kusomesha katika shule zote za msingi. Taabu yetu ni kuwa mtu anaweza kuhitimu darasa la nane katika shule zetu hususa katika Pwani na hasa Mvita Primary School na elimu ya mwanafunzi ikawa kiwango cha darasa la tatu. Yeye na Mbunge hawana tofauti. Amemaliza darasa la nane na elimu yake ni ya darasa la tatu. Kwa hivyo, jambo la kwanza ni kurekebisha elimu katika shule za msingi---

**The Assistant Minister for Information and Broadcasting** (Mr. Nassir): Jambo la nidhamu, Bw. Naibu Spika wa Muda. Mimi nilifikiria kuwa tumekuja hapa kuzungumza mambo yetu na si kuwaingilia watu wengine.

Kama mhe. Mbunge atajaribu kufanya hivyo, ninaomba aende kule nje akaite mkutano ili tuone kama anaweza kunishinda.

**The Temporary Deputy Speaker (Mr. Ndotto):** Mr. Nassir, what is your point of order?

**The Assistant Minister for Information and Broadcasting (Mr. Nassir):** Ninataka kumwambia mhe. Mbunge kuwa asijaribu kuniingilia tena.

**The Temporary Deputy Speaker (Mr. Ndotto):** What is your point of order, Mr. Nassir?

**The Assistant Minister for Information and Broadcasting (Mr. Nassir):** Mhe. Mbunge anazungumza mambo ya Mvita Primary School---

**The Temporary Deputy Speaker (Mr. Ndotto):** Order! Order, hon. Nassir. What is your point of order?

**The Assistant Minister for Information and Broadcasting (Mr. Nassir):** Je, ni haki kwa mhe. Prof. Mzee kutaja jina la Mvita hapa ilhali hajatoa hata shilingi moja katika Harambee na hajajenga hata nyumba ya kuku katika Mombasa?

*(Laughter)*

**The Temporary Deputy Speaker (Mr. Ndotto):** Prof. Mzee, can you, please, stick to the debate? Proceed.

**Prof. Mzee:** Bw. Naibu Spika wa Muda, kwanza kabisa, sikumtaja mhe. Nassir. Mhe. Nassir mwenyewe ana guilty conscience. Mtu akiwa guilty conscious ana matata. Pia, ninataka kumwujulisha mhe. Mbunge kuwa nina afisi huko Mombasa na mimi si mwizi kama yeye. Sikuchukua ploti na ninaweza kusimama hapa katika Bunge hili kumwambia---

**The Temporary Deputy Speaker (Mr. Ndotto):** Order! Order! Prof. Mzee, I think this is not proper for you. You cannot call another hon. Member "mwizi". It is completely out of order, and I think in my own humble opinion, it is very unfortunate that such remarks had to come from an hon. Member like you. Can you withdraw immediately and apologise?

**Prof. Mzee:** Bw. Naibu Spika wa Muda, ninaondoa dhana ya "wizi" kabisa, lakini yeye ni "mnyakuaji" na wala si mwizi.

Kwa hivyo, nikiendelea kuzungumza juu ya elimu katika Wilaya ya Mombasa, taabu tuliyonayo ni kuwa mwanafunzi akihitimu darasa la nane, kiwango chake cha elimu ni cha darasa la tatu. Kwa hivyo, ni lazima turekebishe shida hiyo.

Kwa hayo machache, ninaunga mkono.

*(Question of the first part of the amendment,  
that the words to be left out be left out,  
put and agreed to)*

*(Question of the second part of the amendment,  
that the words to be inserted in place  
thereof be inserted, proposed)*

*(Question of the second part of the amendment,  
that the words to be inserted in place  
thereof be inserted, put and agreed to)*

*(Question of the Motion as amended, proposed)*

**The Assistance Minister for Finance (Mr. Keah):** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to the Motion as amended.

Mr. Temporary Deputy Speaker, Sir, in making my contribution, I would like to acknowledge---

**The Temporary Deputy Speaker (Mr. Ndotto):** The hon. Keah, I want you to be very brief, because you have just less than 10 minutes.

**The Assistant Minister for Finance (Mr. Keah):** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me five minutes.

Mr. Temporary Deputy Speaker, Sir, in supporting this Motion, I want to echo the sentiments that have been expressed here. As you can see from the statistics, Coast Province has 353 and North-Eastern Province has 24 students compared to the rest of the Provinces. This shows exactly the disadvantaged districts. I would like to see a scheme and a plan of action of how this Motion is going to be implemented, because it is all very well to pass a

Motion. But unless, we can get an implementation plan for this Motion, this Motion will remain in the books and we will not be able to see the fruits of the spirit of this Motion. That is really the most important contribution I want to make.

However, on education as a whole, I am aware the Minister has mentioned about the school feeding programme, the boarding facilities for primary schools, textbooks as well as the bursary. But these facilities are given more or less equitably to all the schools, disadvantaged and advantaged. My call here is for the Ministry, and us in the Government, to categorically make concerted and deliberate efforts to ensure that school facilities in the disadvantaged areas are upgraded or they are improved upon. Even the teachers are sent there. We should ensure that the schools do have proper classrooms.

Mr. Temporary Deputy Speaker, Sir, the biggest problem is lack of facilities. You cannot compare a primary school here in the City with some schools in disadvantaged areas out in Kaloleni or somewhere in the bush where there is no source of income, infrastructure or absolutely no way of communicating whatsoever. Studying at night is not possible because there is no electricity. Because of lack of those facilities, the students can only study within the course of the day, when there is sunshine. These are the disadvantages that we are talking about and I am saying that in this country we should make deliberate and concerted efforts to make sure that we improve the educational facilities in these disadvantaged areas. We are looking forward to making sure that all schools have adequate classrooms and desks. Today it is not uncommon to find students seated on a log and writing on their laps. These are the disadvantages that we should set ourselves to eradicate rather than going to pick up the holders of C+ or the C- and take them to a pre-university education.

My call, therefore, while supporting this Motion, because it is a move in the right direction, is to appeal to those concerned to make sure that all the schools in the disadvantaged areas are brought up to a standard where we have the basic minimum classrooms, textbooks, facilities for studying at night, infrastructure for making sure that those schools are accessible and other facilities, inclusive of teachers. We should identify these schools. We should make sure that the Budget provides specifically for these. By passing this Motion, I am sure that there is going to be Budgetary constraints and this is why I am interested in seeing the Minister for Education coming here with a plan of action for the implementation of this Motion.

With these few remarks, I beg to support.

**Mr. Mathenge:** Mr. Temporary Deputy Speaker, Sir, I sympathise with the children from the so-called "backward areas". Now, 33 years after Independence au baada ya, *kujitawala* we still have made very little impact in the education of children in those disadvantaged areas. Now, there is no use asking the Minister for Education to allow people to repeat so that they can gain admission into the universities. I think the important thing that should be done is to look at those backward areas and set aside a special education fund, to promote primary and secondary schools for the children of the nomads. Well qualified teachers should be posted to teach of those schools to make sure that the schools have got the facilities required. In some of those backward areas, the pastoralists own livestock. They should also agree to sell some of their livestock to help the Government to augment the funds for education of those children. If the schools are improved and the teachers are well qualified, there should be no need to waste extra time to allow students to repeat classes in order to aim at going to university.

I want to congratulate the Minister today for his firm stand against the question of diluting the standard of education in this country. I think the Minister is very fair and firm. Although I normally do not support his politics, I support him on his stand on the question of maintaining very high standards of education in this country up to the university level. Although I do not support you on your doomed politics, on the educational matters I support you.

I also strongly urge the Government to set aside a fund for promotion of education in those backward areas because the children there have brains like children elsewhere. It is the environment that is not favourable to them. I also challenge the political leaders and leaders from all walks of life in those areas to think about uplifting the standards of their children through education. Some of them do not even care about how the schools are run in their respective areas. So, it is up to the leaders of those areas to make sure that the standards of education are raised. For example, Prof. Mzee happens to come from those marginal areas. There could have been many professors coming from those areas if the leaders there had taken more initiative than they have taken hitherto.

**An hon. Member:** You were in the Government!

**Mr. Mathenge:** I have never been the Minister for Education---

**The Assistant Minister for Finance (Mr. Keah):** On a point of order, Mr. Temporary Deputy Speaker, Sir. Hon. Mathenge is saying that if the leaders from the Coast Province--- Hon. Mathenge was, the Provincial Commissioner for Coast, for many years. He should have helped the coastal people as a leader of that region to excel in the areas he is now talking about. Is he in order to mislead this House and the whole Republic that the leaders from the Coast Province are not doing anything when he himself was a leader at the Coast? In fact, he was leader number one for many years.

**Prof. Mzee:** On a point of information, Mr. Temporary Deputy Speaker, Sir. I would like to inform the Member that hon. Mathenge was the PC for Coast Province. Indeed he was one of the few PCs in the Coast Province who were very good. We have had PCs who did nothing. However, hon. Mathenge was in the forefront in promoting education in the Coast Province.

*(applause)*

**Mr. Mathenge:** Mr. Temporary Deputy Speaker, Sir.

**The Temporary Deputy Speaker** (Mr. Ndotto): Order, hon. Mathenge! Time is up! It is time now for the Mover to reply.

**Mr. Mcharo:** Mr. Temporary Deputy Speaker, Sir, I would give a chance to my friend, hon. Shidiye.

**Mr. Shidiye:** Mr. Temporary Deputy Speaker, Sir, I would like to contribute to this Motion. I think today education is becoming the domain of the rich. If you are from a poor family, it is becoming very difficult to educate your children. We pay a lot of money in secondary schools, colleges and universities. Therefore, it means that only the people who have wealth can take their children to school.

There are areas that have lagged behind in education in this country. These are areas mostly in Northern Kenya. These are the areas that need a marshall plan; a marshall plan to give bursaries to these families. This is because today, if you go around, you will find that all the watchmen in Nairobi and its environs are either Maasais, Somalis and Samburus and if they were given opportunities, these people would have been in a better place in this society. It is because of this lack of opportunities that the best Maasai elite is a watchman; he is just like a servant. He cannot even really educate his children.

Mr. Temporary Deputy Speaker, Sir, I would like to touch on the issue of bursaries and loans. In North Eastern province, we have about 100 university students although there are only 3 female students at the university. Out of this number, only a few of the students got bursaries and most of them are from very poor families. You do not expect somebody who is a recipient of relief food to find some money for education. It will be very difficult for them to pay these loans. I would urge the Minister to at least find some funds through the HELB so that these students can undergo this university training because they are very few and we really need them.

Mr. Temporary Deputy Speaker, Sir, the other issue is the school feeding programme. The school feeding programme as the hon. Member Keah has said just now---In Northern Kenya we are getting a very little amount of food. You will find that the same amount of food that is given to Kisumu will be the same amount that will be given to Garissa, Wajir and Mandera and this is really not fair. Those people are poor and parents are depending on relief food and, it therefore, means that these children will not be able to go through education.

Mr. Temporary Deputy Speaker, Sir, the schools that were built during the colonial times are all falling apart. The money must be set aside. Schools that were built at Independence are almost collapsing right now. Cracks are all over the buildings and children sit on the bare floors. This is something that needs to be taken very seriously.

Mr. Temporary Deputy Speaker, Sir, we find that the nomadic life is a way of living for the people of North Eastern Province and the only way to help these people is to establish a nomadic primary school for children whose parents are nomads who entirely depend on livestock; who move from one point to another. This is because a parent can take his children to Wajir Primary school and the next day he will be in Mandera and then next day you will find him maybe in Moyale. It is very important that we have nomadic primary schools to cater for these children who are unable to learn because of the lifestyle of their parents. It is high time the Ministry of Education formulated a policy on this issue. We are indeed glad that when the Minister came to open a workshop in Garissa, there were certain agendas during the workshop which were agreed on and, indeed, the Minister did point out clearly that he is going to establish these kind of schools. Recently the Kenya National Library Services has started services of providing books to deep rural areas where there is no infrastructure.

With these few remarks I beg to support.

**Mr. Mcharo:** Thank you Mr. Temporary Deputy Speaker, for giving me the opportunity. I have listened to the contributions of my colleagues to this Motion and I am very satisfied with the enthusiasm shown by Members in supporting this Motion. The Minister for Education has fully recognised the problem that students in hardship areas are facing and that he is supporting the spirit of this Motion.

Mr. Temporary Deputy Speaker, Sir, what we want to see is a deliberate effort to implement a good Motion like this one. It is no use passing a Motion and then shelving it for ever. I would like to urge that in one or two years time, the implementation of this Motion should start and this is because for over 30 years since we became independent, disadvantaged areas have suffered so much because some of us who have been involved in the management of education for a long time are quite aware that there are many brilliant students who have failed to secure places in the universities not because of their fault but because of the problems they have been facing in the

environment in which they live. So, we are asking that a remedy should be effected as soon as possible so that we achieve an equitable distribution of educational opportunities in this country.

Mr. Temporary Deputy Speaker, Sir, I am urging that in these difficult districts like, what the Minister has said, specific colleges be identified where we can put some of these students who should be given a second chance for remedial courses so that they can find their places into the universities. In this regard, we have a number of teachers colleges which are not being used just now. I am saying this because Taita-Taveta Teachers College is not being used. This is one of those colleges which should be used to train students and prepare them for university entry. In other areas like North Eastern Province, according to statistics, it is a bit shameful that we take only 24 students to the university. We should put up a college there or use the Garissa Teachers College to train these disadvantaged but brilliant students there so that they can be prepared for university entry.

Mr. Temporary Deputy Speaker, Sir, the other point which I would like to emphasise so much, and I did mention it last time when I was moving this Motion, is that in these disadvantaged areas when you are taking students to the universities, make sure that specific students are taken to the universities to take specialised courses that will assist them in the development of these difficult areas. Engineering is one of those areas which should be given a lot of emphasis. The same applies to Medicine and Law. These are courses in which students from these disadvantaged areas do not find accommodation. So, these are areas which I think, the Minister for Education should address very, very seriously.

Mr. Temporary Deputy Speaker, Sir, the vulnerable groups that should be given support are well supported by me and we know that there are students who sit their examinations when they are sick. We even read in the newspapers that there are some of our girls who write their examinations when they are pregnant. Such students are the ones who should benefit from this programme.

Mr. Temporary Deputy Speaker, Sir, finally if we are serious about assisting disadvantaged areas, let us make sure as a Government, that model secondary schools are established in each of these districts. It is no use asking students to make Alliance High School, Lenana School, Kenya High as their first choice. Let us make sure that in every district there is a first class secondary school which would encourage even the most brilliant students anywhere in the country to apply there. Once this is done, then we will find more and more students in the disadvantaged districts finding their places into the universities.

Mr. Temporary Deputy Speaker, Sir, the other point that I must emphasise is that we have a problem in awarding bursaries and loans. The Higher Education Loans Board should consider seriously also the disadvantaged areas when awarding these loans.

With those remarks, I beg to move.

*(Question of the Motion as amended  
put and agreed to)*

*Resolved Accordingly:-*

THAT, being conscious of the need to distribute higher educational opportunities equitably throughout the country, and considering that some districts in this country have seriously lagged behind educationally due to historical, geographical and cultural reasons, this House urges the Government to give selected bright KCSE students from disadvantaged districts and valnurable groups, a second chance to qualify for admission in University on merit.

#### IMPLEMENTATION OF BEIJING PLATFORM FOR ACTION

**Mrs. Ngilu:** Thank you, Mr. Temporary Deputy Speaker, Sir. I beg to move the following Motion:- THAT, in recognition of the great need to enhance the political and economic empowerment of women; in view of the key importance of the Platform for Action of the Fourth UN Women Conference held in Beijing in September, 1995, in enhancing women's empowerment and further recognising that there are many bottlenecks that hinder grassroots women's access to information, this House calls upon the Government to:-

- (i) translate, interpret, simplify, clarify and disseminate the resolutions of the Platform for Action to the grassroots women;
- (ii) convene seminars, workshops and other fora in all sub-locations to explain the Beijing Platform for Action; and
- (iii) to allocate adequate budgetary provisions for the enhancement of the welfare of women, implement and continuously monitor and assess the said Platform for Action Programme.

Mr. Temporary Deputy Speaker, Sir, in moving this Motion, I would like to first give the background of the Beijing Conference and the Platform for Action.

The first United Nations Women's Conference was held in Mexico in 1975, where the United Nations declared the International Decade for Women. The second United Nations Women's Conference was held in Copenhagen in Denmark in 1980, and the third United Nations Women's Conference was held in Nairobi, Kenya, to mark the end of the International Decade for Women. It was a landmark conference because, it was the first time ever for the United Nations to hold such a conference on African soil. It was also a recognition of the plight of the African woman. It threw a challenge to Kenya and other African Governments to pay special attention to the deplorable conditions under which women in Africa live. It came up with the Nairobi Forward-Looking Strategies which chartered the way forward for the Government and international organizations in advancing the women's welfare. The fourth United Nations Women's Conference was held in Beijing, China last year. This Conference came up with the Platform for Action which outlines 12 critical issues of concern as follows:-

1. Women and poverty.
2. Education and training of women.
3. Women and health.
4. Violence against women.
5. Women and arms conflict.
6. Women and the economy.
7. Women in power and decision making.
8. Institutional mechanisms for the advancement of women.
9. Human rights of women.
10. Women and the Media.
11. Women and the Environment.
12. The girl child.

Mr. Temporary Deputy Speaker, Sir, the crust of the Platform for Action is to ensure that women are given equal importance in decision making and especially decisions that affect their own lives. As we speak here, we have observed that the Government has not shown any commitment to comply with the Platform for Action. By the look of things, maybe this Platform for Action will be swept under the carpet, as was done with the Nairobi Forward-Looking Strategies.

Mr. Temporary Deputy Speaker, Sir, a total of 189 countries and Governments were represented in Beijing. Kenya as a country had the third largest delegation in Beijing, after United States of America and Nigeria. The Government took 175 representatives at a cost of nearly Kshs46 million. I recently attended a post-Beijing conference in New York, and I observed that a lot of countries have already started implementing this Platform for Action. Some of them have even taken affirmative action. These countries are within Africa; South Africa, for instance, and Uganda.

Mr. Temporary Deputy Speaker, Sir, the United Nations and the donor communities are very keen to see that the Platform for Action is implemented in every country. I believe the Kenya Government should even be more keen to implement this Platform for Action, taking into account that, more than half of this country's population is formed by women. The Government has shown a very negative attitude towards the Beijing Conference after spending so much money. In fact, the House will remember how the Beijing Conference was trivialised, and how even the Minister herself trivialised this further by saying that she had to take her hairdresser with her to Beijing.

Mr. Temporary Deputy Speaker, Sir, I have been in touch with many women and organizations who have expressed their disappointment in this. These issues were also trivialised from the highest office on our land, the State House, that said women went to Beijing to speak about lesbianism and homosexuality. I want to say here, that this is not what took women to Beijing. I believe these unfortunate mistakes would not have happened if only the Minister had taken time to enlighten this House, the President, the Government and all the leaders in the country in general, about the Women's Conference in Beijing. The first step I believe the Minister should have taken, would have been to request for a special Parliamentary sitting, so that she could then brief all the Members of Parliament because we are the best placed to disseminate this information; we are in direct contact with the grassroots women everywhere.

Mr. Temporary Deputy Speaker, Sir, the Minister should also have convened special DDCs around the country to give this information, so that it can be passed downwards to the grassroots women. However, all this is not lost. The Minister should now mobilise resources from the Government and the donor community and set the implementation of the Platform for Action in motion. The Minister has the tools and the machinery to carry out these programmes, if only she had the will and the commitment. I believe the Minister does not have the will and the commitment because during one of her functions she said and I quote her:

"The most important aspect of the implementation, will depend on the availability of sound

mechanisms and resources."

Obviously, this is what we get in this House everyday - "when funds will be available". Therefore, I do not know when funds will become available. If the KANU Government was committed to women's empowerment as its own manifesto professes, it should undertake the following programme of action:

The Minister should prepare a Sessional Paper on women's empowerment, for debate, adoption and action by this House. There have been so many Sessional Papers ranging from food security, employment creation, agriculture and many others. I think we shall not be asking for too much if we ask the Government to prepare a Sessional Paper and bring it into this House.

The Minister should request for adequate funds from the Government for women's programmes and to make sure that we have these programmes and platform for action translated in all vernacular languages and disseminated through intensive radio broadcasts, pamphlets and brochures right upto the grassroots level. This can also be done. The Ministry has a vast national network of community development officers, right upto the sub-locational level. The Minister should mobilise these and train them and make sure that these officers can carry out these programmes at the grassroots level.

The Ministry has a very important department called the Women's Bureau, which is very dormant. The bureau should be delinked from the Ministry and given its own autonomy. It should be turned into a government supported parastatal. This should then have different departments to deal with the 12 critical areas of concern that were discussed, which make up the platform for action.

Many times, the United Nations has been blamed for holding and hosting conferences that do not produce results at the end of the day. In my opinion, this blame should not go to the United Nations. This should go to the Governments and the implementing agencies. All that the United Nations would do is to create awareness on certain issues as they have done in the past and the last one was on women's empowerment. The Ministry and NGOs should mobilise funds and carry this out. The Minister may want to know that the United Nations has even created a special fund of upto US\$10 million to carry out some of these programmes of women's empowerment. This has come through the United Nations Development Programme and it is what they are calling Special Initiative on Governance in Africa. This includes women's empowerment. It now rests upon the Minister to go ahead and mobilise resources and get this work done.

Finally, I would like to clarify the meaning of the word "Women's Empowerment". When we talk about women's empowerment, some people take it to mean that it is a war by women against men -this is a deliberate choice of their own - either due to ignorance or they choose to take it to mean that way. I would like to state here that empowerment means that inbuilt capacity in a person, in a man or a woman to be able to articulate, challenge and to influence the circumstances surrounding her or him for the betterment of his/her own country. Women's empowerment therefore, should be taken as the only key to development. You are aware that more than half of this country's population comprises of women. When more than half of the nation's population is left out of decision making, and turned into a cheering crowd, there can be no prosperity, stability, progress and justice; and definitely, there will be no love, peace and unity.

This country has been Independent for the last 30 years and the fact that we have not achieved stability and progress is a clear demonstration that we cannot develop without the proper participation of women. We must now make women equal partners in development so that our country can progress. We must put more women in positions of power and break away from this norm of sitting and waiting for tokenistic appointments. I do not wish to idealise the virtues and values of women, but I believe that if more women were in power, there would be less corruption in this country because women know that corruption is a cancer that is difficult to cure. If there were more women managers in our parastatals, perhaps we would not see the parastatals collapsing everyday because parastatals such Kenya National Assurance and Nyayo Bus Service have all collapsed because of male leadership who do not value, as women do, accountability and transparency.

If there were more women in this Parliament, perhaps the multi-party Parliament would be less acrimonious because women focus on issues. Women are sensitive to the issues that affect the nation. Women do not focus on personalities, power and money. If this country had a woman President, the constitutional reforms, that were promised to this country two years ago would have already been effected because women do not know how to go back on their promises.

With those few remarks, I beg to call upon hon. Murungi to second the Motion.

**Mr. Murungi:** Thank you, Mr. Deputy Speaker, Sir, for giving me this chance to second this Motion.

Mr. Temporary Deputy Speaker, Sir, we are talking about gender issues and this concerns men and women. It does not concern women alone.

**An hon. Members:** No, that is not correct, Hon. Murungi! Kwani wewe umekuwa mwanamke?

**Mr. Murungi:** Mr. Temporary Deputy Speaker, Sir, that shows clearly how ignorant KANU is about these

issues.

**The Temporary Deputy Speaker** (Mr. Ndotto): Order! Order, hon. Murungi, there are two things here. First, you have to address the Chair and secondly, you have to use the language that is allowed in this House. I want you to proceed on that basis.

**Mr. Murungi:** I will heed that warning and I think you should also warn KANU not to provoke me unnecessarily.

Mr. Temporary Deputy Speaker, Sir, I thank you for giving me this opportunity to second this very important Motion. This Motion is not about women. It is about justice. Women form over 50 per cent of Kenya's population. What this Motion seeks to do is to open up space, so that this 50 per cent of Kenyans - called women- can also get access to justice, economic opportunities and political opportunities in this country. I am very happy that I am seconding a Motion that will be replied to by the Minister for Culture and Social Services, who led the second largest delegation to the Beijing Conference. We do not expect any obstacles at all as far as this Motion is concerned. This is because the Minister was at the conference and signed on behalf of the Kenya Government the final document accepting these principles.

Mr. Temporary Deputy Speaker, Sir, we in this country have a very cynical attitude towards women in this country. One of the social commentators - he is a writer - called David Mailu wrote a book in the 1980s entitled "After 4.30". In his book Mr. David Mailu says that a woman is a cob of maize for any man with teeth. This is the KANU ideology, that women are cobs of maize for any man with teeth.

**Mr. Sankori:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Just a few minutes ago hon. Murungi said that we should not provoke him. But he is provoking us by saying that we have said what we did not say. Can he stop putting his words into our mouths?

**The Temporary Deputy Speaker** (Mr. Ndotto): Mr. Sankori, that is not a point of order. Proceed, Mr. Murungi.

**Mr. Murungi:** Mr. Deputy Speaker, Sir, what I am saying is that the KANU policy towards women in this country has been one of deception. KANU is never tired of cheating women in this country. KANU is always telling women cheap lies and it is always making empty promises to them.

**The Assistant Minister for Agriculture, Livestock Development and Marketing** (Dr. Misoi): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for hon. Murungi to use unParliamentary language and say that KANU cheats women? Is that in order?

**The Temporary Deputy Speaker** (Mr. Ndotto): Hon. Murungi, I am sure that you have some ideas that you want to pass to the House. If only you could use the acceptable language you will be given full time. But if you keep on provoking the other side of the House, they will keep on interrupting you.

**Mr. Murungi:** Mr. Temporary Deputy Speaker, Sir, KANU has signed a very important international convention on women. The Government has signed the International Convention on Elimination of All Forms of Discrimination against Women, which came into force in Kenya in 1981.

**Mr. Sankori:** On a point of order, Mr. Temporary Deputy Speaker, Sir.

**The Temporary Deputy Speaker** (Mr. Ndotto): Order! Hon. Murungi, this is a very important Motion to which other hon. Members would like to contribute. Can you stick to it and use acceptable language so that other hon. Members do not interrupt you?

**Mr. Murungi:** Mr. Temporary Deputy Speaker, Sir, I do not understand why I am in trouble because I am reading an international convention, which the Government has signed. This is the International Convention on Elimination of All Forms of Discrimination against Women. Article 2 of this convention reads:-

- "(b) The state parties to the convention will first adopt appropriate legislative and other measures, including sanctions, where appropriate, to prevent all discrimination against women;
- (c) to establish legal protection of the rights of women on equal basis with men;
- (d) to refrain from engaging in any acts or practice of discrimination against women, and to ensure public authorities and institutions shall act in conformity with this obligation;
- (e) to take all appropriate measures and eliminate discrimination against women by any person, organisation or enterprise;
- (f) to take all appropriate measures, including registration, to modify or establish existing laws, regulations, customs and practices which constitute discrimination against women;
- (g) to repeal all national penal provisions which constitute discrimination against women."

Article 3 states:-

"State parties shall take in all fields, particularly in the political, social, economic and cultural fields all measures, including registration, to ensure the full development and advancement of women for



the purpose of guaranteeing them the enjoyment of human rights and fundamental freedoms on the basis of equality with men."

Mr. Temporary Deputy Speaker, Sir, the Government has signed this important convention and has also agreed to take appropriate measures to make sure that the principles supported by the convention are implemented for the enjoyment of women in this country. On page 56 of the KANU manifesto the party promises that it will nominate women Members of Parliament (MPs) to this House. I do not want to be accused of telling lies, but which woman has the KANU Government nominated an MP to this House? Instead, it has nominated Messrs. Munyi and Kamotho to this House, but they are not women! Let the KANU Government come up with nomination of a woman MP.

**Mr. Boy:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to mislead the House by saying that the KANU Government has not nominated a woman MP, when we have hon. Nyamato here?

**Mr. Murungi:** Mr. Temporary Deputy Speaker, Sir, if the late Sagini did not die hon. Nyamato would not be here. Hon. Nyamato came here as an after thought after the death of the late Sagini! The promise to nominate women MPs was made in 1992. Which woman had been nominated an MP when we first met here? In 1994 we asked how many women chiefs there were in this country. In 1994 there was not a single woman chief in 1994! Now, I think we have about three woman chiefs. The assistant chief in Limuru is always covered in the Press as if she was a prime minister because KANU has done very well in appointing one assistant chief.

We want KANU to be more serious in addressing women's issues in this country. What the Beijing Platform of Action does is to provide a framework for creation of a just society, where women enjoy equal benefits with men in this country. Women are not asking for strange things. Women went to Beijing to demand an end to oppression and exploitation by men. Women are demanding greater educational opportunities. They want a just share of the economic resources of this country. They also want a just share of political power. They want to participate in the decision-making at grassroots and national levels. These are not radical things! They are just asking for justice as human beings.

Mr. Temporary Deputy Speaker, Sir, the KANU Government is yet to establish any mechanism or structure for implementing the Beijing Platform of Action. If you look at our region you will see that Kenya is a pariah. It is the most backward of the countries in our region.

Uganda has 39 districts and before its general election it holds an election where at least one woman is elected to Parliament from each district. Twenty five per cent of Tanzanian MPs are women. Mozambique has 60 women MPs and Angola has 50 of them. One-third of the Ministers in Seychelles are women, and these include the Minister for Economic Planning. We are asking Kenya to follow suit.

Thank you, Sir.

*(Question proposed)*

**The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi):** Thank you, very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to make a few comments on this important Motion.

From the start, I would like to say that this is a very, very important Motion. It has come at the right time, particularly after the Beijing International Conference on Women affairs. It is also very important that the Mover of the Motion is herself a woman, whom I believe attended that Conference. Therefore, what she is telling us is practical, real and true. With those preliminary remarks, what I would like to say is that it would be wrong for any Government to neglect a very important section of its community, particularly when that community has got equal rights with men. When we talk about human rights we are not talking about human rights for this and that. Human rights are rights for all men created by God. Therefore, they should be accorded those rights which are also protected and provided for in the Constitution of this country. The Constitution does not discriminate against any population of the nation.

**Mr. Murungi:** On a point of order, Mr. Temporary Deputy Speaker, Sir. I am aware that Dr. Misoi is the Assistant Minister for Agriculture, Livestock Development and Marketing, but he should read Section 82 of the Kenya Constitution. This Section does not prohibit discrimination on grounds of sex. Is he in order to mis-inform the people of Kenya that the women's rights are protected by the Kenya Constitution, when it does not prevent discrimination against them?

**The Assistant Minister for Agriculture, Livestock Development and Marketing (Mr. Misoi):** Mr. Temporary Deputy Speaker, Sir, I am not aware that the Kenya Constitution discriminates against women on any grounds. Having supported this Motion, I would like to call upon this Government of Kenya to implement those provisions and conventions agreed upon in Beijing. Since we are also signatories to the various international

conventions on women's rights, we should be in the fore-front in implementing the same. We should not use women as tools for political power and so on, because at the end of the day, when elections come, everybody will go round soliciting for votes from women and so on. So, if we are asking for votes from women without discrimination, then we have no grounds to discriminate against them once we are in power, in Parliament or once we hold very senior positions in the land. It is very important that women have a share of the economic benefits, of decision making in the land, in our political system, in the judiciary and in all affairs of the land. We must make a positive, deliberate and practical move. If it is necessary to apportion women certain percentage of the positions in the land, let us do so. Let us say we give them 30 per cent of all the positions in the land, so long as they are qualified, educated and they meet the requirements of those positions. We have got to start from somewhere. As of now, women form a very big portion in our schools. I think they are about 51 per cent of all the school going children and their number is coming up in the universities. So, that upward mobility should be reflected in what we do, decide and share. Even in this House, we need more women. But it is their own mistake because they are not electing women. So, it is not the problem of men. We have not said that women should not vie for positions of Councillors, Members of Parliament and others. They must go and challenge us in the field. It is also the role of women to come up, you should not be spoon-fed too much. You must wake up, rise and challenge us and you will have your positions provided.

Mr. Temporary Deputy Speaker, Sir, I do not agree that we have to condemn or criticise the Government for not doing this and that. Women must also fight for their rights and come up and provide proposals for what they want to be. In elective positions, I do not think we have anything to regret, it is for the women to come up. Hon. Ngilu, stood up and defeated men. So all other women can also defeat other men. Except that we would not like them to have all the positions here because otherwise, we will have a women Parliament and we do not know whether our rights will be protected. We must share this fifty-fifty and we will go ahead.

The economic empowerment of women is an area which I think has not been given enough attention. We keep on talking about women self-help programmes all over the place. We encourage women to start projects, but we do not have instruments, procedures and institutionalised basis to assist these women to implement those projects which they have started. All over the country a lot of women programmes such as posho mills, water projects and so on have not taken off. This is because we have not established a framework for supporting such projects. Women's problems are comparable to youth problems. Problems of poverty, lack of education, lack of jobs and so on. In fact, I would like to submit that in the context of the current fund-raising for youth programmes, and the ones which will come for women programmes, we should think of establishing a development bank, where money will be voted in to form a revolving fund, purposely for these projects which affect the majority of the population of this country. It should not be a short-term programme where we do one harambee today, next year we do another one and then what happens next? Let us have long-term programmes and get this bank established. Let the Government put so much money in the bank, let the women and the youth raise their money and also buy shares in this bank; so that every year, some of the projects will be funded and be given expertise and management skills to ensure that they perform the roles they are supposed to perform. If it is to provide services, let these projects provide services. If it is to provide employment, let these projects provide employment which we can count, audit, assess, establish and evaluate. After two or three years we can go back and say: " This is what we started with, we have employed so many people and we have even created more wealth for these people and people are richer, they live in better houses, drink clean water, they are self-reliant and so on." If that is not done, then the little money we are going to raise will not be sufficient to put those projects into action. Let me give an example: We may raise Kshs300 million while the Government has given Kshs200. That will give us a total of Kshs500 million. Let me assume that in every constituency, there will be about 500 self-help groups. Presently, we have about 200 or more constituencies. So, in total we shall have about 100,000 projects. If you divide the same amount of money among these groups, at the end of the day, we are not going to get Kshs100,00 for any project. That will be so little that unless we think of long-term financing and sourcing of funds to implement these projects; people might believe that there will be so much money to establish this and that. It will not be so. Even to buy a posho mill, you need about Kshs300,000 to Kshs400,000. So, what is Kshs50,000 or even Kshs100,000? It means the youth and women must be told that this is only the beginning, you still have more work to do in the future. This is what the Government is going to do as we go ahead, we may have to raise the Kshs200 million every year because our population is increasing. The youth coming out of school are very many, even family planning is not even effective because we are still producing many people into this country.

So, we should undertake projects which will alleviate poverty, improve the economic position of our underprivileged people and provide services to make sure that our population is healthy and ensure that current dangers facing women and youth relating to diseases and poverty are done away with. When people are poor, they can be misused and those who misuse them are the rich people who have also benefited from the system.

Mr. Temporary Deputy Speaker, Sir, these are serious matters which must be addressed. We should not only give token discussions or hand outs here and there. Some of us who are rich go to the poor people and give them little

money. By doing so, you are not giving them anything to survive on. It is like giving a hungry man a fish to eat. He will like the fish, but he cannot fish. He does not even know how to handle the fishing tool. So, let us give people tools that will enable them work on their own irrespective of whether we are there or not. These are the issues we have to face here. Let us not let people be dependent on others. When you are passing people think that they can survive because you are passing there. Let us teach them to be independent thinkers and seek solution for the problems facing them. If we do that, we will be building an independent nation which can stand on its own. We need everybody's support to make this country move ahead.

With those few remarks, I beg to support the Motion.

**Mrs. Asiyó:** Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to quote Okot P'Bitek's book: *The Song of Lawino*. The song of the African woman.

"I have only one request;

I do not ask for money although I have need for it

I do not ask for meat

I have only one request and all I ask is that you remove the roadblock from my path".

The Beijing Platform for Action is here to stay and I am very happy that Dr. Misoi addressed this Motion so objectively and emotionally.

I want to ask the women of Kenya to note every Member's contribution on this Motion so that they take a decision next time on who to vote for. Like Dr. Misoi rightly said, it is the women who wake up first thing in the morning to queue and vote for all these people here, the majority of whom are men. Let this Platform for Action debate in this House today determine what people are brought back into this House by the women of Kenya.

The Platform for Action came up with very clear and implementable strategies for critical areas which are well enumerated in the Global Platform for Action. I would like to table this document after my statement.

The Platform for Action takes as top priority, poverty eradication, education of women, women and health, violence against women, women and armed conflict, women and economy, women in power and decision making, the institutional mechanisms for the advancement of women, human rights of women, women in the media, women and the environment and the girl-child. We must put in place strategies to move beyond these declarations and words into action. This country has continued to ignore a very potential force that can be used for good.

Around 52 per cent of the population of Kenya are women. In this House, we are less than 2 per cent, a House where all the decisions that directly affect the lives of more than 52 per cent of our people are made. I just want to take one example. It is a pity that hon. Angatia is not in this House when we are debating this very important issue. Take for example the issue of safe motherhood. I want to give a true example of what recently happened in a village called Wikondiiki. Wikondiiki village is about 30 kilometres away from Homa Bay Hospital, where the only district hospital is. A woman who is called Tabitha Rege got into labour and the Traditional Birth Attendant (TBA) in the village realised that the labour was a difficult one and the woman started bleeding. This TBA examined the woman and found that the child was lying in such a way that there could not be a normal birth. So, the only option was to move this woman from Wikondiiki village to Homa Bay District Hospital where there were surgeons, equipment and drugs because the local health centre had no qualified staff, drugs and equipment. So, they struggled and got to the main road. This was now the wee hours of the morning and there were no vehicles. It took them seven kilometres to walk this woman on a bed from that village to the nearest rural access road. Now, the woman died at this road junction waiting to be taken to the district hospital. The woman died and the child died with her. You have lost a bread winner. Mr. Rege lost a wife. The father of this woman lost a daughter and the brother of this woman lost a sister. The two children at home lost a mother. This is what the Beijing Platform for Action is all about. We want access to health as nearer home as possible.

Enough has been said about women in decision making positions. Historically, we in East Africa, are the same. Uganda, Tanzania and Kenya were ruled by the British and we got our Independence at about the same time. How come that when the late Mzee Jomo Kenyatta established two commissions to look into law of marriage and divorce, the Tanzanian Government adopted those recommendations and the Bill that was done by Kenya, until this minute has been rejected? I am saying again that the women of Kenya must reject any man or woman who is not woman friendly and not gender sensitive because too much of life is being wasted and a lot of energy of women is going unnoticed. Uganda has 50 women Members of Parliament, Tanzania has 45 women Members of Parliament and at the secretarial level, Uganda has 19 per cent out of the entire establishment. In the banking industry, it has 25 per cent and all other Government areas have 13 per cent women. I do not understand why in the banking industry in this country there is no woman member. There is no woman member in the Board of the Kenya Commercial Bank, National Bank of Kenya and Central Bank of Kenya and yet, women play a very important economic role in this country.

There is no single path to political activities for women that will guarantee their political empowerment. I am

glad Dr. Misoi said so. Even political parties here, both Opposition and KANU are not gender sensitive. Look at all these political parties, what women do they have as their chairladies or even secretary generals? FORD(K) should, for example, have me now as their chairlady or their vice-chairlady. I am one of the oldest and most experienced in that party. We have to be sensitive to women issues. Both the Opposition and the ruling party should be more sensible and sensitive in the accommodation of women in Kenya. We have some of the most brilliant women in Kenya. Women who have contributed nationally, regionally and internationally. Kenyan women are known all over the world for their intellectual contribution not only to the areas of women, but in areas of agriculture, science and technology and so on. About 50 per cent of all farmers in this country are women. They are the people who feed this nation. All these bellies on the Front Bench and Back Bench are fed by women. These men depend on their wives for free and private advice at home and if it was not for those women, they would not even know how to go about doing anything. The women of Kenya work 18 hours a day, especially in high seasons, waking up at 5 O'clock in the morning when the husband is still turning in bed, and then being the last person to go to bed. If the child has a fever, she is the one who wakes up to take care of the child.

I am appealing to the men of Kenya to help share the burden of women. They should find ways of unlocking the hearts of Kenyan women. They should make the load on the heads or backs of Kenyan women a little bit lighter than it is now. The various Ministries can help to do this. Kenya must now adopt affirmative action so that the House will have, at least, 30 per cent of seats for women. There is no reason why we should not have one woman Member of Parliament from each district in Kenya, so that all the districts are represented here. We have capable women who can do this very effectively.

Mr. Temporary Deputy Speaker, Sir, poverty denies men and women their fundamental rights as human beings. The Platform for action deals very effectively with poverty eradication. I am surprised that this document has not been tabled before. This is because I know that every hon. Member in this House, can make use of that document whether at home, or in their own constituencies.

With those few remarks, I beg to support.

**The Assistant Minister for Education** (Mr. Komora): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this very important Motion, which should not provide opportunity for party politics.

This is a very important Motion. There is no human being on this earth who has not been produced by a woman. Therefore, we must give due credit to those who have actually taken care of us, from when we were in the womb, childhood days, when we were growing up, during schooling days up to the university, and going back to serve them. I stand here to give full support to the cause of this Motion and to the development of women in this country and the whole world.

The other day, we had an election for Maendeleo ya Wanawake Organisation in this country. In my own district, the exercise was very badly done against the will of the women. In my position as KANU Chairman, I rejected the outcome of those elections and I appealed to the Minister of Culture and Social Services to declare that exercise null and void because some women, who wanted to impose themselves on other women, used men to suppress other women, not to elect other women in that organisation. I congratulate the Minister for Culture and Social Services on this matter. The Minister, the Government, the system and Maendeleo ya Wanawake agreed with me. I congratulate the men in Tana River who saw the point and did not interfere, and gave freedom to our women to elect their leaders from grassroots to the national level. The elections were repeated yesterday and I am happy to report that because of the support we have given the women in Tana River District, they have elected their leaders on their own. We have rejected any interference by men. Through their own freedom of choice, they have elected a leadership which was yesterday declared by the Minister, and which I have now accepted to work with for the development of women in Tana River, Kenya and Africa.

I would like to declare and inform this House that I have the honour to be an associate member of the African Forum for Women Educationists. I have no doubt that it is right for men of goodwill to do exactly that. We shall all do that, whether we are in the Opposition or in the Government. Women of this nation are important.

Mr. Temporary Deputy Speaker, Sir, women in many communities have been the beast of burden. They carry firewood, fetch water, dig the shamba, cook and do everything. What do men in many communities do? They just go to barazas and sit. The men wait for women to do what they (men) should be doing. Therefore, our women are heavily overworked.

Our own cultural set-up has been against women to the extent that when we have problems of fees, and I know about these problems; where somebody has to decide whether it is the girl or the boy who should continue with education, unfortunately, the mothers themselves give priority to the boys in preference to the girls. They allow the boys to continue with education and leave the girls behind.

Mr. Temporary Deputy Speaker, Sir, these traditions which give emphasis to man leadership in every area

against women are against national development. This is because if the hard workers of this nation can be educated and given opportunity to contribute effectively as they do now in the rural areas, I am sure that we would have been far more advanced than we are today. This is because we have failed to do that.

Mr. Temporary Deputy Speaker, Sir, how many cases have we heard of old men, on both sides of this House, being the cause of women not going to school? How many times have we in the Government taken men to court for having blocked opportunities for girls to continue with education? When you read any paper in this country, you will find that the life of a little girl has been interfered with by a man against her own interests. We have to be united here in this House. This Motion, although brought by hon. Mrs. Ngilu who is from the Opposition, should not be taken as a Motion from, or, for the Opposition. It is a Motion for this House, and it must be supported and encouraged so that our women can move a step faster.

Mr. Temporary Deputy Speaker, Sir, it does not make sense--- Actually I was very annoyed and unhappy when hon. Murungi, while supporting a very excellent Motion, started to bring in issues which should not have been brought in. If the Government of Kenya has signed all the international conventions in support of women development, who has any reason to doubt our determination to implement them? We are doing so in education. We are against any man who will interfere with the education of our women in this country. Whether you are in the Opposition or in the Government, take note. The Government of KANU is for the education of all our children. We want to maintain and encourage that. In fact, I have done so. We have given preference to women in the universities.

We have lowered points for women so that they can have the opportunity to go to the universities. We will continue to support and give women opportunities to get higher education in this country. I call upon all institutions in this country to give a fair deal to women. They should resist any discrimination against women in education, agriculture, health---

#### QUORUM

**Dr. Toweett:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is there a quorum in the House?

**Mr. Temporary Deputy Speaker** (Mr. Ndotto): No, we do not have a quorum. Ring the Division Bell.

*(The Division Bell was rung)*

**Mr. Temporary Deputy Speaker** (Mr. Ndotto): We have a quorum now. You may proceed, Mr. Komora.

**The Assistant Minister for Education** (Mr. Komora): Mr. Temporary Deputy Speaker, Sir, I was saying every institution in this country, be it Government or the private sector, let us give opportunity to our educated women, let us give opportunity to educate all women. In the areas where there are cultural set ups which discriminate against women, and I think we should join forces and make the necessary changes in our cultural set ups, particularly in certain parts of this country, so, that our girls even in those areas can come out.

In fact, in certain areas, leaders should go to countries like Paskitan and some of the Far-East countries where women have been given opportunity to come up and where similar cultural set ups exist in those countries. Our leaders, men and women, should be taken to those areas and be made to see the light of the day and change the cultural set ups so that our women can do better.

A wise man in Africa said: "Educate woman to educate nation, educate man to educate one man." Our women are the makers of this nation and they need to be supported.

So, I fully support this Motion.

**Dr. Kituyi:** Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute to what I consider a very important Motion.

From the outset, I think most of the important things to be said about the convention and why it is important for us to embrace the convention, have been said. My modest remarks will be concentrated on the following:- That, I believe investment in women, empowerment for women in Kenya is good investment, is good for the men of this country, it is rational for this country and does not need further justification as a phenomenon of public investment in resources.

Having said that, I take a step back and just look at what was in the newspapers today: "A 38-year-old soldier was jailed for four years after defiling an eight-year-old girl." I wish to congratulate the daily Press in this country, particularly *the East African Standard*, for a very consistent policy of exposing the extent of how brutal and how dehumanising a lot of men in this country have become and how much we are feasting our madness on defenceless little girls.

In similar vein, it is not good enough that the Press is trying to sensitise us, it is important, as leaders, how we have listened to the challenges. How are we playing our fair role in stigmatising male brutality against women? How

are we playing our role in stigmatising the cruel primitive crime of rape and the defilement of defenceless little girls?

Mr. Temporary Deputy Speaker, Sir, we have come to a point where we feel that we expunge from our midst, from the ranks of persons with a public face, those "beastilised" animals which are so brutalising women, and particularly defiling little girls, which cases unfortunately, seems to be on the increase in this country. I would like to see how the Ministers of the Government have stated so far their commitments and encouragement to the International Articles of Commitment to Gender Parity and Empowerment of Women. But the test of the pie is in the eating. The challenge to the Government and to all of us is to what extent do we remove from our rhetoric the language that diminishes and devalues the role and heroic struggles that our mothers, wives, daughters are contributing to this society? To what extent are we ready in our practices to go beyond rhetoric commitments to gender parity and implement actions that see our collective commitment to, at long last, redeeming these persons who for a long time have borne an inordinate burden of our collective struggle and have earned much less than the rest of us in rewards for that struggle?

Mr. Temporary Deputy Speaker, Sir, to this day I like the progress being made by the Ministry of Education to seek to punish those men who are responsible for the defilement of girls and impregnating students. But I wish to throw a challenge: Why can we not make one step further? Why can this country not commit itself to a position that no school-girl will lose her educational opportunities because she got pregnant while she was in school?

**The Assistant Minister for Education** (Mr. Komora): On a point of information, Mr. Temporary Deputy Speaker, Sir,

**Dr. Kituyi:** It is stated, but it is not practically being done, because everyone of us can enumerate how many persons, in spite of rhetoric commitments that they would also have a chance to come back, how persons whose careers have been ruined because they got pregnant? It is important, that if a victim of pregnancy has to suffer it, the perpetrator of that pregnancy should also bear some of the burden of that suffering. The male part is not getting its fair share of the suffering of that consequence.

Mr. Temporary Deputy Speaker, Sir, in this country, we know that women bear that burden of pregnancy, as part of our national procreation and enduring reproduction of the household. But, if this country was sensitive to the burden that women bear, we should be ready to mobilise public resources in the Ministry of Health, to guarantee that every woman has access to quality and free pre-natal care. There is no justification that 33 years after Independence, that after two decades of the fastest growth of public health services in the whole of the Third World, today women wanting to give birth have problems of accessing quality maternity care in this country. It should be a collective outrage that we have failed to mobilise the goodwill and the resources to accord that dignity to the mothers who are responsible for the endurance of our nation.

Mr. Temporary Deputy Speaker, Sir, if you look at other areas of brutalization, this country has not given enough attention on how to improve even just the instruments of labour in agriculture which enslaves the women to producing food for this country at almost no pay. If we look at other countries, when areas of the economy get gender specialisation, or gender dominance, the instruments of production in that area are streamlined to accord themselves to the physiology of the persons who are in that place. This country, just as it has undervalued agricultural labour for women, has undervalued the nursing profession by underpaying nurses who are working more than any other person in the medical profession because, primarily the dominant labour in the nursing profession are women. If there were more male nurses, the nurses would be getting better terms of service than they are getting today. We have to start addressing this specific problem if we are serious---

#### ADJOURNMENT

**The Temporary Deputy Speaker** (Mr. Ndotto): Dr. Kituyi, you will continue next time. It is now time for the interruption of business. The House is, therefore, adjourned until this afternoon at 2.30 p.m.

The House rose at 12.30 p.m.