

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Tuesday, 25th March, 2014

*The Senate met at the County Hall,
Parliament Buildings at 2.30 p.m.*

[The Speaker (Hon. Ethuro) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

ANNUAL STATE OF THE NATION ADDRESS BY
HIS EXCELLENCY THE PRESIDENT

The Speaker (Hon. Ethuro): Hon. Senators, I have a Communication to make.

As you may be aware, pursuant to Article 132(1)(b) and (c)(i) and (iii) of the Constitution and Standing Order No.22(1) and (2) of the Senate Standing Orders, a Special Sitting of Parliament shall be held at the National Assembly Chamber, Main Parliament Buildings, Nairobi, on Thursday, 27th March, 2014 at 2.30 p.m.

In this regard, I wish to draw your attention to Gazette Notice No.1921 which was published in a special issue of the Kenya Gazette on 21st March, 2014 in which I gave notice of the said Special Sitting. At that sitting, His Excellency, Hon. Uhuru Kenyatta, President and Commander-in-Chief of the Kenya Defence Forces (KDF) shall deliver the State of the Nation Address and shall also submit status reports on the following:-

- (1) The implementation of Kenya's international obligations;
- (2) The implementation of national values and ethics and,
- (3) The state of national security.

As hon. Senators are aware, the Constitution, at Article 132(1)(b), requires the President to address a Special Sitting of the House once every year and at any other time. Further, Article 132(1)(c) requires the President to report in an Address to the nation, on all the measures taken and the progress achieved in the realization of the national values set out in Article 10. The President is also required to submit a report on the progress made in the fulfillment of the international obligations of the Republic.

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I, therefore, urge all hon. Senators to attend this Special Sitting which is an important occasion in the calendar of our Parliament that provides the opportunity for His Excellency the President to deliver the State of the Nation Address and to address the legislature and the people of Kenya on critical matters concerning the country as stated above.

I thank you.

PETITION

EFFECTS OF LEAD POISONING ON OWINO-UHURU RESIDENTS, JOMVU CONSTITUENCY, MOMBASA COUNTY

Sen. Mbura: Thank you, Mr. Speaker, Sir, for giving me this opportunity to bring to this House a public petition, under the Constitution of Kenya, Articles 1, 2, 3, 4, 10, 12, 19, 20, 21, 26, 27, 28, 29, 37, 42, 70 and 199 as read with Articles 93, 94 and 96; under Standing Order No. 24 on Public Petitions.

Mr. Speaker, Sir, this is a Petition for the protection of the environment and other constitutionally protected rights and fundamental freedoms of the residents of Owino-Uhuru Village in Mikindani Ward, Jomvu Constituency, Mombasa County. I will read the Petition as it is. The People of Owino-Uhuru Village are saying:-

“We, the undersigned citizens of the Republic of Kenya and who are also tax payers, draw the attention of the Senate of the Republic of Kenya to the following:-

(1) THAT, Owino-Uhuru Village, a low income human settlement hosting a community of 8,000 residents on the outskirts of an island of Mombasa City, Mikindani Ward, Jomvu Constituency, Mombasa County, has been gravely affected by the poisonous lead emissions from entities corruptly and irregularly licensed to establish a lead smelting plant in the human settlement area.

(2) THAT, the poisonous emissions from the plant have contaminated the soil, drinking water and the air in Owino-Uhuru Village. Even children’s playgrounds are laced with toxic dust.

(3) THAT, lead poisoning is a medical condition in humans and other vertebrates caused by increased levels of the heavy metal, lead, in the body. Lead interferes with a variety of body processes and is toxic to many organs and tissues, including the heart, bones, intestines, kidneys, the reproductive and nervous systems. Lead affects practically all systems within the body. Lead poisoning interferes with the development of the nervous system and is, therefore, particularly toxic to children causing potentially permanent learning and behavioural disorders.

(4) THAT, systems of high levels of lead poisoning that are at above 80 micrograms per deciliter of blood can cause seizures, convulsions, comma and even death. At levels lower than the 80 micrograms per deciliter of blood, lead causes adverse health effects on the central nervous system, kidneys and blood cells leading to

abdominal pain, confusion, headache, anemia and irritability. Lead blood levels as low as 10 micrograms per deciliter can impair mental and physical development.

(5) THAT, the lead poisoning in Owino-Uhuru Village manifests itself via many symptoms in the general population. They include, but are not limited to the following: Memory loss, insomnia, delirium, cognitive deficits, slow and retarded growth in children, decline in mental functioning, mood disorders, irritability, learning difficulties, convulsions, body tremors, headaches, abdominal pain, vomiting, constipation, kidney failure, high blood pressure, male reproductive problems, for example, reduced sperm count and abnormal sperm, loss of appetite, weight loss, sluggishness, fatigue, body muscular weakness, pain, numbness, tingling in the extremities, miscarriages, premature birth or babies born with deformities, death of the area residents, pets and trees.

(6) THAT, the following attempts to resolve the matter and/or seek relief have all failed:-

- (a) Visit to the management of the organization.
- (b) Pleas by village elders to the Provincial Administration and others in authority.
- (c) Pleas to civil society groups.
- (d) Peaceful demos and marches.
- (e) Pleas to the National Environmental Management Authority (NEMA) and similar authorities.

Therefore, Mr. Speaker, Sir, your humble petitioners pray that the Senate of the Republic of Kenya urgently considers forming a Special Committee to inquire into the matter with a view to issuing:-

(1) Orders to immediately close down and remove or relocate the offending plant from the area.

(2) Orders to compel the plant and its various owners over the years to pay for:

(a) Immediate cleaning of the environment, including detoxifying and restoring the soil;

(b) Replanting of destroyed trees;

(c) Immediate testing of all residents of Owino-Uhuru Village for the lead exposure;

(d) Detoxification of all infected persons and pets;

(e) Removal of all hazardous waste that the plant has disposed of over the years and continues to dispose of at the Makirunge Dump Site;

(f) Testing of all street children and other persons who scavenge for a living at the dump site

(g) Immediate and full compensation of all victims.

(3) Any further orders or reliefs that the hon. Senators will deem fit, just and expedient to uphold the rule of law and protect the rights and fundamental freedoms of the residents of Owino-Uhuru Village and of other Kenyans under the Constitution of the Republic of Kenya.

Attached herewith are the names of the residents of Owino-Uhuru Village and their contacts.

Thank you, Mr. Speaker, Sir.

Sen. (Dr.) Khalwale: On a point of order, Mr. Speaker, Sir.

The Speaker (Hon. Ethuro): What is it, Sen. (Dr.) Khalwale?

Sen. (Dr.) Khalwale: Mr. Speaker, Sir, I rise on Standing Order No.226 to comment on this Petition. My comment is mainly limited to the Senator who has just presented the Petition. As a scientist I happen to know that, that is a very technical area. I am so impressed that Sen. Emma Mburu, who is not a scientist, has done it so well. How I wish one of the universities would think of a junior certificate as a honoraria to her.

Thank you, Mr. Speaker, Sir.

(Applause)

The Speaker (Hon. Ethuro): Hon. Senators, according to Standing Order No. 227(1) this Petition will be committed to the Committee on Health.

Next Order!

NOTICE OF MOTION FOR ADJOURNMENT UNDER STANDING ORDER NO.33

TERRORIST ATTACK ON CHURCH IN LIKONI,
MOMBASA COUNTY

Sen. Hassan: Mr. Speaker, Sir, after having fulfilled the requirements of Standing Order No.33(2), I rise under Standing Order No.33(1) to give notice for the adjournment of the Senate so that we can deliberate and ventilate on matters of national security in Mombasa County, particularly after the attack on a church in Likoni.

(Several hon. Senators stood up in their places)

The Speaker (Hon. Ethuro): Order, Senators! You do not have to rise because others have done so!

Sen. Omar has satisfied the requirements. There are more than five Senators supporting the adjournment. Therefore, this debate will take place from 5.00 p.m. today.

Sen. Hassan: Much obliged, Mr. Speaker, Sir.

STATEMENTS

IMPLEMENTATION OF THE POWER OF MERCY ACT

The Speaker (Hon. Ethuro): Sen. Kembi-Gitura, proceed.

Sen. Kembi-Gitura: Mr. Speaker, Sir, I had sought a statement and I do not see anybody rising to give a statement on the issue of the prerogative for mercy. The statement was assigned to the Committee on National Security and Foreign Affairs. I do not know if it is ready. It was supposed to be given today.

Sen. Adan: Mr. Speaker, Sir, unfortunately, we do not have that particular statement. This is apparently a matter that involves the office of the Attorney-General and the Ministry of Interior and Coordination of National Government. The Ministry of Interior and Coordination of National Government has already written to the Attorney-General. So, we are waiting for feedback from the Attorney-General's office. Hopefully, we will get that response this week.

The Speaker (Hon. Ethuro): Sen. Kembi-Gitura, what do you have to say?

Sen. Kembi-Gitura: Mr. Speaker, Sir, that is a bit ambiguous. This week has tomorrow, Thursday and Friday. I do not know when she proposes to issue the statement. The prerogative of mercy has not been exercised to my knowledge, in the last two or three years. So, this is urgent. I would like to have a definite day on which the statement will be issued.

The Speaker (Hon. Ethuro): Sen. Adan, in addition to that, you know you cannot just be waiting for departments or Ministries to be communicating without giving them some deadlines on when you need a response.

Sen. Adan: Mr. Speaker, Sir, we have deadlines, actually tabulations on when statements are required. Apparently our clerk has told me this afternoon she has been there this morning and they said they are working on it. I will not be able to give a definite answer in terms of when we should be able to respond, but I will make sure that I follow up the issue to have the statement this week.

The Speaker (Hon. Ethuro): So, we give you up to Tuesday, next week.

Sen. Adan: Much obliged, Mr. Speaker, Sir. But I would request, if it is not possible, then we will try and follow it up. But I will make sure that by Wednesday, next week, we will have it.

The Speaker (Hon. Ethuro): Order, Senator! On your own volition, you gave this week. I have even done you a favour by allowing you to present the statement next week. Already, you are in-building failure. You must comply by Tuesday, next week.

Sen. Adan: Much obliged, Mr. Speaker, Sir.

The Speaker (Hon. Ethuro): Sen. Billow Kerrow.

CAUSE OF POWER BLACKOUT IN RAMU TOWN,
MANDERA NORTH

Sen. Billow: Mr. Speaker, Sir, last Tuesday I sought an urgent statement following the complete power failure in Ramu Town of Mandera North District headquarters. The Chairperson of the Committee on Energy promised to give a statement by today, Tuesday, 25th March, 2014. This was a matter of emergency. The whole town is in darkness and the hospitals and schools have been shut down. I would appreciate if the Chairperson of the Committee on Energy would give a response.

The Speaker (Hon. Ethuro): Is the Chairperson of the Committee on Energy in the House?

Yes; Sen. Musila?

Sen. Musila: Mr. Speaker, Sir, I am standing in for the Chairperson.

The Speaker (Hon. Ethuro): Sen. Musila, the Chair is familiar with others like Sen. Gideon Moi, but usually, Sen. Dan Mwazo.

Sen. Musila: Mr. Speaker, Sir, today, I am standing in for the Chairperson. As you are aware, there is a change of committees. I want to confirm that this morning we dealt with the matter that concerns Sen. Billow in the Committee. Unfortunately, both the Permanent Secretary and the Cabinet Secretary are out of the country in the Philippines. We could not get a suitable answer for Sen. Billow. Therefore, I am seeking the indulgence of the House that the Committee be given time. We are seeking the intervention of the Ministry, even if the Cabinet Secretary and the Permanent Secretary are not in the country. Probably if we could be given a chance up to Tuesday, we will come up with something substantive.

The Speaker (Hon. Ethuro): Sen. Billow, what do you have to say?

Sen. Billow: Mr. Speaker, Sir, that request is surprising for the simple reason that this is the district headquarters, a township with dozens of schools and hospitals. It has been shut down for a month, with no power since both generators failed. I made that request last Tuesday. A week has gone by. So, I am surprised, when the project comes under the Rural Electrification why the Committee wants the Minister and the Permanent Secretary only and they had a whole week to respond. This is an urgent matter, one of life and death for some patients in the hospitals. So, could I request the Committee to do better than that? Tuesday, next week, is a long time.

Sen. (Dr.) Khalwale: On a point of order, Mr. Speaker, Sir. Even as we would like to get the answer from the senior most people in the Ministry, the matter we are talking about can be handled by the head, even at the level of the county or district. Therefore, we should not allow the Chairperson of the Committee to delay the answer that would, probably, ignite the possibility of power coming back just because they are waiting for the Cabinet Secretary. The Cabinet Secretary is not the person who is responsible for this final touch. The statement should be brought immediately this week.

Sen. Musila: Mr. Speaker, Sir, I want to confirm what is ongoing to remedy the situation. What the Committee wants to do is to give the hon. Senator a statement of the cause, remedy and what we should do to ensure that it does not occur again. But I want to confirm that work is ongoing.

Sen. Billow: On a point of order, Mr. Speaker, Sir. I thank Sen. Musila for the information he has given. However, I want to point out that although he says that work is going on, I requested that pending the statement, action should be taken to restore power to the town. I called there last night and there is still no power because the Government is unable to pay the contractor. I even called the contractor. As the Chairperson, he can get power restored to the town. The statement is not important, what is important is power.

Sen. Musila: Mr. Speaker, Sir, I agree that the most important thing is to have the power in town. This is a matter of generators, procurement of spares and so on. I want to assure Sen. Billow that the Committee shares his concerns. In fact, we do not see why it should have taken that long. However, I want to assure him that we are pushing to ensure that power is restored even before we come to give a statement as to why it happened and what should be done so that it does not happen.

The Speaker (Hon. Ethuro): Let us have the statement on Tuesday, next week. In the meantime, let the work that is ongoing produce power.

Sen. (Prof.) Lonyangapuo!

PAYMENT OF DUES OWED TO BUSINESSMEN FROM
WEST POKOT COUNTY BY KMC

Sen. (Prof.) Lonyangapuo: Mr. Speaker, Sir, almost two weeks ago I sought a statement asking the Chairperson of the Committee on Agriculture, Livestock and Fisheries to indicate when businessmen who delivered livestock to Kenya Meat Commission (KMC) will be paid. The chairperson has not given the answer yet.

Sen. Khaniri: Mr. Speaker, Sir, I was not privy to this request. But just a minute ago I was called out by my clerk who handed over the statement to me. I want to request the hon. Senator to give me some time to acquaint myself with the statement. I will then issue the statement tomorrow if I am satisfied that it answers the questions he raised because I have just laid my hands on it now.

Sen. (Prof.) Lonyangapuo: Tomorrow is okay, Mr. Speaker, Sir.

The Speaker (Hon. Ethuro): Okay, tomorrow.

Sen. Wetangula.

FATAL ASSAULT OF YOUNG MAN AT
KAMUKUYWA MARKET BY APS

The Senate Minority Leader (Sen. Wetangula): Mr. Speaker, Sir, thank you for allowing me to seek a statement from the Chairperson of the Committee on National Security and Foreign Relations.

On Sunday, 23rd March, 2014, at Kamukuywa Market in Kimilili Constituency, Bungoma County, a young man was walking home in the evening. He was accosted and arrested by administration police officers (APs) who are in a camp at Kamukuywa Market. They took him to the camp and thoroughly and brutally assaulted him. At about midnight, they released him and escorted him home. By the morning, the young man had lost his life.

Mr. Speaker, Sir, yesterday, when residents of Kamukuywa Market got together to demand an explanation as to why this had happened to this young man, and the young man had, in fact, informed his parents of the names of the APs who had assaulted him, the APs again, took the law into their hands, took their weapons, indiscriminately fired in the air. In the process, they hit a young girl and man who were critically injured.

Mr. Speaker, Sir, there is a lot of tension in the area. I want the Statement that the chairperson will issue to give the identity of the APs who committed these callous crimes. I would also like him to tell the distinguished Senate if these APs will be prosecuted for the offences of murder and grievous harm, because they are not above the law.

Thirdly, he should also indicate in the Statement if the family of the deceased young man will be compensated for the loss of their loved one.

Fourthly, I would also like an assurance that security forces will not take the law in their hands and cause harm to innocent citizens, simply because I have demanded an explanation for wrong doing. Of course, it should also cover the issue of compensation for the two young people; that is, the lady and young man who were injured by bullets that were indiscriminately fired by the APs.

Thank you, Mr. Speaker, Sir.

Sen. Adan: Mr. Speaker, Sir, first, I would like to take this opportunity to give my condolences to the people of Bungoma and the Senator for Bungoma. Secondly, I believe that this is a very sensitive issue and there are so many things actually happening in this country in terms of insecurity. But with your indulgence and that of the House, I would request that we issue the statement within two weeks, if it is possible.

The Senate Minority Leader (Sen. Wetangula): On a point of order, Mr. Speaker, Sir. There is a lot of tension in the area and we need quick action from the Government. We cannot wait for two weeks on a matter as grievous as this. We are ready to receive the statement by Tuesday, next week.

Sen. Adan: That is okay, Mr. Speaker, Sir.

The Speaker (Hon. Ethuro): What is okay, Vice Chairperson? I just thought that you would wish to commit to a specific date, so that we could hold you accountable to it.

GOVERNMENT POSITION ON EXTRA CHARGES
LEVIED BY SCHOOLS IN KISII COUNTY

Sen. Obure: On a point of order, Mr. Speaker, Sir. On 6th March, this year, I requested for a statement from the Chair of the Committee on Education, Information and Technology regarding the number of students in Kisii County who have been sent away from public secondary schools for failing to pay some levies which have been imposed by the schools. I was promised that this statement would be issued in two weeks from that time and it is now three weeks since then. Could I ask to be told when I should expect a response to this request?

Sen. Kagwe: Mr. Speaker, Sir, there was a slight breakdown of communication within the Committee as a result of the fact that I was not there at the time the request for the statement was made. But I do promise that it can be delivered at the time that the hon. Member has proposed. From tomorrow henceforth, it is very likely that there will be another Chairperson for the Committee.

The Speaker (Hon. Ethuro): It is so ordered!

Sen. Obure: Mr. Speaker, Sir, I do not know if you understood what the Chairperson promised. When will the statement be issued? In fact, the impression that I get is that it is not definite, because he has said that he will no longer be the Chairperson of that Committee. What answer will I take home?

The Speaker (Hon. Ethuro): Order, Sen. Obure! Speak for yourself and not the Chair. The Chair understood what the outgoing Chairperson of the Committee said. He said that he might not be the Chairperson of the same Committee after tomorrow. He neither said that there will be no Committee nor that there will not be another Chairperson. There will definitely be a Committee and a Chair, but not him.

Secondly, on the date of the response, he agreed with you that the date that you suggested will be the date that, that response will be given, by whoever will be the Chairperson of that particular Committee at that particular time. So, it is very clear to the Chair and it should also be very clear to you, and it will go into the HANSARD; that the Chairperson and the Committee membership that will be there will respond according to what we have agreed today.

Sen. Obure: Very well, Mr. Speaker, Sir. But the only problem is that I had not suggested any day. In fact, it was not for me to suggest the date when the response will be given.

Sen. Kagwe: Mr. Speaker, Sir, my sincere apologies to the Senator. I actually thought he asked whether he could get an answer next week. I now propose that I will give the answer next week, because even if I will not be the Chairperson of the Committee by the end of tomorrow, I will still be a Member of that Committee. So, I undertake to speak to whoever will be Chairperson, effective 2.00 p.m. tomorrow, hand over that request and ensure that, that statement is delivered here on Thursday, next week.

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Sen. Obure: That is correct, Mr. Speaker, Sir.

PROCEDURE FOR ISSUING PUBLIC STATEMENTS ON
BEHALF OF THE SENATE

Sen. (Prof.) Anyang'-Nyong'o: Mr. Speaker, Sir, I rise to seek a Statement from the Senate Majority Leader on a matter which is very important, regarding the procedure used to issue public statements on behalf of the Senate, without any resolution of this House.

Mr. Speaker, Sir, we have witnessed statements being issued on behalf of this Senate from time and we, Senators, get embarrassed whether, indeed, we are party to those statements. Secondly, could the Senate Majority Leader further clarify whether the Senate has resolved at any one time to have allowances of Senators scrapped or salaries reduced by some percentage as, indeed, he has stated in public in the Republic of Kenya?

The Speaker (Hon. Ethuro): Who will answer on behalf of the Senate Majority Leader?

Sen. Elachi!

Sen. Elachi: Mr. Speaker, Sir, I believe that the Senate Majority Leader was speaking in a public rally and, therefore, those were his own opinions. So, I believe that he was not speaking for the Senate.

Sen. (Prof.) Anyang'-Nyong'o: On a point of order, Mr. Speaker, Sir. I believe that the Senate Majority Whip heard me very clearly. Precisely, he was speaking in public and invoking representation of the Senate. We, the Senators, would like to know the procedure followed to empower any Member of the Senate, especially the Senate Majority Leader, to make utterances in the public, presumably on behalf of the Senate. If there is such a procedure, have we at any one time, resolved to have our salaries reduced or allowances cut, as represented by the Senate Majority Leader, in that public rally?

(Several Senators stood up in their places)

The Speaker (Hon. Ethuro): Order, Senators! I will allow you if you insist. But if I have my way, and I will have my way depending on how you prosecute this matter, I really do not think that, that is a matter for us to debate in the plenary. This is a matter that can be raised in a *Kamukunji*. I am satisfied with the response given by the Senate Majority Whip and we may wish to do it in another forum.

I will only allow the Senate Minority Leader, by virtue of his position, but I hope that he has also taken into consideration my observations for the benefit of the House.

The Senate Minority Leader (Sen. Wetangula): Mr. Speaker, Sir, I take cognizance of what you have said, but the distinguished Senator for Kisumu requested for a Statement from the Senate Majority Leader. One would expect that whoever purported to speak for him was only open and limited to telling the House when the statement can

be forthcoming; not to stand up and purport to justify what was said, on the basis that it was a personal opinion. Everybody has an opinion, but you cannot take your opinion and cover it with the colour of the Senate and go out there and pretend that you are speaking for this Senate on matters of policy and that are so grave as not to be vested in the hands of any single individual.

Mr. Speaker, Sir, even if the matter will go into a *Kamukunji* or closed session, one would expect that you will direct that within that closet, the Senate Majority Leader and those who have been speaking like him - because they are many - to come and explain to the plenary why they purport to speak for the Senate.

(Sen. Murkomen stood up in his place)

The Speaker (Hon. Ethuro): Sen. Murkomen, I had issued some guidance and was only allowing the Senate Minority Leader, by virtue of position and given the fact that the matter affects the Senate Majority Leader. I thought that when I was giving guidance, I was actually looking in your direction and saw that you were completely happy with that guidance.

Sen. Murkomen: On a point of order, Mr. Speaker, Sir. I was very satisfied until the Senate Minority Leader opened again this issue.

Mr. Speaker, Sir, my point of order is very limited to what happens if a Member asks an erroneous question. For example, the distinguished Senator for Kisumu is asking a question which is not based on facts. He has made an attribution that so-and-so said this, but when you look at the quote that he is giving, it is not based on facts. This is because I was with the Senate Majority Leader in the same meeting and he made it public that he has written a letter – I do not even remember to whom – asking them to cut his salary by 20 per cent. I do not know why he wrote that letter. He did it as an individual. I do not remember him saying: “We, the Senate, have said.” That is the only question that I was going to ask, because it was an individual’s thing.

The Senate Minority Leader (Sen. Wetangula): On a point of order, Mr. Speaker, Sir.

The Speaker (Hon. Ethuro): Order! Now you can understand my difficulties. Every contributor is just confirming, because we are starting to discuss a Senator and that was not even the intention of the statement, in the first place. So, let us leave it there. We will convene in a closed session and deal with the matter exhaustively.

COMMUNICATION FROM THE CHAIR**SENATORS DISCUSSING MATTERS PENDING
BEFORE COMMITTEES IN PUBLIC FORA**

The Speaker (Hon. Ethuro): Hon. Senators, on Thursday 27th February, 2014, the Chairperson of the Standing Committee on Finance, Commerce and Economic Affairs issued a statement on the management of reports by the Auditor –General and the Controller of Budget on the performance of county governments. The Chairperson drew the attention of the House to what he considered as legal and procedural questions facing the Committee and by extension, this Senate in discharging its constitutional mandate and particularly instances of overlap between the Senate/Parliament at a national level and county assemblies at the county level in the exercise of oversight and accountability. The Chairperson consequently sought the guidance of the Speaker on the two issues, namely; the exercise of oversight by Parliament and the county assemblies between the two levels of government and the appropriateness or otherwise of the practice where Senators comment or debate questions pending before the House or Committees at public fora outside the House.

Hon. Senators, this communication addresses the second concern raised by the Chairperson where Senators take the debate outside the House. The first and more fundamental question will be addressed at a later date due to its magnitude.

Hon. Senators, let me start by drawing the attention of the House to the relevant Standing Order relating to discussing matters pending before Committees within the House, that is, Standing Order No.89 which states as follows:-

“No Senator shall refer to the substance of the proceedings of a Select Committee before the Committee has made its report to the Senate.”

I wish, therefore, to emphasize that the above provision applies to debate within the House which gives the principle of application outside the House. The question of Members of the House taking debate or commenting on matters pending before the House or Committee is not new. Therefore, as you can expect, it is a well developed part in terms of procedure which is codified through rules and practice, which as you are all aware, is uncodified and set by precedence mostly through Communications from the Chair. Indeed, there was a specific decision in a resolution on 17th October, 1969 to bar any discussion by Members on debates on matters before the House. Prior to that resolution, the matter had been raised even earlier on 12th August, 1969, to which Speaker Slade responded as follows:-

“As stated in my Communication of 28th May, 1969 and 24th June, 1969, it is definitely improper and contentious of this House for hon. Members to carry on debate outside this House or to answer in the press or publicly elsewhere anything that has been said by hon. Members in this House. What I said about carrying debates outside applies only to debates on substantive Motions which result in a definite resolution. The subject

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matter of such debates, indeed, must not be discussed by hon. Members publicly outside the House while the debate is still pending nor should there be any subsequent comments by hon. Members outside the House which challenges the ultimate resolution of the House. Whatever the nature of the proceedings, things said by hon. Members in this House may only be answered by other Members in this same House.”

While quoting the above ruling, the Speaker of the National Assembly, hon. Marende, noted as follows on 31st July, 2008 when dealing with a similar question. I quote:-

“As can be discerned from the foregoing and given the careful scrutiny of the journals of this House reveals that the rulings over this subject matter have never been varied nor rescinded, I do rule without fear of possible contradiction that our present procedure and practice bar hon. Members from referring to, commenting or continuing with debate outside this Chamber on substantive matters not yet disposed of by this House. I hasten to add that in barring references, comments and debates outside the Chamber on substantive matters under debate here, is similarly referring to matters of a select committee before the committee tables its report as included by the provisions of Standing Order No.70 which prohibits anticipating discussion of substantive Motions already seized by this House.”

Hon. Senators, I wish to reiterate the position taken by Speaker Marende on 31st July, 2008 which stated that Members taking debate outside the House, no doubt lowers its dignity and brings into disrepute its proceedings. It behooves all of us to individually and collectively uphold the dignity of this House.

Arising from the foregoing, therefore, the Chair has no reason or intention of deviating from or varying this Speakers’ rulings by successive Speakers on the continuation of debate outside the House, contrary to the laid down Parliamentary conventions which we have inherited. As has been noted on numerous occasions, what is required at times like this in our country’s history is leadership which in most instances demands that you stay above the fray and provide direction by, among other things, creating a clear distinction between persons, personal and issues, including disaggregating them. This is what we have been called upon to do as the pioneering Senate.

The Chair appreciates the observation made by Senators about the fear of being gagged. I wish to assure the House that the Chair will continue to defend and protect your rights and privileges as Senators to facilitate you to discharge your responsibilities, but will also fairly but firmly and objectively, apply the practices and procedures of the House.

In conclusion, hon. Senators, I wish to appeal to Senators to look at the bigger picture and focus on matters that will culminate into a dividend to the Kenyan people, not only substantively, but also in a sustainable manner.

Thank you.

Sen. Billow: Thank you, Mr. Speaker, Sir, for that very important ruling on this matter. I think I share in your conclusion that it is the dignity of the House that is really important at the time when we are trying to create our space as a Senate in this nation. I want to say that even as you give this ruling, as late as this weekend, some of the distinguished Senators, have actually been debating issues that are before Committees. One important issue before the Committee of Finance is the Division of Revenue Bill and how much money should be allocated to the counties. It does not really help when Members of the Senate go out there and insist on the figure that will be allocated. I think it is important that what is before the Committees of the House, as you said, be left so that it does not create that perception of confusion. Later on, it might reflect a confusion if ultimately the resolution of the House comes out differently. So, I want to appreciate that ruling and, perhaps, urge the House that Members who develop the tendency to take debate outside be held for contempt in the manner provided for in the Standing Orders.

Thank you.

Sen. Hassan: On a point of order, Mr. Speaker, Sir. Just to respond on what you have just said, sometimes when you go to a place, particularly on a matter on revenue which is a constant challenge to the Senate, particularly in terms of appearing to be a friend of devolution, people constantly want you to make reference on the matter and give your position on the division of revenue. Are you for or against more revenue going to counties? So, in your direction, I want you to give us further clarity, put in certain political spots where you have to make certain rejoinders to political challenges that appear to us from time to time; how do you navigate through such kind of terrain?

The Speaker (Hon. Ethuro): I think Sen. Billow was agreeing with the Chair completely, Sen. Hassan is trying to challenge it, which you know ordinarily is not acceptable, for starters. Even as you venture, starting with the word navigating, there is really nothing to navigate. The reason we have a House, institutions and we have rules of procedure is that we have to learn to do things in an organized manner. Even the tightest of the political spot that you are making references to, is an opportunity to tell them that since you are a Senator, you know better and that there will be appropriate opportunity for you from the Floor of the House to put your case clearer. That would be my advice. As a young Senator from Mombasa County, you are highly encouraged if not ordered to comply.

MOTION

DEVELOPMENT OF CLEAR POLICY GUIDELINES FOR ADULT EDUCATION

THAT, aware that Article 43(1)(f) of the Constitution of Kenya states that every person has a right to education; recognizing that Vision 2030 underscores the critical role of education in Kenya's socio-economic

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development; appreciating that, pursuant to Chapter 223 of the Laws of Kenya, the Government established the Board of Adult Education to coordinate adult education; concerned, however, that implementation of adult education programmes is hampered by absence of appropriate policies, including policies on recruitment, training, deployment, discipline and termination of services; the Senate calls upon the national Government to take immediate measures to develop clear policy guidelines for adult education staff recruitment, training, deployment and discipline in order to promote adult education.

(Sen. Karaba on 20.3.2014)

(Resumption of Debate interrupted on 20.3.2014)

The Speaker (Hon. Ethuro): Sen. Wetangula, you may proceed.

The Senate Minority Leader (Sen. Wetangula): Mr. Speaker, Sir, I was on the Floor at the rise of the House, may I know how much of my time is left?

The Speaker (Hon. Ethuro): Ten minutes.

The Senate Minority Leader (Sen. Wetangula): Ten minutes. Do you feel that cracking sound coming from the Chamber?

(Cracking sound heard in the Chamber)

The Speaker (Hon. Ethuro): Yes, but we are trying to work on it.

The Senate Minority Leader (Sen. Wetangula): Mr. Speaker, Sir, at the rise of the House on Thursday, I had just concluded praising Sen. Karaba for bringing this Motion and pointed out that in the successive regimes in this country, adult education was always relegated. It was bundled with culture, children and women issues. It was never taken as a serious matter that has to spring Kenyans out of illiteracy to avail them functional literacy to the extent that even a *mama* in the village taking a child to hospital can come back home, read the prescription and administer the medicine properly; functional literacy to the extent that even a villager delivering his cane to Nzoia Sugar Company can read the Statement and know what CR and DR are; functional literacy to the extent that when we go to elections, the idea of going to vote is an extremely personal matter; that 50 years after Independence, we should not be having assisted voters unless they are voters with impaired vision. This is the policy that is lacking. It is the policy that this Motion is seeking. Senators are representatives of counties. Therefore, it is incumbent upon all of us to ensure that we compete favourably so that we do not represent counties where functional literacy is not talked about. We want to see Kenyans, at the very least, reading and writing. That is the gist of the Motion.

I fully support the Motion. Education is one of those basic rights in the Constitution. The Constitution provides that everybody is entitled to education, housing, good food, good nutrition and all the aspirational issues in the Constitution. As I conclude my contribution, I support the Motion. I support the Motion, not just to the extent that we have a policy, but that we have sufficient provisions in the budget to ensure that there are centres of adult learning, grades for adult learners and encouragement for adult learners.

As I said, there is a study that has shown that the first grader, Maruge, when he appeared in school, the United Nations Development Programme (UNDP) and United Nations Educational Scientific and Cultural Organization (UNESCO) discouraged persons of that age going to sit in the same class with toddlers because they distracted them from learning. These people become centres of amusement. We must have separate classes for adult learners, away from little children. Can you imagine a Standard One child, at the age of seven, looking at the rough chin of a 70 year old with beards and all manner of wrinkles? This is not right. It discourages and affects children. This is a special study that was carried out by UNESCO. So, how do we solve this issue? We need to encourage separate adult classes where senior citizens older than the old Maruge can go to class and learn, but not to mix with young children and, consequently, undermining their concentration on education.

I beg to support.

[The Speaker (hon. Ethuro) left the Chair]

[The Deputy Speaker (Sen. Kembi-Gitura) took the Chair]

Sen. Murungi: Thank you, Mr. Deputy Speaker, Sir for giving me the opportunity to contribute to this important Motion. The Motion requires the Senate to call upon the national Government to take immediate measures to develop clear policy guidelines for adult education, staff recruitment, training, deployment and discipline in order to promote adult education.

It is a shame that 50 years after Independence, we have a Motion before the Senate on adult education. This started after Independence and we should ask ourselves what we have been doing. After 50 years, we have adults in this country who have not gone to school. We should have functional adult education. What does it matter whether Maruge got “A-plus” or a “B-plus” in his Kenya Certificate of Primary Education (KCPE)? That is an absolute waste of time. This is a man who should have been looking after his grandchildren. I know that he was celebrated after going to school when he was 80 years old. So what?

How did the nation benefit from the education that he got? We should not be going to school for the sake of it. We should have an instrumental theory of education that you are being educated as a way of developing the society. You should be educated

so as to contribute to the society at whatever level. This is the point that is being missed in the adult education plan.

There is nothing wrong with an old person learning how to read or write for the purposes of reading the Bible because we are preparing to face our Maker at one time or another. That is important. There is nothing wrong with a person being educated and adding one to two and knowing how to count monies that they have received or to check the change they have received from the supermarkets. However, it should not be the function of the Adult Education Programme to give you a certificate at the age of 50, 60 and above. You should have education to have a more civilized life. One need not pass examinations.

Mr. Deputy Speaker, Sir, adult education has failed in this country because it does not conform to the lifestyle of older people in this country. For instance, if it is introduced in Meru County - there are places where people pick tea from morning till evening – if you fix these classes to be at 4.00 pm, who will leave picking tea to go and attend the adult education classes? We should capitalize on the moments when people are free to teach adult education. The enrolment rate has been very low because education does not take into account the life cycle of our people, especially in the rural areas. Our people in the rural areas are very busy. They are busy trying to survive. They have no luxury time to sit in classes and to read when there is no food on the table and there is firewood to be picked and water to be fetched. We should look at the moments when they are not fetching water and when they are not fetching firewood so that they go to school. I am calling for practical adult education which is line with the cycle of life, especially in the rural areas.

The other issue is about content. What is it that people are learning in adult education? Is it the same stuff that a six year old is learning that is being taught to their grandmothers and grandfathers? I have always been an untrained teacher. I am not a trained teacher. However, the methodologies being used, considering the age category, do not make sense to the learners. When you are teaching adult education, you should focus on encouraging our people to eat better food. Teach about better cooking methods. Teach about better eating methods so that people eat healthy and learn the benefits of exercising. They should also be taught how to tell stories and entertain each other so that they live better quality lives. They should not teach them foreign languages. Who will they be talking to? Is it among them? These are the likes of *Njuri-Ncheke wazees*. We need to look at the content so that it makes sense. We should use education as a tool to make life more interesting. It should not only be about gathering certificates and priding ourselves on how we passed Standard Eight or Form Four at that age.

I support the Motion. We need to critically look at the content for the curriculum for adult education in the country. We need to know about the people who are teaching and whether they understand what they are doing. We also need more investments and resources so that education is looked at from a broader perspective; that of making our people's lives better.

Sen. (Prof.) Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, I stand to support the Motion and to congratulate my friend, Sen. Karaba, who is a teacher for bringing this Motion today. To underscore what the Senator for Meru has said, this is something that needs to be looked at very carefully and a national policy developed regarding it.

I will not regard adult education as something that is simply to open the eyes of adults. We need to have a concept of continuing education. When I was in Makerere University many years ago, there was something called Centre for Continuing Education (CCE). In other words, education never ends. Education is not just received in formal settings like schools, but can also be carried out from radio, newspapers and television. Indeed, many years ago when we were growing up, there was a college here called the British Tutorial College (BTC). The mission of this college was to give people education through correspondence. Many people who could not afford to go to formal primary and secondary schools got education through the BTC. Eventually, they sat formal examinations. Unlike the Senator for Meru, I will not dismiss education for certificates. There are some of us who are called late developers, people who realise their potential rather late in life. You may be 60 years or 70 years and realise that you are a lawyer, but you discover that was not your calling and that you would have liked to be an accountant or a clergy man. You should then find a centre for adult education to pursue your new found love and to get a degree in your new found love.

We have seen universities giving degrees to people who are 80 years who have decided to do their masters in a new field. There is also a study – today is a day for citing studies following the Senator for Bungoma – that if you acquire a new skill later in life, for instance, Sen. Okong'o may decide to be a Table Tennis (TT) player at the age of 60. You will find that this may renew his life and may make him live longer. The only thing you should not do at age of 60 is to get a new young wife because that requires a lot of effort and can destroy you much earlier. However, if you acquire a skill later in life, you become rejuvenated and live much longer. So, such things can be done in centres of adult education to make adults acquire skills and become a little bit livelier.

Research has also been done to the effect that people learning in adulthood become much keener in revealing new things. If we have centres for continuous education, there could be opportunities to do research in adulthood. Recently, we had a Motion here on ageing. That was a very important Motion. I can relate it to the need to have centres for continuous education that can allow universities to do research on how to teach old people and to develop curriculum that is friendly to them as the Senator for Meru has said and to establish medium of curving out education outside the formal system.

Mr. Deputy Speaker, Sir, the other thing which is extremely important in this Motion is the fact that education is perhaps less costly outside formal institutions. Formal institutions tend to have a lot of overheads, but informal institutions tend to reach many more people and are very effective. This is why the radio was discovered, because although the radio is some formal institution, but it reaches people through the informal

setting. For example, if you have a radio in a bar, the person who goes to drink there does not know what he is going to encounter in a bar. But just by being in a bar and seeing a television or listening to a radio, he will suddenly realize that there is something important that he needs to pay attention to.

Now, Mr. Deputy Speaker, Sir, in my younger life, I was responsible for carrying out what we call 'school broadcasting service' at the then Voice of Kenya (VoK) and we were teaching students in high schools and primary schools through the radio. That was an extremely important programme for teachers because teachers realized that some of the things they could not teach or did not know came through the radio from only one person talking in Nairobi, which was very effective.

Mr. Deputy Speaker, Sir, I see another opportunity in establishing centres for continuing education in counties using the media of radio and television to extend education to those who are no longer in formal institutions. I am talking about formal institutions because we tend to think that in order to go to school, we need to follow the footsteps of the first grader that Sen. Wetangula said. But that is only if we identify education as something that must only be done in schools, which is not the case; or something that must only be done in universities, which is not the case. Schools and universities can be the formal institutions through which or from which education is produced, but it is not necessary that it is the only institution where you have to go to get that education. I think that centres for continuing education in the nation will really help us because the universities will be involved.

Finally, Mr. Deputy Speaker, Sir, I notice some extremely dangerous precedent we have set in this country; the precedent of turning all teacher-training colleges into universities or university colleges and depriving teachers of any form of training. I would like us to begin developing teacher development centres or development centres for teachers. Teachers who are teaching can go to these centres – just like we go to the Kenya Institute of Administration (KIA) or the Kenya School of Government (KSG) as it is called now – so that they retool themselves. At the moment, a teacher going to teach and a teacher who has been teaching for 20 years without going to any school to retool themselves becomes extremely backward people because they do not renew themselves. Rather than reinvent the old teacher training colleges, some of which are still there, I think it is very important to have in every county what I would call 'centres for teacher development,' where teachers can go while they are teaching and get some new learning or education.

Centres of teacher development could also be part and parcel of centres for continuing education, because teachers are also adults. So, if we could get adults who are both teachers and non-teachers to go to such centres and continue to educate themselves, it would be very important for teachers. I have gone to school in my county and encountered teachers who were maybe in their flowering period 10 years ago, but no longer can they flower. They have the knowledge, all right, but it is really not relevant to

the kind of students or pupils they are confronting today, and how they have to impart that knowledge.

So, Mr. Deputy Speaker, Sir, I see teacher Karaba's Motion as, indeed, very relevant and very wise; something that we can use to kill more than two birds with one stone. Therefore, I support this Motion very strongly and I hope that when the Senate passes this Motion, that it will reach somewhere it can be implemented, so that we do not just do it for show; but we should do it for the Ministry of Education, the universities and those who are concerned about continuing education to take cognizance of this Motion and implement it; to have county assemblies to be introduced to this Motion and implement it.

Mr. Deputy Speaker, Sir, I beg to support.

Sen. (Dr.) Machage: Asante, Naibu Spika. Mwalimu Karaba, katika Hoja yake, amesema kuwa yatakikana Serikali ya Kitaifa ifikirie na kuanzisha kwa dhati halmashauri itakayochunguza mambo ya ajira, mafunzo, uangalizi wa tabia na kuendeleza elimu ya watu wazima. Ametaja Kipengele cha 43 cha Katiba ya Kenya akiunganisha na Kipengele pia cha 223 cha Katiba ya Kenya inayosema kuwa kila mtu ana haki iliyo sawa kupata elimu. Ingawa namuheshimu sana Sen. Murungi, akiwa mzee wa hekima na elimu kuu, huenda nikakataa kidogo kuyakubali mawazo yake kwa sababu kutokwenda shule hakumaanishi kuwa wewe ni mbumbumbu; sio kumaanisha kwamba wewe ni mjinga kupita kiasi. Labda mazingira uliyokuwa ndani yake hayakuwa na nafasi ya kukupa elimu hiyo, hivyo basi ukajipata umekuwa mtu mzima bila kwenda shuleni.

Kwa kusoma, haimaanishi kwamba wasoma ili utafute ajira wala kazi ya kusaidia Serikali au kitongoji chako. Sera ya kusoma ni kutafuta nafasi ili ujue na kuelewa mazingira yako yatakayokufaidi wewe na watu wako. Kwa hivyo, vile ninavyoelewa Hoja ya mwalimu Karaba, haikuangaza elimu ya msingi tu. Ametaja elimu ya watu wazima; hakutaja elimu ya watu wazima kwa menajili ya elimu ya msingi tu. Hata nyinyi, Maseneta, mnapotembea hapa na pale mkienda seminaa, huwa mwaenda kutafuta elimu ya watu wazima kwa sababu wengine mko na zaidi ya miaka 18, ambao Katiba ya Kenya inawajumlisha kama watu wazima. Kwa hivyo, sera hizi ninavyozielewa ni kwamba zitakuwa sera ambazo zitaangaza mawazo kutoka kwa elimu ya msingi hadi chuo kikuu, na hata zaidi. Ni wengi ambao wameenda kuchukua shahada ya PhD wakiwa na miaka 60 na zaidi; hiyo ni elimu ya watu wazima. Lakini tunavyoelewa hapa nyumbani, twasema kuwa elimu ya watu wazima ni elimu ya *ngumbaru*. *Ngumbaru* maana yake ni kuwaita watu wazima wajinga ama washenzi kwa kukosa kwenda shule, na hili ni kosa kuu.

Kwa hivyo, hili neno la elimu ya *ngumbaru* lafaa liondolewe kabisa; ni neno la matusi kwa umri wa watu hawa ambao hawakupata nafasi ya kupata elimu ya shuleni wakati huo. Sio aibu kukubali kwamba miaka 50 mpaka sasa, kuna wengi wetu ambao hawajaelimika. Lakini jambo la muhimu ni kukubali kwamba wapo wale ambao hawakupata nafasi hiyo; kwa hivyo wapewe nafasi hiyo nao pia wakaangaze mawazo yao na nafasi waliyo nayo sio ya menajili tu ya kujua chakula cha kula, mazoezi

watakayofanya au vile Sen. (Prof.) Anyang’Nyong’o amesema wasijitose katika ulimwengu wa kuoia mke wa pili, lakini wawe watu wa kupanua mawazo yao kwa ulimwengu uliopo.

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Omar?

Sen. Hassan: Hoja ya nidhambu, Bw. Naibu Spika. Katika utangulizi wake, Sen. (Dr.) Machage anaonyesha kama ambaye kuna jambo ovu katika kuoia mke wa pili ilhali tunajua kwamba katika dini nyingine, tunakubaliwa kuoia wake wawili, watatu au wanne. Kukosa elimu ama kupata elimu haimaanishi ndio unaoa ama huoi mke wa pili. Nataka kidogo afafanue kwamba, je, anaona wale wanaoia wake wa pili, watatu na wanne, wamekosa elimu?

(Several hon. Senators stood up in their places)

The Deputy Speaker (Sen. Kembi-Gitura): What do you want him to--- What is your point of order? Can I get it clear, please?

Sen. Hassan: Bw. Naibu Spika, nataka afafanue; alisema kwamba Sen. (Prof.) Anyang’Nyong’o alisema kwamba hawa wasipopata nafasi ya elimu, watakwenda kuoia mke wa pili. Kwa hivyo, nataka kumuuliza kwamba yeye anafikiria kuwa kuoia mke wa pili, wa tatu na wa nne ni kwa sababu ya ukosefu wa elimu?

Sen. (Dr.) Machage: Bw. Naibu Spika, ningemuomba mwenzangu asikilize kwa makini, ingawa yuatoka Pwani, naona kuwa lugha ya taifa inampita kidogo. Kwa sababu mimi nimeangaza wazo la Sen. (Prof.) Anyang’Nyong’o alipotoa tahadhari kwamba badala ya kujivinjari kutafuta mke wa pili ukifikia umri wa miaka 60, kuna njia nyingine zaidi hata kwenda shuleni ambayo unaweza kufurahia maisha yako ya usoni. Kwa hivyo, sikusema hata kidogo kwamba kuoia mke wa pili, wa tatu ama wa nne ni vibaya; kipenda roho basi huenda ukala pilipili; shauri yako. Kama dini yakuruhusu, basi ni bahati yako. Sisi wengine walio Wakristo haturuhusiwi!

(Laughter)

Kwa hivyo, Bw. Naibu Spika, jambo la kuanzisha halmashauri kamili kutekeleza ombi hili la mwalimu Karaba ni jambo la dharura na limepitwa na wakati. Hii ni kwa sababu baadhi ya walimu walioko vijijini ambao wanatekeleza jukumu hili la kuwaelimisha wananchi ambao hawakupata nafasi ya elimu wakati huo ni walevi. Elimu ya wengine wao ni duni na wengine hata hawaendi shuleni na hata vituo hivyo havipo vijijini. Pia, mawazo ya walimu hao hutatanishwa kwa sababu wakati mwingi hata hawana mishahara. Wakati mwingi, sehemu hii ya elimu hata hatambuliki kwa Wizara ya Elimu nchini. Kwa hivyo, ni muhimu kuwa na halmashauri wakati huu na sisi kama viongozi tunafaa kusesitiza jambo hili. Hatufai kuzungumza tu katika Bunge hili bali kuhakikisha kwamba jambo hili limetekelezwa kwa kasi na wakati huu.

Bw. Naibu Spika, naunga mkono.

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Sen. (Prof.) Lonyangapuo: Thank you, Mr. Deputy Speaker, Sir. I would like to join my colleagues in congratulating Sen. Daniel Karaba, the teacher, for bringing this Motion at this time.

Mr. Deputy Speaker, Sir, like most speakers have mentioned, it is such a pity that we are talking about adult education today in Kenya, 50 years after Independence. Something must have gone wrong that we did not develop the necessary guidelines to empower every Kenyan with the right tools of survival in the land. Without education, it is very difficult for people to even improve their own lifestyles in the villages.

Mr. Deputy Speaker, Sir, like it has been mentioned, a lot of concentration has gone into the syllabus of primary schools and secondary schools. We have even focused on universities to the extent that every county is going to have a university in the years to come. But we are forgetting something very fundamental; that the development of Kenya today depends on the most productive people who own property and can move things in our land. We talk about Vision 2030 which is not very far from now, and we envisage that our country will be developed and become a strong middle-income nation by that year.

Look at the investment that we are putting in nursery children and even those in Class One now; we even want to buy laptops for those children. But it will take a very long time for them to develop the vision and ambition that we need to have in Kenya. But there is a pool of people, as has been mentioned in this Motion, that we have not focused on and assisted to train. These are the people who own land, cows and various properties. So, if we zoom in and come up with a policy that can tap into these adult persons and train and open their knowledge, so that they are able to read and write and add value to some of the properties that they have---

Mr. Deputy Speaker, Sir, Kenya, being an agricultural country, has a lot of farm produce but we still do farming using rudimentary methods. If we had focused on adult education at the grassroots, starting in the villages, we would not be where we are today in terms of value addition and industrialization. I am talking passionately about this because I know that the long rains have now come and the people who are going to plant are illiterate or semi-literate. They have skills which need to be upgraded through education and training. As mentioned before, some people around Lake Victoria, who never went to school, became fishermen. If we could train them to have some formal kind of education once or twice a week, the output would be improved.

Mr. Deputy Speaker, Sir, the Ministry of Education has been talking about *ngumbaru*, as somebody has mentioned here. Sen. Machage says that it is an abusive language, but this does not apply in the village. People know that if you are too old and want to go to school, you can go to an adult education class. This Motion calls upon the Government to come up with clear policy guidelines. I would suggest that when the national Government comes up with these clear guidelines, it should share them with the county governments where the villagers are and so on.

The Constitution and the County Governments Act talk about having village and ward administrators. What will be the business of the village administrators if we have villagers who are not educated? We should have centres for adult education so that the syllabus can be synchronized depending on what you want those areas to study. For example, we have people who specialize in crop farming. They can go to school and be trained once in a while. But they can also be taught on how they can do better farming. In the process, they add value to what they know. If you come from a pastoralist region, like where I come from, people like animals. But how can you keep a better, healthy and strong animal that can fetch more money at the time of sale? You can only know that if you have gone through the right education and training.

We should even have compulsory education for those people once or twice a week, especially now that we have a policy where the Government is going to disburse some monies to the elderly people. I heard that the Government will pay Kshs2,000 per month to those people who are 65 years old and above. If you are purely illiterate and do not even know how to write your name, how will you know what belongs to you?

Mr. Deputy Speaker, Sir, we will not lose much if we can have almost an affirmative programme that empowers and forces anybody who never went to school to pass through this programme. Sen. Kiraitu referred to an old man of over 70 years who decided to go to school. Old people are finding themselves in class, because we have never bothered to give them an alternative programme where they can fit and study. Whenever an adult in uniform is seen in school, they become an obstruction and attraction to the children. It is necessary that we not only talk about the recruitment of staff, but also look at the guidelines and ask ourselves: How many years will it take somebody to know how to read and write?

Mr. Deputy Speaker, Sir, Sen. Kiraitu said that we should not have examinations, but we may end up having examinations for these people which can be done locally. This is because Africans easily forget unless they undergo a very rigorous programme, which will force them to do examinations. For example, if you are farmer, you can name some of the plants in Kiswahili or English depending on the training that you have undergone.

Mr. Deputy Speaker, Sir, even for people to learn Christianity, Islam and so on, they need to undergo formal education. The same applies to Vision 2030. We started the privately sponsored programmes in the universities, because we realized that we would wait for the As, A minuses and B pluses forever. We decided that anybody with a C plus and above could actually join university but pay for it. The other group that had been forgotten was the teachers with certificates. We came up with a programme where teachers could do a degree or diploma programme during holidays, that is, April, August and December. That programme is now almost ten years old and most primary teachers have a degree or something that is not very far from that. As a result, the level of teaching in primary schools has suddenly changed. That is why you will find counties like West Pokot and Samburu becoming number one in national examinations. The teachers now have a unique way of teaching. Therefore, I now want parents who never went to school

to be given this alternative where they can be trained in their villages. This will enable them sell milk to the dairy plants and so on – very simple things that do not make sense to some people, but do to me.

Mr. Deputy Speaker, Sir, I support this Motion that will compel the relevant Ministry to come up with policy guidelines which will be sent to every Governor and county government to be followed. I would suggest that it should start with West Pokot. I will go to every village and ensure that everybody goes to school.

Mr. Deputy Speaker, Sir, I beg to support.

Sen. (Eng.) Muriuki: Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity.

Mr. Deputy Speaker, Sir, first, I wish to commend Sen. Karaba for coming up with this Motion. I hope that he will take it up further and maybe follow up with the relevant department and come up with a paper which can force the Executive to do the policy that he wants.

Mr. Deputy Speaker, Sir, those of us who can read and write and maybe do a bit more, wonder how in the present world somebody can actually exist in the society if they cannot read or write. It was bad enough when communication was through letters. People who were illiterate had to look for somebody to either write or read a letter for them. Today with the current technology, most people have mobile phones. But somebody who is illiterate cannot even know who is calling. It is even difficult to imagine how such people actually exist in the current world.

Mr. Deputy Speaker, Sir, I had occasion to deal with people in the rural areas, especially when I was a Member of Parliament, whose land had been grabbed by others. In most occasions, the person is told to give their identity cards, write their names and sign. Actually, they give their land for free and by the time they approach the Member of Parliament or some other authority for help, the situation will be totally helpless. I have had instances where such matters actually end up in court and people lose because it is proved that they signed and gave out their identity card numbers. This Motion, therefore, is very important because it will solve some of these issues.

Mr. Deputy Speaker, Sir, when some of us were young, adult education used to be there but it seems like there is a total breakdown now. There is no adult education where I come from. That is, perhaps, the reason people like the late Maruge did not know what to do. He wanted to know how to read and write, but there was no class for people of his age. So, he ended up with toddlers in Standard One and Standard Two, which as one speaker said, is actually disruptive to the rest of the kids. So, we need to go back to the adult education that we knew before.

Mr. Deputy Speaker, Sir, I found it very strange when the Mover was talking about the adult education board, which he described in detail. It is surprising that such an institution exists yet on the ground there is no adult education at all. I know that we have people who finish Form Four and go on to get diplomas and so on, but perhaps,

everybody in Kenya should be able to do simple reading and writing. If you cannot do those two things, I think that you will be lost.

Mr. Deputy Speaker, Sir, this is an opportune moment to also mention one or two things about the trend that higher education is taking. It looks like we are converting every polytechnic, teacher training college and public institution, including the former colleges of science and technology, which were based in districts by then, into universities. As a result, I think, there is a very dangerous gap which is being left in our country and we might end up with a whole generation with no opportunity to do middle level courses. So, we are going to bombard every employer with a degree. I am sorry to say but some of them are totally irrelevant to what the person wants or what the employer wants.

If we compare ourselves with industrialized countries, we shall find a gap which we have created. We used to have polytechnics like Nairobi Polytechnic but we are busy undoing the gains. Some of us who are in the engineering profession, it is now easier to get an engineer to employ than a diploma holder or a technician because there is none. Colleges are now not producing them.

Mr. Deputy Speaker, Sir, I wish to strongly support this Motion so that the Government can come up with a clear policy so that those who cannot read and write can be taken care of and those who have attained the minimum level can be afforded an opportunity to continue with their education.

With those few remarks, I beg to support.

Sen. (Dr.) Zani: Mr. Deputy Speaker, Sir, as per Article No.43(1)(f), every person has a right to education. It is for everybody and sometimes even the young, two-and-a-half years old do also go to pre-primary education---

Sen. Hassan: On a point of order, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kembi-Gitura): Yes, Sen. Hassan.

Sen. Hassan: Sen. Wangari just crossed---

The Deputy Speaker (Sen. Kembi-Gitura): What is your point of order?

Sen. Hassan: I am just bringing to the attention of the Chair whether it is in order for Sen. Wangari to just cross from one end of the House to the other.

The Deputy Speaker (Sen. Kembi-Gitura): Did you just do that?

Sen. Wangari: Yes, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kembi-Gitura): Can you correct yourself so that we can proceed?

Can you make the correction? The rules are meant to be obeyed. Maybe you can be assisted by the Serjeant-at-Arms on how to go about these things.

(Sen. Wangari went back to the Bar and bowed)

(Applause)

Proceed.

Sen. (Dr.) Zani: Thank you, Mr. Deputy Speaker, Sir. Article 43(1)(f) says that every person has a right to education, that is, from the youngest to the oldest and people go through education for different reasons. For some, it is just for the sake of it and for others it is that their professional trajectory changed and they decided, especially in a system that allows you to go for different courses, that they can actually change courses. Some people have gone through to pursue higher levels of education because their children grew up and they finally had a chance to go back to the classroom. Some people have decided to pursue education because they have the money which they did not have before. In fact, some people are pursuing and continue to pursue education because they do not have jobs especially the young graduates. So, you find someone has finished the undergraduate level but goes for post-graduate immediately. This is not in itself a bad thing.

Rousseau, in his studies of development, especially the pre-conditions for take-off, asserts that it is important for people to have education in various fields including economic, social and other issues. This really creates the impetus when people have such knowledge. The other day, we were talking about the need for civic education even on the Constitution so that people understand what devolution is all about. It heightens and makes it easy to understand issues when people have the basic understanding of some issues. Indeed, this country should encourage a reading culture so that people can get to read and get educated for the sake of it. In developed countries, you will find a beggar on the streets reading a book. The reading culture is a culture that needs to be entrenched. We need to start enjoying education for the sake of it.

Research has been done on students who did very well at the end of Standard Eight but when they go to secondary school at the end of four years, they end up doing so badly depending on which school they went to. Sometimes, in this system of education especially the one that was advocated for by Mackay in the education commission of 1981, where the 8-4-4 has been criticized over time especially in the Kamunge Report of 1988----. Part of that criticism is that the system is rhetoric and cramming. People just learn for the sake of it instead of learning so that they can enjoy. So, at whatever age when people decide that they want to go to school, they need to be encouraged. We need to have systems put in place that allows them to do so.

[The Deputy Speaker (Sen. Kembi-Gitura) left the Chair]

[The Temporary Speaker (Dr.) Machage) took the Chair]

Mr. Temporary Speaker, Sir, extra-mural centres were created in this country as early as 1970s through the college of education and external studies. These extra-mural classes run from semester to semester. Curriculum content is put into operation to ensure that proper learning takes place but that curriculum should also link with what the

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country wants to achieve especially as we move towards industrialization so that the content is relevant. Right now, people live longer and it is possible that by the time people retire, they are still ready to learn. It has become a way of filling up time in a constructive way. At that time, they are able to be with groupings of others with whom they can share. Therefore, we are moving away more and more from a formal set up system where somebody had to start school at six years, at 13 years they are finishing their standard eight and about 18 years they are completing their form four education. It is very important that people get a chance at any one time to do what they want to do best.

Unfortunately, the uptake for adult education has been very low; only about 13 per cent of the adult population is aware that such education is available. Many of them would want to take up this education but I am afraid, they might not have the finances. So, as part of that policy, we need to think about how we can institutionalize adult education, make it a responsibility for corporations like a Corporate Social Responsibility (CSR) so that it can be a kitty that can go on to educate those keen to go back and receive education.

Unfortunately, also, most of the service providers have not been really equipped to deal with adult learners. Adult learners are different from other learners. Adult learners first come into the classroom with a notion that they already know something. So you need to build up from what they know, you need to show them respect; you need to show them that they are valued and their information is valued. So, if they keep bringing up this information and keep getting encouraged, then they tend to learn even more. So, you can actually start from what is known by them and develop it to the more complex processes. Otherwise, the moment you treat them as if they do not know, then they will be discouraged.

Some learners also feel that they know it all and it is difficult to change that mindset. That means that the person teaching them in terms policy and training should be someone who has been taken through a particular course to learn how to handle adult learners. Most of them might not have enough resources and might stagger through the courses and this has implications especially when they are going through college. Most of these courses will be fixed in a time span. They are expected to come and do their exams within a year and get the learning modules. In some of the universities, that material is not prepared on time so they are not able to synthesize and go through it to understand what is happening. Sometimes, there is not enough contact time and in some classes, there might be many learners who need to go through the modules to enable them do their exams. Even the examination process is not given enough attention to balance what they are learning theoretically and practically.

Mr. Temporary Speaker, Sir, I remember sometime back, I visited one of my students and it was amazing to see him in his work environment and remembering the troubles that he went through while in school. Sometimes the content we give adult learners needs to be fixed to specific areas. It might be that we might move in terms of

policy rather than having a curriculum that is targeted towards the various professions and what they intend to learn. We need to have policies that are concentrated on the content of learning that has a link between the education they are receiving and the needs of the country. This can be linked to Vision 2030, the whole idea of industrialization and where we want to go so that there is relevance in what they are doing.

Mr. Temporary Speaker, Sir, in terms of recruitment, the policy should be very clear about who should be recruited, what sort of accommodation in terms of learning and what their interest is because they are dealing with a delicate group of people. Most of the service providers especially in adult education who really enjoy delivering to adult learners---

The Temporary Speaker (Sen. (Dr.) Machage): Order. Your time is up.

Sen. (Dr.) Zani: I support.

The Temporary Speaker (Sen. (Dr.) Machage): Sen. Lesuuda.

Sen. Lesuuda: Mr. Temporary Speaker, Sir, I take this opportunity to congratulate my colleague, Sen. Karaba, for bringing this very important Motion. He has continued to show competence in the matters of education. I also want to thank him for his continued contribution on this same subject. I will also add a rider on the same that this Senate has been commenting, discussing and even passing very important Motions and this is just one of them. I hope, just as my colleagues have said, that when it passes, it should be implemented. I do not want to belabour the importance of education because my colleagues have talked about it, but I would like to say that it gives us an opportunity to make better choices whether one is an adult or a young person especially where I come from. The people there are pastoralists and they will have an opportunity to do other things other than cattle rustling. That is why education is very important.

One of the greatest challenges we face in the pastoralist areas is the fact that the older people have not benefitted from education. So they do not see the need for education. So to convince them that it is important for their young children to go to school is an uphill task. They do not understand why it is important to take their children to school. If these adults had an avenue to learn on how to read and write or just have a basic understanding of issues, then definitely they will see the reason why their children should go to school. When free primary education was introduced, we saw the fruits and I know if we introduce adult education in full, we will also see the fruits. If we took adult education seriously and implemented policies, we will see the benefits and the fruits of engaging in it.

In our country, we always hear of adults saying that they do not have to read anything by themselves because someone else has read it for them. If we take adult education seriously that old man at home would want to get a copy of the constitution, go through it and engage the leaders. I think we would be making more informed choices through the old men at home. May be if we had an informed electorate or population, we would be seeing different results in different areas.

When we talk about adults, there are women and girls who are now in secondary schools. These are people who dropped out of school due to pregnancy. They should not be castigated or we should not declare that it is over for them. Through adult education, they can always have a second chance to go back to school and pursue their education to attain their full potential. This is a policy that can be adopted so that those who want to go back to secondary schools can get a chance for education.

My colleague talked about polytechnics and the middle level schools. We have not been taking these seriously. We want all students to go to universities and to have degrees. I know that if we have adult education in the pastoral areas where we already have the knowledge of using guns, then we would translate this to reading and writing. We would enroll them in the NYS and in the army and make good use of them because they have something they can offer to our country. I know that they would also want to volunteer to help the nation instead of staying at home. They can be trained and they can also volunteer to work in these institutions.

I know, for a fact, that in some counties, like Samburu County, there are programmes where adults, because of their lifestyle or culture, during the day go to herd and in the evening attend class. They attend evening classes provided by Non-Governmental Organisations (NGOs). The Government should also take the initiative as well because it understands that education is a right for everybody regardless of culture. We should spearhead this programme instead of leaving it to NGOs and other people of goodwill who would want to support such initiatives. We could spearhead it and say that it is never late. This is being embraced by communities which, previously, did not have high regard for education. Young men and women want to know how to read and write. They want to go back to school and to take their children back to school. The same way we devolved the Early Childhood Development (ECD) Education, we should also devolve Adult Education Programme. The adult education function should have been transferred to the counties so that they mobilize and ensure that it is implemented at the county level.

Just as the Mover of this Motion put it, education is a basic right. We need to look at several issues regarding counties and how we can ensure that education serves the purpose that it is intended to. The different counties I know have poor access to education; children have to walk long distances to get to school. Therefore, they delay going to school because of walking long distances. They have to maneuver their way through elephants and insecurity. That is why we need more boarding schools in such areas so that we are sure that we have taken our children to safe schools, they are safe and can access education.

Slowly, we are seeing some cultures changing. People are yearning for education. We should not have limitations; the Government should avoid hindering people from accessing education.

I would like to thank the Mover of this Motion. I support.

Sen. Hargura: Thank you, Mr. Temporary Speaker, Sir. As much as the problem is clear, from the Mover of the Motion, we now know that the hindrance is with the teaching personnel and how we can have a policy to recruit teachers. In any institution of learning, teachers are a very important component. Without teachers being in place, trained well and being remunerated properly, then the systems would not perform. That is why we have been having the adult education department for a long term but with no visible fruits.

According to our Kenya Nation Adult Education Survey of 2007, 38.5 per cent of Kenyan adults are illiterate. That translates to about 8 million people. There is a lot of disparity within the country. The report says that Nairobi has the highest literacy rate among adults at 87.1 per cent while north eastern Kenya has the lowest at 8 per cent.

For the last 50 years, this country has been independent and the formal education system has been running. This shows that in some parts of this country, the infrastructure for formal education is minimal. The youth and children have not gone through the education system because there are no adequate schools for them. Owing to that, there is need to capture that population that has contributed positively to the development of this country which is handicapped by the fact that they are illiterate and cannot contribute like they would have done were they literate. So, it is important to have adult education systems in place.

For a long time, the adult education teachers, like the ones I see in my county, are school dropouts. These are primary and secondary school leavers. They are the ones who are assigned that job and the department has been displaced for a long time. This department has been under social services and that shows how important we regard adult education. I think this department has now been brought back to the mainstream Ministry of Education and from there, policies should be developed. There must be training for teachers and I support the Motion because of that.

The importance of adult education is captured in the Vision 2030. The Vision 2030 shows that by the year 2030, we should have increased the adult education literacy from 61.5 per cent to 80 per cent. As we approach 2030, we do not seem to have anything in place to move in that direction. Statistics show that in the area I come from, 80 per cent of the adults are illiterate. There is a lot of work which should be done. We know the benefits of improving the literacy levels of a region. People become more informed and they do not have to change their way of life. If they are pastoralists, they still learn to do what they are used to doing in a better way. They get to know how to take the animals to the market and how to contact the veterinary department.

Right now, we have many problems. We have herders in the bush and the area has no mobile telephone networks. If something happened, they cannot even use the mobile phone to call security agents while they could have saved lives and properties. However, how would they call? I normally ask the people at home how they manage to call and they tell me that they save some images against somebody's number after you have called them. So, next time, when they want to call you, they just scroll for the lion. People have

to go out of their way to see how to adapt to this technology. However, if adult education literacy was there, they would have been saved that problem.

The teachers should be trained in a special way. They should not just be trained as school teachers who just wait in a classroom to teach whoever comes to class. The teacher should know when these people are free and where he can get them. He can even get them under a tree or in their village. You do not have to teach them from the classroom. The system should be adopted. There is a need to have policies for training and recruitment of adult education teachers.

The issue of remuneration is also a factor of motivation. If the teachers are not motivated, they will have the knowledge but they will not be productive since they would have to search for other means of livelihoods if the jobs are paying well. Right now, according to the survey, about 25,000 adult education teachers need to be employed so as to cover the population and enable this country attain the Vision 2030 target of 80 per cent. We have to plan for that. We should not expect to train 25,000 teachers and employ them when we do not have that budgetary provision. The Government, through the Ministry of Education, should show seriousness towards this sector by having budgetary provisions for adult education training. They should also have ways and means of absorbing the adult education teachers under the Teachers Service Commission (TSC) system or any other system.

As one hon. Senator has suggested, it is better if this is devolved to the counties. The literacy levels vary from county to county. There are counties which would make a lot of progress in terms of improving their human resource capacity through the Adult Education Programme. When 82 per cent of your population is illiterate, communication becomes an issue and policies at the county level cannot reach the people. If you have an elaborate Adult Education Programme, then the county government would also improve its service delivery because it would have an educated, responsive, literate population which can provide good feedback to the county government.

I stand to support this Motion and hope that the Government will take it seriously. The suggestion that we move the Adult Education Programme to the county level is a very good one.

I support.

Sen. Chelule: Asante sana, Bwana Spika wa Muda. Nimesimama kuunga mkono Hoja hii ambayo imeletwa na Sen. Karaba. Ningependa kuchukua nafasi hii kumpongeza. Nina sababu tatu za kuunga mkono Hoja hii ya masomo ya watu wazima.

Tunaelewa kwamba kuna watu ambao hawakubahatika katika jamii kusoma kwa sababu ya ukosefu wa pesa na mambo mengine kama vile wazazi kutengana. Wengine ni wasichana ambao walipata mimba wakiwa shule na wakarazimika kuwacha masomo.

Ninasema hivi kwa sababu kuna akina mama wengi ambao hawakubahatika katika masomo. Tungependa kuiinua nchi yetu na uchumi wetu. Tumekuwa tukiongea na watu wetu kuhusu mambo ya kilimo. Itakuwa maajabu akina mama wakitaka kufanya biashara lakini hawajui kupima mbolea na vile watakavyofanya mambo mengine.

Kuna pesa ambazo Serikali imewatengea wanawake na vijana. Wanawake huwa na shida sana ya kuandika kumbukumbu za mikutano na kufanya mipango ya biashara. Wanawake pia huwa na shida ya kujua vile watakavyotumia pesa zao. Wao huzunguka vijiji wakiwatafuta wale ambao wamesoma. Kwa hivyo, Hoja hii ni ya maana sana. Lazima tuwe na kamati ambayo itayasimamia masomo ya watu wazima na vile tunavyoweza kupata waalimu wa kuwashughulikia.

Sote tunajua kwamba Serikali ilikuwa na mpango huo wa elimu ya watu wazima lakini, hatujui ni kwa nini haijakuwa ikifanya kazi vile inatakikana. Hoja ya Sen. Karaba itatusaidia kama nchi na akina mama. Leo tunaongea kuhusu kuwaelimisha watu kuhusu Katiba. Katiba ni chombo cha maana katika nchi yetu. Hiki ni chombo ambacho ni lazima kila mtu ajue ni nini imeandikwa katika Katiba hii. Kwa hivyo, itakuwa vizuri sana tukiwa na masomo hayo ya watu wazima kwa sababu kina mama watakuwa na nafasi ya kusoma. Vile vile, watakuwa na nafasi ya kusoma hii Katiba ili waelewe vizuri kuna nini ndani ambayo inawahusu.

Tena, Bw. Spika wa Muda, masomo haya yatawasaidia kina mama na watu wote katika kusoma Bibilia. Nasema kina mama kwa sababu hawa ndio wanaotaabika na shida nyingi sana. Kukiwa na shida katika jamii – kwa mfano mama na baba wametengana – yule mtu anayeumia sana ni msichana. Kwa hivyo, wengi wao waliwacha shule kwa sababu ya shida mbali mbali wakati ambao hawangefaa kuwacha shule. Ndio maana unasikia nikisema mara nyingi ni kina mama. Kwa hivyo, naunga Hoja hii ya Sen. Karaba mkono kwa dhati nikiwa mmoja wao; niko nyuma yao.

Bw. Spika wa Muda, kuna masomo ambayo sisi sote tunatakikana kuendelea kusoma. Sisemi kuwa Hoja hii iwe inahusu wale watu ambao hawakuenda shule peke yao; kwa sababu ya teknolojia mpya, sisi sote tunatakikana kuendelea kusoma. Kwa hivyo, naunga mkono nikisema kwamba ikianzishwa, isimamiwe kwa njia bora; ihakikishwe kwamba ni masomo ambayo ni *updated*, ama ni masomo ya kisasa; masomo ambayo wataweza kusoma mambo ya tarakilishi na mengine kwa sababu mambo yanabadilika kila mara.

Kwa hivyo, Bw. Spika wa Muda, naunga mkono Hoja hii ya Sen. Karaba.

The Temporary Speaker (Sen. (Dr.) Machage): Sen. Godliver Omondi.

Sen. Omondi: Thank you, Mr. Temporary Speaker, Sir, for allowing me to contribute towards this very important Motion. First of all, I want to congratulate my friend, Sen. *Mwalimu* Karaba, for coming up with this Motion.

Mr. Temporary Speaker, Sir, I have a few reasons why I support this Motion. Indeed, adult education is very important in our society today simply because I am a leader in the disability movement. Last month, I launched a report on access to education amongst women with disabilities, and I was ashamed. If I may quote,

“the percentage of women with disabilities who manage to get to universities was 0.1 percent.”

I came to understand that the reason for this is that a long, long time ago, not everybody was given an opportunity – especially women in the society – to go to school.

So, Mr. Temporary Speaker, Sir, adult education is going to give our people in the rural areas an opportunity to have access to education that will build their confidence, because if somebody acquires education, that person builds the confidence to discover things that, maybe, that person was lacking. It expands the skills of that person and it also increases their self-esteem. That person gains a sense of pride from the achievements that that person is going to add to his day to day understanding of how things are moving.

(Loud consultations)

Mr. Temporary Speaker, Sir, I beg for your protection from fellow Senators, who are making a lot of noise.

The Temporary Speaker (Sen. (Dr.) Machage): Order! Order, please! Can we listen to Sen. Godliver? Order, Sen. Karaba! That is your Motion; order!

(Laughter)

Sen. Omondi: Thank you, Mr. Temporary Speaker, Sir.

Sen. Musila: On a point of order, Mr. Temporary Speaker, Sir. Did you allow the word “noise,” which is unparliamentary?

Sen. Omondi: I apologize, Mr. Temporary Speaker, Sir, and replace the word “making noise” with “consulting loudly.”

(Applause)

The Temporary Speaker (Sen. (Dr.) Machage): Very well. Proceed.

Sen. Omondi: Mr. Temporary Speaker, Sir, my second reason on why I support this Motion is because education enables somebody to make informed decisions. We can see from what is happening today, we have middlemen who are using Kenyans because they do not understand the contents of the Constitution. They are riding on that; they are taking advantage to pass wrong information to Kenyans. I know that if these Kenyans are given that opportunity to go back to class, when the Government comes up with a policy that governs this adult education, they will understand the Constitution and make wise decisions. This will help them to understand what the contents of the current Constitution that is governing this country are.

Mr. Temporary Speaker, Sir, education adds happiness to everybody’s life because as you go to class and you add new information, your brain becomes renewed and you become happy because you have changed the status of life and you have received extra exposure. As you get that extra exposure, a Kenyan citizen lives a happy life and even the brain becomes healthier; because the learning capacity has enabled the brain to develop new mechanisms, new thinking and decision making.

Mr. Temporary Speaker, Sir, I support this Motion because education enables somebody to lead an independent life. I happen to come from an area where we plant sugar cane. As we speak right now, because of lack of information, our local people sold their shares to middle men simply because they could not understand when they were signing to sell the shares that they were moving out of the company. So, right now, they do not have a voice within the company, and they are now making noise that they are not being involved. So, it is because they lack knowledge to understand what they were signing and, at the end of the day, they stand to blame and they will regret when things are already out of their hands.

Mr. Temporary Speaker, Sir, wisdom comes as a result of education and acquiring new knowledge. It gives somebody that activeness of passing that knowledge to other people. When you talk about leadership right from the rural areas, right from the grassroots, right from the homes, this knowledge will only be within our people if they are given the opportunity to go back to class, whether old or young. We have young people within the community who end up in marriage and, at the end of the day, they now regret and feel like going back to school. This Motion is going to give an opportunity for young Kenyans to go back to school and to get the knowledge they require for them to compete in the job market, in other areas of leadership and with this, the Kenyan Government is going to reduce the poverty level.

Mr. Temporary Speaker, Sir, learning transforms people and it gives people knowledge. As we invest in education right from young people, middle age and old people, it is Kenya that is going to benefit because the illiteracy level is going to reduce, the poverty level is going to reduce and everybody will understand whatever decision that person is making from an informed perspective.

Mr. Temporary Speaker, Sir, I beg to support the Motion.

(Applause)

The Temporary Speaker (Sen. (Dr.) Machage): Sen. (Dr.) Kuti.

Sen. (Dr.) Kuti: Thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity. I would like to join my colleagues to congratulate Sen. Karaba, who is a distinguished educationist and happens to have been my teacher at Kangaru High School.

(Applause)

Mr. Temporary Speaker, Sir, the importance of education has been discussed in general, and the fact that it contributes a lot to what kind of a nation we have, depending on what level of education the populace has. The impact it has on agriculture has been clearly stated; I would like just to expound, being a medical doctor, on the impact of adult education on the grassroots people, especially among women.

Mr. Temporary Speaker, Sir, you know very well that a healthy birth starts from healthy maternal care. Studies have shown that those who are educated are more likely to follow through well organized maternal care than those who have not gone to school because of appreciating the result of that birth. When I was a medical doctor in Isiolo District Hospital, some of the major challenges I used to encounter – and this happens more to the illiterate and maybe people who have not had any form of education – is the fact that they never go to the Mother and Child Health Clinic (MCH).

Usually, these are first births, the pelvis is contracted and, therefore, cannot allow passage of that baby. Then after four days of labour, they try it out with a traditional birth attendant and, maybe, on the fourth or fifth day, when the mother is so much in danger and dehydrated; and the baby is also so much in danger, it is the time they come to the furthest health centre or dispensary, and the process of transferring them takes maybe another two or three days. After a whole week or even ten days, they arrive at the district hospital and the result is usually disastrous; putting a very high risk on the baby and the mother. This is just to depict that education directly relates to maternal and also infant mortality.

Studies have clearly shown that education highly reduces maternal mortality and also infant mortality through observing--- I mean, a *mama* who is educated will go through maternal care more regularly than---

The Temporary Speaker (Sen. (Dr.) Machage): Order! Order! Order! You will have five more minutes tomorrow afternoon.

It is now 5.00 p.m., and there is a Motion for Adjournment that was requested by Sen. Hassan under Standing Order No.33. Standing Order No.33 (4) reads:-

“No Senator speaking on a matter under this Standing Order shall speak for more than five minutes without the leave of the Senate, except that the Mover may speak for ten minutes.”

I would want you to observe that and now call upon Sen. Omar to move the Motion.

MOTION FOR ADJOURNMENT UNDER STANDING ORDER No.33

TERRORIST ATTACK ON CHURCH IN LIKONI,
MOMBASA COUNTY

Sen. Hassan: Mr. Temporary Speaker, Sir, I beg to move that the Senate do now adjourn for the reasons that I stated.

Mr. Temporary Speaker, Sir, you are all aware that on Sunday 23rd March, 2014, three gunmen walked into the Joy in Jesus Church in Likoni, Mombasa County, and attacked the worshippers assembled therein and left at least five dead and 17 injured,

including infants, one of whom has just been transferred to the Kenyatta National Hospital (KNH) to undergo further surgery.

Mr. Temporary Speaker, Sir, at this juncture, let me take this opportunity to convey my condolences and that of all the people of Mombasa, to all families that are bereaved and those who fell victim to this very heinous attack. I am also aware that the Governor of Mombasa and the County Government of Mombasa similarly sent their condolences to all the families and equally deployed all the resources of the county towards mitigating the crisis that is now facing Mombasa. I have also spoken to the Speaker of Mombasa County Assembly, Mr. Rajwayi, whose Assembly also sent its condolences and hoped that I could convey them through the Senate through this special Motion.

Mr. Temporary Speaker, Sir, we, as the leadership of Mombasa, are greatly concerned by what is going on. In the last one month or so, very shocking incidents of insecurity have hit Mombasa County. Some of us talk with a somber mood because we had hoped that we would commit most of our time to development and cohesion of our country, and not constantly address issues of national security. In the last couple of months, Mombasa has been in the headlines for all the wrong reasons, including, executions of clerics, insecurity in the mosques, instances of killings of clergymen in churches and attacks on churches and other places of worship. This state of affairs is untenable and unacceptable.

Mr. Temporary Speaker, Sir, just last week, on 17th March, 2014, the Government seized what they called a cache of explosives that were detonated recently under the orders of the court. The security experts indicated that had those explosives been used on any installation in Mombasa, the levels of devastation would not be easy to explain. Therefore, I come to this Senate partly due to the constitutional provision of Article 238 (2) (a), which states:-

“The national security of Kenya shall be promoted and guaranteed in accordance with the following principles—

(a) national security is subject to the authority of this Constitution and Parliament.”

Mr. Speaker, Sir, Parliament includes the Senate. My general view is that this Senate must now assert itself. As the Senator for Mombasa, I have come to this national platform to seek the Senate’s indulgence in ensuring it asserts its authority on matters of national security and conclusively, deliberate on a formula and recommendations that will avert this matter once and for all.

Mr. Temporary Speaker, Sir, somebody somewhere is trying to cause devastation in Mombasa. In fact, if you look at the national media, over the last couple of months, a perception has been created that Mombasa is at war. I saw it even when I was on a trip in Turkey. It was almost perceived that Mombasa was inhabitable. I have seen it constantly also in the national media. A perception is being generated that there is a war between

Muslims and Christians in Mombasa, yet that is far from the truth. Muslims and Christians have continued to exist in Mombasa and will continue to exist.

Mr. Temporary Speaker, Sir, the objective of the attack, particularly in Likoni over the weekend, was to create discord and disharmony between the two religions that dominate the Mombasa community. I remember discussing with the Governor of Mombasa and other leaders and we shuddered over the potential of some opportunistic violence, where somebody else attacked a mosque in a similar fashion. What would have been the retaliation and circumstances in Mombasa today? That is why I also have to commend the leaders of the Christian faith who have continued to exercise sobriety and restrained part of their followership even under such difficult circumstances. We hope that over the next couple of months, weeks or days, we shall convene a broad stakeholders' initiative to ensure that people of all faiths and walks of life and all stakeholders in the security of Mombasa are able to sit down and deliberate progressively on the future of Mombasa County.

Mr. Temporary Speaker, Sir, it saddens all of us to see such heinous acts committed. I was told reliably by security operators that a man in a jacket walked into the church and two others were standing outside hooded with sunglasses on. The one who was tall and slender walked into the church with an AK 47 under his jacket. He removed the AK 47 and sprayed bullets, upon which two worshipers were killed instantly and two other succumbed to injuries in the theatre, in Mombasa General Hospital. One more has since passed on. Baby Satrin Osinya has a bullet lodged in his head and has since been flown to Nairobi. The Mombasa County Government moved him to private facilities in Mombasa Hospital, but we were unable to have the expertise to deal with that situation. That said and done, he has since been transferred to Kenyatta National Hospital, where I believe that he will not only receive medical treatment but survive. The mother died in the whole melee.

Mr. Temporary Speaker, Sir, it saddens me and I feel that it is up to this Senate to assert itself because it is a very heavy load on the entire leadership of Mombasa to constantly be addressing nothing else. This city that we all so love and have marketed so vigorously in the spheres of tourism and other spheres is always in the headlines for the wrong reasons. This puts severe pressure on some of us to deal with the diversity. Therefore, I also want to tell the national Government that their constant inability to intervene in instances of insecurity in Mombasa not only imposes responsibility and heavy load on the leadership of Mombasa, but also, as a government, they bear the constitutional responsibility to avert this situation.

Mr. Temporary Speaker, Sir, in my own assessment, things are going from bad to worse. It was normal skirmishes with the youth, but it is now murder and audacious attacks during the day. On 13th March, the youth attacked a cleric in broad daylight audaciously, yet to this date, no culprit has been brought to book. For all these instances of insecurity, there has never been an investigation or logical conclusion. It imposes a heavy load and responsibility unto us. It has put us, as county leaders, in a predicament.

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We do not have the means, yet we have the political responsibility. We know that the capacity and responsibility lies with the national Government. Therefore, it is the authority of this Senate that must assert itself. We come here to you as brothers, sisters, elders, mothers, fathers and grandfathers, so that you can assist this county. It is a county that we all love and belong to. Therefore, we must all take progressive steps, so that all of us can continue to live together.

Mr. Temporary Speaker, Sir, during the elections every race, colour, tribe and religion voted for me, because we demonstrated the diversity in our ideas, accommodation and sense of acknowledgement that Mombasa is a diverse society. I think that those who opportunistically tried to rain fear and terror in Mombasa must be dealt with. We are here to affirm unequivocal support that this Senate shall recommend the initiatives that I urge it to take, so that we can have a peaceful Mombasa and Kenya.

Mr. Temporary Speaker, Sir, I beg to move and call upon Sen. Wetangula to second.

The Senate Minority Leader (Sen. Wetangula): Thank you, Mr. Temporary Speaker, Sir. I will try to condense the little that I can say about this Motion.

Mr. Temporary Speaker, Sir, I feel the pain and frustration of the distinguished Senator for Mombasa. We know that Mombasa used to be called *mji wa raha; kuingia ni harusi kutoka ni matanga*. We cannot say the same today because of frustrated extremist characters who have decided to take the law into their own hands. From history, apart from the terrible days of people like Emperor Nero, places of worship were always the refuge of people. Whether it was a mosque or a church, that was where the dispossessed and persecuted took refuge. Today, we see something different; hooded young men, wielding dangerous weapons and throwing devices in social places and now they have started throwing devices and physically attacking worshippers.

Mr. Temporary Speaker, Sir, this is unacceptable and must be condemned in the strongest terms possible. National security is within the domain of the national Government. When such things happen, it is not time to apportion blame, but to look for solutions. How do we arrest the runaway insecurity situation in Mombasa? In the last six months to one year, you can count more than ten incidents of challenges to security in Mombasa. Either Muslim clerics are being bumped off or churches are being attacked. In fact, the most audacious one is when a cleric in a mosque was preaching a version of Islam that his congregation did not like. They viciously attacked and left him severely wounded, but nobody has been arrested to date. You also know the case of the church at Tudor that was attacked and then now, Likoni.

Mr. Temporary Speaker, Sir, I salute the lady – may her soul rest in eternal peace – who stood in the way of a bullet and lost her life to save her kid. That level of courage must be saluted and felt. I do not want us to debate this Motion and leave it at the point where we just finish and walk away, like a debating club. I want to urge this House, as the custodian of counties, and therefore, the peace and security in those counties, that we invite the two Committees on National Security and Human Rights, to sit together and go

to Mombasa to investigate and listen to people. Why are we having restless youths and extremists creeping in our society? Why are we having intolerance being part of our culture? Why would one go and attack a house of worship, whose faith he does not profess? We have to ask all these questions. Is this a spillover from Somalia or an internal problem? What is it? We cannot say that it is because our country is poor or people are poor that they can take to crime. We have neighbours who are poorer than we are, and we do not see this happening. We want to go to the root of this.

Mr. Temporary Speaker, Sir, we all love going to Mombasa for holidays, meetings and seminars but when you go to Mombasa today, you do not even know whether you should come out of your hotel room or not. You do not even know where your safety is. We are getting to a level like where a musician sang a song “who is watching me.” You do not know where you are, who is watching you and whatever they can do next. This must be condemned by this House in unison and supported in the terms that the Mover of the Motion has said. I want to urge the House that we go beyond the talk and have our committees investigate not only the attack at Likoni, but also the previous attacks that have left people killed, maimed and frightened, to the extent that on Sundays people are now condemned to sitting back in their houses and those who can afford television sets watch church services on television, instead of going to congregate.

Houses of worship are places where people go to join others to communicate with their Maker. When criminals take over and turn their rage, anger and malice on to houses of worship, that is the beginning of the crumpling of a state. If we do not arrest this, it will soon move to other towns and villages where co-existence will be impossible, and yet this is a state where people have lived together peacefully, side by side in terms of faith. We can trace Christianity at the coast from the days of Ludwig Krapf and Vasco Da Gama; we can trace Islam at the coast from the days of the Arab traders who used to travel between the Middle East and the East African coast to sell their merchandise.

With those few remarks, I beg to support and urge the Committees look at this matter.

(Question proposed)

Sen. Murkomen: Mr. Temporary Speaker, Sir, thank you for giving me this opportunity. I thank the Senator for Mombasa for thinking through and bringing this Motion of Adjournment. From the outset, I want to say that I send my condolences to those who lost their lives and to their families. I also sympathize and pray with those who got injured, remembering what I watched on television particularly the situation of Satrin Osinya. It was really painful and difficult. I remember everyone who has a child will always feel the pain of what the child is going through. Our prayers are with the families of those injured and even with that child that may God heal him and heal the families that have suffered.

Mr. Temporary Speaker, Sir, I do not know what a man would benefit by killing an innocent person. What profits a man who kills somebody who has not done anything to you, who does not owe you anything, with whom you have never quarreled, he does not know you and you do not know him? It cannot be explained; whether in terms of religion, redistribution or even in a manner to show that you are revenging. One walks to a church and kills indiscriminately people who have come to worship, I think it is really painful when I think and imagine.

Again, that brings us to think about ourselves as a country. Are we, a country that has values, do we have enough patriotism to think about Kenya as a country? Are we ready as citizens of this country to take steps to report incidences of insecurity? Are we ready to partner as a people and say enough is enough; we want to keep our country safe? The primary responsibility for protecting the lives of Kenyans is given to the state and, under our Constitution, it is left to the national Government. Even as we gave out that power to the Government, it behooves us, as our Constitution says in Article 10 that in terms of public participation, everything is done to give us a chance to make a contribution on matters security.

It might be that time has come that we need to think and rethink about our national security. We need to have that conversation that Sen. G. G. Kariuki brought to the Floor of this House. We need to ask ourselves where we are going wrong. Is it the National Police Service that is unable to deliver? Is it because county governments have not been involved enough? I propose, in consonance with what the Constitution provides in Article 247, we rethink and see how we can create a better management structure of a police system that will involve the county governments so that the counties are also playing a role when it comes to security matters.

We need to sit down and rethink of how we are going to run the urban areas. These are places where thugs hide, especially in crowded and slum areas. The Inspector-General and the National Police Service need to find a way of providing a more friendly environment for Kenyans to feel safe, to report any incidences of insecurity because after those people did what they did, they must have run to somewhere where people saw them. Somebody must have seen them.

Lastly, as a country, we must not fear to confront those who are radicalizing our youths and preaching hate. I did not imagine that in Kenya, a human being can preach, publicly telling people to kill other people. In another world, whether developed or not and human rights notwithstanding, such people would not be walking free. We would have confined them and tried them in court. Although he has never signed the death sentence, these are some of the incidences to show the seriousness in with which we are dealing with matters of terrorism and with men and women who are preaching hate.

I beg to support and wish the people of Mombasa a quick recovery from this incident.

Sen. Musila: Mr. Temporary Speaker, Sir, first, I want to congratulate Sen. Hassan for being brave enough to bring this Motion to this House. I congratulate his

sincerity. I also want to congratulate the leadership of Mombasa County, including Muslims, Christians and politicians for coming out strongly to condemn this incident at Likoni. The Senate should do the same and condemn the killings in Likoni in the strongest terms possible. There has been a series of similar killings in other parts of the country including Wajir, Mandera, Garissa and Nairobi. Kenya must now face this problem head on. Two weeks ago, Sen. G. G. Kariuki brought a Motion here, which was urging the national Government to get more serious with matters security. What we are seeing today are incidences of killings and nothing happens thereafter. Our police service and security organs are in denial.

The other day when there was an incident of explosion in Nairobi airport, the top policeman said that it was a bulb that fell from the room. Even on Sunday after this serious crime, the police were saying they do not think it is terrorism but just a crime. The mere fact that we are letting people commit crimes and go unpunished is the reason why others get the incentive to commit crime. It could even be possible that it is the same people who continue to commit these crimes but because they have not been arrested, they are still around with us. So, I want to urge the Government to be more proactive and ensure that they bring to book those who are harassing other Kenyans.

Kenyans today and particularly Christians cannot go to houses of worship in peace. I think it is deplorable to kill people in their houses of worship. I think it is also deplorable to kill preachers in their houses like they have done with Muslim clerics. The sad fact is that these people are doing that with impunity. Nobody is arrested and nobody is taken to court therefore these killings should be expected to continue so long as the security organs do not take any action.

Yesterday, I was encouraged when the President talked very tough about the incident. Kenyans are watching and are looking forward to see what the President and the Government is going to do to stop this violence. Are we going to allow our country to go the Nigerian way? Are we going to allow our country to go the Pakistani way? Are we going to allow our country to go the Iraqi way? The answer by this Senate should be a unanimous “no”. Therefore, the Government must come up with modalities of controlling this crime of terrorism particularly in churches and social places.

Mr. Temporary Speaker, Sir, I decry the damage done to the tourism industry in Mombasa. It has been flourishing in the past and it has been providing employment to the youth but with these incidences, all over the world people are depicting Mombasa and Kenya in general as an unsafe destination. What is going to happen is that we are going to have a slump in tourist arrivals in this country. It is going to cause this nation untold economic problems. Therefore, it is incumbent upon us to rise up and settle this matter.

With those few remarks, I beg to support.

Sen. G. G. Kariuki: Mr. Temporary Speaker, Sir, this matter is very serious. I think this Parliament and all the people involved in the leadership of this country need to know that we are heading to a very serious problem. That problem is coming. The issue of terrorism started in the 1980s in Palestine, came down to Beirut and now it is

everywhere else. Anybody who is telling you that you have the capability of stopping these people from what they are doing, I think you need to think twice. Our security system needs to be reviewed so that we can see what was being done in 1980s to stop insecurity in the Middle East and whether it worked or not. These are the overflows from those areas. Here, we are talking like it is something we have never heard of. Let us understand that this thing has been there all the years. During the Cold War--- this was part of the ingredients of the Cold War but since that one ended, the people who had been recruited found a very lucrative business and have to continue doing the same thing all over the world.

Mr. Temporary Speaker, Sir, this House and the leadership of this country should not engage itself in condolences every now and then---

The Temporary Speaker (Sen. (Dr.) Machage): Order, Sen. G. G. Kariuki.

Hon. Senator, while I appreciate your independence in mind and personal opinion, I would like to remind you that this is a serious issue and the country is listening.

Please, mind your language.

Sen. G.G. Kariuki: Mr. Temporary Speaker, Sir, I do not think it is fair for you to stop me from explaining.

The Temporary Speaker (Sen. (Dr.) Machage): Order, Sen. Kariuki. I advised you as the Chair. However, just continue.

Sen. G. G. Kariuki: I will continue but I do not know how one is expected to proceed with his own way of thinking.

The Temporary Speaker (Sen. (Dr.) Machage): Then sit down.

Sen. G.G. Kariuki: Mr. Temporary Speaker, Sir, I can sit down but you had given me the permission to speak and it is my prerogative to sit.

The Temporary Speaker (Sen. (Dr.) Machage): Order, Sen. Kariuki. You are now engaging the Chair. You have many years as a Member of Parliament and I will not hesitate to apply the Standing Orders on you.

Please, continue.

Sen. G.G. Kariuki: Mr. Temporary Speaker, Sir, I would like to continue by saying what I will remember because most of the things have escaped my mind.

Radicalisation is a matter that we need to think about very critically. Whatever is happening in Mombasa will spread elsewhere. When I say that, it is not because I know that it will spread but because I know that this has not been stopped from the source. If you have not stopped something from the source, then you expect it to spread.

I support the leadership in Mombasa; those who condemned this incident and sent their condolences. I think we need to critically think about how to approach this war apart from condemning it. What type of systems can we apply to see that this issue is stopped? The other question we should ask ourselves is: Are we capable of stopping it? If yes, why are we not stopping it immediately, as quickly as possible? Probably, the same thing that happened in Mombasa where people were killed and others injured, was also happening elsewhere. The same day, probably there were children killed in Laikipia. This happens

every now and then. So, where the incident can be arrested, it is good to arrest it. You will find that when these things happen in rural areas, people are quiet as if nothing happened.

I support.

Sen. (Dr.) Zani: Asante, Bwana Spika wa Muda, kwa nafasi hii ya kuunga mkono Hoja hii ambayo ni muhimu sana. Hoja hii, ambayo tumekuwa tukiizungunzia, ni ya kuumiza roho. Haya ni mambo ambayo tumekuwa tukizungumzia kwa muda mrefu.

Asante, Sen. Omar, kwa kuleta Hoja hii. Tulingojea hadi watu wakaumizwa wakiwa kanisani ili tukawa na Hoja hii. Katika nchi hii, tutafika wakati ambapo tutaogopa kulala usiku kwa sababu hatutaweza kujua hatari ambazo zinaweza kutokea.

Watu watano ambao wameuwawa na wale kumi na saba ambao walipata majeraha hawakujua kama mambo hayo yangetokea. Walienda kule kumwabudu Mungu. Naona kutafika wakati ambapo watu wataogopa kwenda kanisani. Watu wataanza kusikiza burudani wakiwa nyumbani kwa sababu ya hofu.

Tukio hilo la Joy in Jesus Church lilituweka katika hali ya mshangao. Hili ni jambo ambalo pia limeshangaza Gavana wa Kaunti ya Mombasa. Gavana wa Mombasa amejaribu sana kwa kuweka magari ya *metropolitan police*, kwa kimombo, kuhakikisha usalama lakini unga umezidi maji. Mambo ya usalama yamekuwa magumu zaidi.

Ni vizuri kwamba tuna viongozi wengi ambao wamejitokeza hasa kutoka dini ya kiislamu kukashifu jambo hili. Kama mambo hayangefanyika hivyo, haya yangeonekana kama mapigano baina ya Wakristo na Waislamu. Mambo hayo hayatakiwi kuendelea.

Tumeelezwa, kupitia vyombo vya habari kwamba siku hiyo, walitaka kwenda kwa kanisa lingine kuuwa watu wengine. Lakini kwa bahati nzuri, walipofika pale, askari aliyekuwa mlangoni akakuwa amejihami. Kwa hivyo, ikawa vigumu kwao kuingia pale. Walipoona akiwa na risasi ikawa vigumu kwao kuingia pale. Kwa hivyo, ni kama walikuwa wamejipanga kwenda mahali tofauti. Kabla hatujapumzika kutoka kisa cha Msikiti wa Majid Musa, kulikuwa na warsha. Katika warsha hiyo, watu walikuwa wakielezwa mambo ya dini na kukatoka vurugu. Vurugu hiyo ilianzishwa na viongozi ambao wanaangalia mambo ya usalama. Watu hao waliingiliwa na kufukuzwa hadi watoto wakaumia. Ilibidi wengi wapelekwe jela na mashtaka yao bado hayajakamilika.

Kidonda hicho kilikuwa bado cha tuliza na vidonda vingine bado vya tuliza. Si muda mfupi baada ya hapo, Sheikh Ali Bahero aliingiliwa mchana na wala si usiku akiwa anaendelea na mafundisho. Vijana wake ambao pengine hawakukubaliana na vile alivyokuwa akizungumza walimuingilia. Usalama uko wapi? Tunajiuliza, Serikali kuu iko wapi mambo haya yakiendelea? Mambo ya usalama yakiendelea kuzoroteka tutafika wakati ambapo itakuwa vigumu kwa mtu yeyote kuwa na usalama mahali popote.

Kabla hatujapumzika, juzi juzi tena, katika Kaunti ya Mombasa, vilipuzi vilipatikana. Grinedi hizi ziliingia humu nchini vipi? Walinda usalama walikuwa wapi? Kama walipitia katika uwanja wa ndege, walipita vipi? Haya ni maswali ambayo tunajiuliza kila wakati. Ni nani ambao walihusika na kwa nini hawapatikani? Ni kisa gani ambacho walitaka kufanya?

Hatuwezi kuyasahau mambo yaliyofanyika Westgate ambapo watu waliumia na wengine wakafariki. Kwa hivyo, hali hii ya kuogopa imeikumba nchi hii na inawafanya watu waendeleo kuogopa kila siku.

Mombasa ni mji wa kitalii. Watu wanatembea Mombasa na Malindi kwa sababu ya utalii. Watalii ni watu ambao wanaogopa sana mambo ya usalama. Wao huwa wanauweka usalama wao mbele. Wakifika mahali ambapo wanaogopa wakiona usalama wao hauko sawa, wao hutoweka. Juzi, nikiwa Mombasa katika hoteli, nilipata kwamba hoteli hazina watu. Juzi, nikiwa Kwale County, pia nilitembelea hoteli, nilipata hakuna watu. Watu wamefutwa kazi kwa sababu hakuna biashara. Kisa na maana ni usalama. Hili ni jambo ambalo tunaweza kuliangalia na kuhakikisha tumelisimamisha na kulitatua. Hatuwezi kuwa tukizungumza tu. Serikali kuu iko wapi mambo haya yakiendelea? Vijana wetu wanafaa kupata kazi na kuendelea kulinda usalama.

Sen. (Prof.) Lesan: Thank you, Mr. Temporary Speaker, for giving me an opportunity to contribute to this Motion. First, I want to join my colleagues to condole with the families of those who passed away as a result of this incident. I hope that this is the last time that we will use the Floor of the Senate to send condolences. That is my desire.

The problem of insecurity in our country is real. It is a serious problem. The problem we have today is more so as a result of extremism. I only want to look at this issue from two angles. In fact, I want to look at two areas which should be addressing this problem. First, extremism is a process that grows slowly. Extremism grows from within a family. Therefore, I would like to address this issue as a result of failure within the family or home. These extremist youth who attack places have dinner or supper in homes, around a table where there are adults, probably a father, mother or the family. This is where the extremism could be curtailed. If you look at where it starts, you will see it begins with the family and grows slowly. Therefore, the issue we are having of insecurity is something that has started from within the family. That is why it is difficult for security forces to contain it. It is difficult to police homes.

Secondly, the other area where this problem has perpetuated itself is in leadership, particularly that of the Muslim and the Christian sects. This is an area where this could be contained. If you had Sheikhs and Pastors in churches who do not address the psychology of extremism, then I think, to a very large extent, we would miss the point of addressing this case. I think those two areas should be addressed. Those are areas that do not require the police to be involved. These are areas that require intelligence that will teach psychology and that will attempt to change the frame of mind or the thinking of these individuals so that they can, at the very least, obey the law that has been set in the nation that they are.

So, this is a problem that has come to stay with us. It is a very old problem as it has been said. It started in Palestine years ago. The problem has been about extremism and we must think very hard to try and contain this problem. We cannot contain it by use of arms. We should address the minds and hearts of our people to contain it. With that, I

support the Adjournment Motion and to urge that we continue to look for ways to address the extremism bit of this problem.

Sen. Boy Juma Boy: Asante sana, Bwana Spika wa Muda, kwa kunipa nafasi hii. Kwanza, ningependa kutoa rambi rambi zangu kwa familia ambazo ziliathiriwa na mkasa wa Likoni. Ningependa kuungana na wenzangu kutoa rambi rambi kwa majirani wangu wa Mombasa ambao waliwapoteza jamaa wao. Kama mnavyojua, natoka Kwale na sisi ni majirani wa watu wa Mombasa, sawa tu na pua na mdomo.

Kitendo kilichotendeka Likoni hakikubaliki katika Kenya ya sasa. Hakikubaliki! Ningependa kuieleza Seneti hii kwamba hilo si la Kiislamu. Hili ni jambo la watu wachache walio na mawazo machafu; mawazo ambayo hayakubaliki; mawazo ambayo katika lugha twaweza kusema ni tasa, ambayo hayazalishi. Ukweli wa mambo ni kwamba mtu aliye na fikira za kwenda kuua katika kanisa watu walioenda kuabudu, ni mtu aliye na fikira mbaya.

Mimi kama Seneta ningependa kuiomba Serikali kuhakikisha National Intelligence Service (NIS) inafanya kazi nzuri ya kugundua mabomu yalitoka wapi Mombasa. Tunafaa kusaidiwa kupata fedha za ziada ili tufanye uchunguzi. Maoni yangu ni kuwa kikosi cha polisi kipewe fedha nyingi ili kiweze kufanya uchunguzi na upelelezi zaidi juu ya suala hili. Swali ni; silaha zilizotumika zilitoka wapi? Ni lazima tujue hawa watu walitoa wapi bunduki za AK47 zilizotumika kuwauwa watu wasiokuwa na hatia. Hilo ni jambo ambalo halikubaliki katika Kenya yetu ya leo.

Sisi kama viongozi wa Kenya bila kujali dini zetu, ni lazima tulaani kitendo hiki cha ugaidi. Hiki ni kitendo kilichotendwa na waoga. Je, wahalifu hawa hajui kambi yetu ya wanajeshi ilipo? Watu fulani wanadai kitendo hiki kimefanywa kwa sababu Kenya Defense Forces (KDF) wako nchini Somalia. Kwa nini mtu awe na mawazo chafu ya kuwauwa watu ambao hawana hatia? Hili ni jambo ambalo linahitaji kulaaniwa na viongozi wote wa dini, wakiwemo wa Kikristo, Kiislamu, Kihindi na wa dini zote hapa nchini. Hili ni jambo ambalo halikubaliki hapa.

Bw. Spika wa Muda, juzi Sen. Hassan aliomba taarifa kuhusu swala la mauaji ya viongozi wa kidini kule Mombasa. Taarifa hiyo haijawahi kuletwa mbele ya Seneti hii. Jambo hili la usalama limechukuliwa kimchezo. Ninakumbuka Bw. Spika ukiamrisha taarifa hiyo iletwa hapa wiki hii. Kabla taarifa hiyo kuletwa hapa, janga lingine linakumba taifa letu. Utovu wa usalama umeenea sana nchini. Hali hii yakutia hofu ni moja kati ya mbinu ambazo tusipozichunguza kwa makini, zitahakikisha kwamba twaenda mahali pabaya. Ikiwa hatutatumia busara katika jambo hili tunaweza kugonganishwa wenyewe kwa wenyewe. Hili ni jambo ambalo haliko katika mawazo ya wengi wetu.

Sisi kule kwetu tunaishi na watu wa kila aina. Tunafanya michango kanisani na misikitini. Sisi hushirikiana sote. Ni vigumu kumtambua Muislamu na Mkristo kwa sababu tunaishi pamoja na kwa amani. Sisi sote twaishi kama Wakenya na kama watu wa kabila moja. Lakini lazima mzizi huu wa utovu wa usalama utafutwe kabla haujaenea zaidi. Kuna daktari mmoja anayeitwa *pathologist*. Yeye haoni mgonjwa lakini huona

maiti. Kazi ya pathologist ni kuuliza “amekufaje?” Daktari ni daktari; haoni mtu mzima, ukipelekwa kwa *pathologist*, basi ujue ushakufa; *you are dead!* Kazi ya *pathologist* ni kutafuta chanzo cha kifo. Hujaribu kujibu kilichosababisha kifo. Sasa isiwe kazi yetu sisi kufanya kazi ya daktari huyu ambaye hujishughulisha na kilichosababisha kifo. Sisi tunahitaji daktari wa kutibu, si wakujua kilichosababisha kifo.

(Applause)

Na hali hii tunayoizungumzia ni kwamba katika kila nyanja, tuungane kwa sauti moja. Kama shirika la *National Intelligence Service* (NIS) lahitaji fedha, basi lipewe zaidi. Ikiwa lina maofisa wachache, basi tuajiri zaidi. Dhana ya nyumba kumi itekelezwe mara moja.

Bw. Spika wa Muda, kwa haya machache, ninaunga mkono Hoja hii ya Sen. Hassan.

The Temporary Speaker (Sen. (Dr.) Machage): Sen. Kisasa.

Sen. Kisasa: Shukran zangu za dhati, Bw. Spika wa Muda. Mimi pia nampa kongole Sen. Omar kwa Hoja hii aliyoyileta. Pia mimi ni jirani ya Mombasa County. Mimi ninatoka Kaunti ya Kilifi. Napeana pole kwa familia za wale ambao walipoteza maisha yao. Pia nawaombea wale waliojeruhiwa wapate afueni ya haraka. Pia nawaombea wote wale ambao walikuwa katika lile Kanisa Mwenyezi Mungu awape nguvu kwa sababu hicho kitendo ni cha kutisha. Pia wale ambao wamefiwa na jamaa zao, nawaomba pia wawe na subira kwa sababu Serikali yetu lazima itachunguza ilikuaje na ilikwendaje.

Bw. Spika wa Muda, hili suala la usalama ni letu sisi sote. Tusije kulaumiana. Ikija wakati kama huu, kila mtu awajibike kwa sababu hawa watu waliotekeleza uovu huu ni watoto wetu, ni ndugu zetu na jamaa zetu. Utakuta kwamba ni watu wanaojulikana, lakini hakuna mtu ambaye atajitokeza kusema ilikuwa vipi na ilikwenda vipi. Lazima Wakenya wote wachukue jukumu; lazima tuwe na macho wazi na tusikubali hata kamwe kuharibiwa nchi na watu wachache ambao wako hapa ili kusema Kenya haina usalama wa kutosha.

Bw. Spika wa Muda, ukiangalia hata wale waliokwenda Masjid Musa, utakuta ni vijana wetu. Utakuta ni watu wetu tunaowajua. Ikiwa mtu amebeba silaha, ni lazima mtu mwingine alimuona. Wakati mwingine mtu huyo walipanga kutekeleza kitendo hicho na watu wengine.

Bw. Spika wa Muda, ni huzuni kubwa kwa sababu kama unafanya kazi hotelini, hoteli hiyo inawanufaisha watu wengi. Hoteli inamnufaisha hata muuza mboga au mtu ambaye anatomia matatu kwenda kazini au mahali popote. Sasa iwapo hizi hoteli zetu zitafungwa kwa sababu hakuna amani na usalama wetu haupo, basi Wapwani tutakula nini? Kwa sababu unaona ya kwamba Mombasa ikipigwa ama kukiwa na vurugu yoyote, Pwani nzima huwa yalala njaa. Wafanyakazi wa Pwani nzima yawabidi wakae nyumbani na hoteli zote Pwani nzima zinafungwa. Sisi katika Pwani hutegemea *hotel industry*.

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Ikiwa wageni wataogopa kuja, basi itakuwa vigumu sana kujikimu katika maisha yetu kama Wapwani.

Bw. Spika wa Muda, hiki ni kitendo cha kusikitisha sana kwa sababu hata kama kitendo hiki kimefanywa na vijana wetu, wajua hauwezi kunyea mkono ambao unakulia. Hawa vijana waliotekeleza mambo kama haya wanasahau kuwa tunahitaji watalii ili tupate riziki zetu.

Bw. Spika wa Muda, kwa hayo machache ninaunga mkono Hoja hii.

The Temporary Speaker (Sen. (Dr.) Machage): Sen. (Dr.) Khalwale.

Sen. (Dr.) Khalwale: Thank you, Mr. Temporary Speaker, Sir. During the 9/11 episode in the United States of America (USA), President Bush was called and told that the entire transport system in New York had come to a standstill. The first thing he did is that he commanded that the police must open transport so that nobody anywhere in the world can believe that America could be brought on its knees. He used military intelligence. President Kibaki used military intelligence to bring peace in Somalia. The same military intelligence that is there today in Kenya confirms there are cells that breed these youth; they confirmed the financiers of these heinous activities and, thereby, as the Senate of the Republic of Kenya, the least we can ask is that the National Security Council (NSC), chaired by the President, should put its act together so that the same peace they have given Somalia, they should give Kenyans in all corners of this country.

(Applause)

One, Mr. Temporary Speaker, Sir, we have Muslim religious leaders on the left and, on the right, we have Muslim political leaders. The Muslim political leaders are doing a lot of good in fighting this problem up to and including the sacrifice that our colleague in the Lower House, the Member of Parliament (MP) for Kamukunji, hon. Hassan, has had to pay because he was going where the problem was. You have seen young Hassan, what he is doing now; you have seen what young Joho was doing in Mombasa. Therefore, the political leaders are doing enough. Muslim religious leaders, I am asking you as a fellow Kenyan; are you telling me that in the Catholic Church, if Cardinal Njue knew that a priest in some corner in a Church is preaching anti-Catholic or anti-Christian sermons, he would keep quiet?

Hon. Senators: No!

Sen. (Dr.) Khalwale: He would not keep quiet! So, I am asking Muslim religious leaders not to keep quiet. They should tell us who amongst their Imams and Sheikhs do not preach Islam, which I am told means “peace”.

Secondly, Mr. Temporary Speaker, Sir, the President must now ask himself; “who are some of the beneficiaries of the violence?” You will recall that immediately this happened in the Church, the Government quickly arrested 59 youth; probably, all of them were Muslims. The people who would like there to be a perception that Muslims are being persecuted are very happy that those 59 youth were arrested, because they are Non

Governmental Organizations (NGOs) and Community Based Organizations (CBOs) at the Coast and in Nairobi who quickly run to their funders and tell them “you see, another 59 Muslims are being persecuted” and they continue getting funding. The President must know where these NGOs and CBOs get funding. He must tell those countries that we do not need their money because it destabilizing our country.

Mr. Temporary Speaker, Sir, the problem is so serious that I woke up last month and I found that in a school in Kakamega, a CBO has come up and decided to erect a Mosque in the middle of the school without any consultation with the Parents Teachers Association (PTA) or the Board of Governors (BoG), so that innocent little children and teenagers can be radicalized.

Thirdly, Mr. Temporary Speaker, Sir, I want to say that---

Sen. Hassan: On a point of order, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): What is it, Sen. Hassan?

Sen. (Dr.) Khalwale: If you can hold my time, Mr. Temporary Speaker, Sir---

Sen. Hassan: Mr. Temporary Speaker, you can save his time. I just wanted to confirm from the Speaker just the mere act of building a Mosque; does that in the Speaker’s view constitute radicalization?

The Temporary Speaker (Sen. (Dr.) Machage): What is not in order in Sen. (Dr.) Khalwale’s statement?

Sen. Hassan: Is he in order to suggest that the mere building of a Mosque is---

(Sen. Hassan spoke off record)

The Temporary Speaker (Sen. (Dr.) Machage): Sen. (Dr.) Khalwale.

Sen. (Dr.) Khalwale: Mr. Temporary Speaker, Sir, since that is not a point of order, allow me to use my time gainfully.

The Temporary Speaker (Sen. (Dr.) Machage): Order, Sen. (Dr.) Khalwale! I have not said so; just continue!

Sen. (Dr.) Khalwale: Thank you, Mr. Temporary Speaker, Sir. There is the issue of cyber crime. Today one is able to follow the internet in pursuit of bloggers. We have extremist bloggers on the internet who, for those of us who follow, have been having a field day. They are hailing this act. They are saying that the act of violence was justified.

Finally, I want to use this opportunity to say that the leaders in Coast feel the pain of violence in their areas just as we are feeling the pain of burying those people at home. The families that have been massacred come from Budindidi and Nabomboto villages of Samia District, Busia County. Denison is a little boy who is a labourer; his wife, Veronica Osinya was a *mama mboga*. She woke up in Likoni at 4.00 a.m., went to Kongowea Market, and bought vegetables which she was going to sell in Likoni after Church service. Those are innocent people.

Mr. Temporary Speaker, Sir, we are burying these people at home and we are feeling pain. Because we are elected to speak for purposes of promoting the unity of this

country, we are demanding that the President give our people security. We are not in Mombasa on invitation. We are there because the Constitution provides that anybody can own property and work anywhere in the Republic of Kenya. I invite my Muslim political leaders who are leading by example in this country to take your religious leaders by the horns; tell them to join us in ending terrorism.

Mr. Temporary Speaker, Sir, I beg to support this Motion.

The Temporary Speaker (Sen. (Dr.) Machage): Sen. Leshore.

Sen. Leshore: Thank you, Mr. Temporary Speaker, Sir. I wish to contribute to this very important Motion because Kenya is under threat from external forces; people who do not want to see Kenya enjoying the fruits of Independence. They do not want to see Kenyans interacting and building this great nation.

Mr. Temporary Speaker, Sir, terrorism in Mombasa should be taken as a serious national threat. Everybody from the political leaders, religious leaders from all faiths, the Government and security forces, must come out and denounce terrorism. Terrorism is a threat which can destroy Kenya. The safety of our people wherever they are, should be a national interest. The security of our people is paramount. Let us not joke about the security of Kenyans and allow the young radicalized youths to destroy Kenya.

There are Muslims, Digos, Giriamas and Arabs in my county. There is no county in Kenya today which is only inhabited by the people of that area. Let us not allow the youth to start proclaiming Mombasa as part of their fundamentalist sect. Let us stand up as Kenyans and condemn these actions. The Government must work and see that this terror attacks on innocent people end. We have all seen the young innocent boy with a bullet in his head. Every Kenyan should wake up and say that this must stop.

Mr. Temporary Speaker, Sir, we should not engage in empty rhetoric. The Government should pursue the issue until radicalism is out of those mosques. Poverty is everywhere. It is good that former President Kibaki and President Uhuru Kenyatta devolved funds. Let those funds be devolved to the women and youth in the counties and constituencies.

Mr. Temporary Speaker, Sir, religion is cherished in most countries. Let us cherish religion for the sake of humanity. Let us not allow it to destroy humanity. I believe that Sen. Omar will not allow radicalism to destroy the sanctity of Islam. I appeal to all leaders in Kenya to wake up and ensure that radicalization of our youth, be it Islam or Christianity is stopped. The Mombasa Republican Council (MRC) must be stopped.

Mr. Temporary Speaker, Sir, I read yesterday that the President of Turkey has abolished the use of Twitter and other social networks. If that will stop these cases of insecurity, let it be.

Mr. Temporary Speaker, Sir, with those few remarks, I beg to support.

Sen. Melly: Thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity. I also want to congratulate the Senator for Mombasa for bringing this Motion. My condolences go to the family, friends and entire people of Mombasa County.

Mr. Temporary Speaker, Sir, every Kenyan is entitled to life. That is the provision of the Constitution. If you read the Bible and also the Quran there is that provision; that God is the giver of life. Nobody should take the life of a Kenyan. This incident has happened at a time when all of us feel that there is insecurity in the country. Therefore, we, as leaders, must do something regardless of where we come from or which political divide we come from. This is a common problem and all of us must work towards providing a solution to this issue.

Mr. Temporary Speaker, Sir, it is possible for us to use the energy and skills possessed by our young people to build this great Republic, rather than using it to attack and kill innocent Kenyans. These attackers have a trend of killing even innocent children. The same thing happened in Rwanda where children as young as one year, were killed mercilessly. The problem of insecurity is not only in Mombasa, but affects the whole country. If tourists stopped going to Mombasa because of insecurity all of us in the country will suffer. There will be slow economic progress and development in the country. Therefore, all of us must ensure that we have long-lasting peace in Mombasa. This problem must come to an end. We cannot keep quiet when our people are being killed like animals.

Mr. Temporary Speaker, Sir, it looks like we lack skills, especially in our police force. These people are not doing their job. We need people who will work to defend the lives of Kenyans. The police force is employed basically to ensure that Kenyans have security. Therefore, if they cannot do their job, then they must be relieved of their duties and other people employed, so that this problem is solved. We must be willing to go down and investigate the cause of this problem. Why are we having rising cases of attacks in Mombasa? It means that there is a problem that needs to be investigated. This problem needs to be dealt with. We should not just talk about insecurity and forget about it.

The Temporary Speaker (Sen. (Dr.) Machage): Your time is up!

Sen. Melly: Mr. Temporary Speaker, Sir, I beg to support.

Sen. Chelule: Mr. Temporary Speaker, Sir, I also rise to support this Motion that was brought by Sen. Hassan from Mombasa. First, I want to send my condolences to the affected families and wish those injured a quick recovery. There is one thing I need to share with my fellow Senators; it is our responsibility irrespective of our political affiliation to investigate. I want to add my voice to what Sen. Wetangula said; that the relevant Committees should go down to Mombasa to investigate. We should not leave this matter to the Committees alone. I want to take this opportunity to call upon all the leaders from Mombasa to sit down and investigate this matter. It is really painful to see what is happening.

When I was going through my newspaper in the morning, I felt very bad. I call upon the Christians of this country to stand up, pray and fast for this country. It is through those prayers that we shall find solace. I am a Christian and I believe in prayers. When I remember what happened recently in Mombasa, when some bombs were discovered, it is

only through prayers of Christians of this country that they were destroyed. We cannot leave this issue to the national Government alone, but it is a responsibility of all of us. I want to take this opportunity to send my condolences to the affected families; and to the injured, quick recovery, especially the young boy who is in the hospital.

With those few remarks, I beg to support.

Sen. (Dr.) Kuti: Mr. Temporary Speaker, Sir, I want to thank God for giving you the eyes to catch me.

I want to say that the whole country needs to stop for a while; from the Head of State, security organs, political and religious leadership and so on, and focus our attention to this very critical problem that is no longer in the making, but catching up with us. There is a saying in my vernacular that; if somebody attempts to slap you and you did not notice, when he actually does it, you move on as if nothing happened because you have not seen. We are going to be swallowed up by radicalism, combined with gangsterism. In urban areas where religiously motivated crimes are not prominent, it is replaced by gangsterism. In the coast and other areas, it is religious radicalism. We need to stop and reflect. We should really give attention to this matter now because it is actually catching up with us.

Mr. Temporary Speaker, Sir, I cannot repeat what my colleagues have said about the innocence of the people who are being killed. I join my colleagues in sending my condolences to them. I congratulate the Senator for Mombasa for raising this matter. If there is one important thing I want to say today, it is that this country needs to stop for a while and focus on the security of this country. There will be no Vision 2030, there will be no standard gauge railway and there will be no LAPSSET without security. There will be none of those things unless we stop and address the emerging and actually wallowing crime trend and terrorism coming our way. This is the time to direct all resources to stop the gains that crime and terrorism are making on us. It is time to ask critical questions---

The Temporary Speaker (Sen. (Dr.) Machage): Order. Your time is up!

Sen. (Dr.) Kuti: Mr. Temporary Speaker, Sir, I beg to support.

Sen. Lesuuda: Mr. Temporary Speaker, Sir, I know that this is a Motion that many of us would like to contribute to. I also want to thank Sen. Hassan for bringing this Motion of Adjournment to discuss this very important issue about security in our country. I would also like to take this opportunity to send my condolences to the family, friends and the people of Mombasa County. I also want to wish a quick recovery to those injured, those in the hospitals and those at home. It is a very unfortunate thing; since we came to this Senate, security is one of the issues that we have talked about so much. Previously, this problem was restricted to the pastoral areas like Samburu and Marsabit, but slowly it came to the city and now it is in Mombasa.

We, as a Senate, have considered this very seriously. We discussed it here and we even had a meeting with the security organs. We had a Committee of the Whole. We were told that various actions will be taken and that is why I am a little bit hesitant with what the Senate Minority Leader said about Committees going to Mombasa. Of course

that is a good suggestion, but if they are just going to go there, come back with a report, table it here, debate or summon security leaders then nothing happens, I think more is required of us. More responsibility is required of us. We should take this seriously. We should suspend all the debates we are having in this country and concentrate on security. What shall we gain if tourism is failing? What will Sen. Hassan, the Governor and other leaders gain in terms of development if there is no security in Mombasa? We need to suspend everything else and focus on the security of this country.

When we were in New York the other day for the women conference, when we introduced ourselves as Kenyans, the first question was whether Kenya is that country where people shoot children. It is a pity. I do not think that is a good picture. There is also the issue identification. After 9/11, the Western countries do not joke with security. For us, we have had many incidents like the bomb blast, Westgate and others, but we do nothing. I am sure churches in Mombasa will be guarded for the next two or three weeks then after one month, nothing happens. I do not know whether we get tired. We saw what happened at the airport. Previously, we were being ransacked. But right now, there is nothing happening. We are not serious and we are not committed. I think it is every one's responsibility and I am sure this is not even enough time. The Committee should come in so that we can look at issues of insecurity in our country. We know what needs to be done. This is the only time I wish we had a progressive dictator in this country because there are things which should not be allowed.

I also want to call upon our leaders, especially the clerics, to remember that we have been pushed to the wall. These people want a religious war in this country. We must refuse this. We will not accept this.

(Applause)

The Temporary Speaker (Sen. (Dr.) Machage): Your time is up.

Sen. Lesuuda: The time is not enough, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): Sen. (Prof.) Lonyangapuo.

Sen. (Prof.) Lonyangapuo: Thank you, Mr. Temporary Speaker, Sir, you have heard my colleagues saying that this is a serious and weighty matter requiring more time. However, I want to join my colleagues in standing with Sen. Hassan Omar Hassan, in short, HOH. We are sorry that our people suffered on Sunday through an act of cowardice by people who have lost hope in their life, to the extent that they go to a house of worship where we have never heard, in the whole world, that somebody can be courageous enough to go and fight a foolish war in a church or in a mosque.

Mr. Temporary Speaker, Sir, on Saturday, we saw on television that the Cabinet Secretary and the entire security team in Nairobi went to Mombasa County. They were there giving out very serious and articulate measures saying that we will not suffer again now that weapons that were discovered in a vehicle were destroyed. A day later, this

problem erupted. What does this mean? It means we have a question mark in the way our security matters are being handled at the top.

Secondly, together with you, as we were taking lunch at 1.00 p.m. what were we watching in the news? That people are moving from some very posh houses in Rongai and Kiserian to come and stay in some little flats in the city because there are some dominant criminals who are roaming around, chasing people from their own investments. What does this mean? There is a question mark in the way our security is being treated at the top here in Kenya. There is no question about this.

Recently, we had security problems in Garissa and Marsabit counties. Now this problem is in Mombasa County. Where else tomorrow? We need to address this issue and say: When will it cost one man or woman who is responsible enough to quit a position if he or she is unable to perform? Then the criminals will see that people are very serious. When we mention this in this House they say: "They want to sack people." No, we have to be serious to that extent. We must not allow the lives of Kenyans to be lost.

The religious leaders, particularly the Muslim clerics, need to know who is preaching, converting and spoiling our youth. Soon, Christians might end up going that direction as well. We do not want it. We must put it to a stop. It is all in order that we may see whether there is a new genuine direction that we need to take, so that we see that we are secure. That way, we will be able to engage in other development activities such as construction of more roads.

Mr. Temporary Speaker, Sir, with those remarks, I beg to support.

The Temporary Speaker (Sen. (Dr.) Machage): There are six minutes to go and I see there are three Senators wishing to contribute to the Motion. I will give each Senator two minutes so that we all express ourselves on this issue.

Sen. Karaba.

Sen. Karaba: Thank you, Mr. Temporary Speaker, Sir, for this chance. I condemn this act. I am very saddened by the outcome. We should not spend a lot of time discussing what has been there before. We have read about this issue in the newspapers. Some of us have experienced such an issue, particularly when we had the Westgate problem. What is required is to organize a permanent defence force along the coast, particularly in Mombasa County. They should be permanently stationed there to guard the port and the coastal line. Without the coast, Kenya is not there. We must be able to protect our people in Mombasa County. Suppose everybody else was to rise against somebody else because he or she does not belong to where he or she is? The whole thing would turn into anarchy. This is what we are trying to prevent. We need to get a solution now and not tomorrow. Let there be a serious recruitment drive of intelligence forces to wipe out these criminals. In this case, the human rights should not be included.

Thank you, Mr. Temporary Speaker, Sir.

Sen. Hargura: Thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity. I would like to send my condolences to the people of Mombasa who were affected by this incident that we are discussing and also to those affected by past

incidents. For some time now, we have been having incidents in Mombasa which are creating a picture that Mombasa is unsafe, that there is a problem between Christians and Muslims in Mombasa or that there is Muslim youth radicalization. Maybe we need to look at where this issue started. I am sure it has a starting point.

The Government has to look at where this problem started. When the issue of the Islamic Party of Kenya (IPK) started, it was suppressed. That is when radicalization of Muslim youth started; people got access to the youth and told them “do you see what is being done to you?” It is because of this that people got access from that point on. Then, in 2007, I can remember there was a commission which was set up by the then President Kibaki for Muslims to raise the grievances they had. I think the report of that commission has not been implemented to date. So, this is as a result of buildup of issues. If we can address that issue; if we can address what these people are talking about or what is being used against them, I think we will go far in addressing this issue. This is because somebody must be using something to radicalize people.

Let us address these issues. You will always hear people saying that “we are being discriminated; the system is not fair to us in terms of issuance of identification documents” and all that. I think we should let the Government sit down, talk to the people and address issues so that we can sort out who has a genuine grievance and who is exploiting situations. That is why foreigners can get into a country, they can easily radicalize us because they think there is a problem; maybe there is something between the Kenyan Government and the Muslim population.

So, if the Government can sit down and identify what the points of entry that are being used negatively are, because people say that these killers are Muslims. In fact, in the Quran it is very clear. Allah tells us that “whoever takes an innocent life is like somebody who has killed the whole of mankind; and whoever has saved an innocent life is like someone who has saved the whole of mankind.” So, that kind of action is not Islamic at all. But we have to address the issues which are making people to be used in commission of these kinds of crimes. Let us address all the issues which are being used, then we can now have structures. The police also have to be approachable, because those people would have been deported, but somebody feels that if he goes and reports it to the police---

The Temporary Speaker (Sen. (Dr.) Machage): Order! Order!

Sen. Goldliver.

Sen. Omondi: Thank you, Mr. Temporary Speaker, Sir. I want to thank the Mover of this Motion because of how critical this issue of insecurity is. There is an initiative called the *Nyumba Kumi*. We need to know its achievement. Is it really working? It is all about security in Kenya. The issue of being vigilant is for all of us; it is every Kenyans’ responsibility. We should not shift blame or politicize the issue of insecurity in this country because every Kenyan is now worried about what is happening. We are left to wonder; what next? Right now, we are focusing our minds in Mombasa. Next time we do not know which city or town will be targeted. So, I think the issue is just

to beef up security in this country everywhere and at all levels. Even parents at home and Kenyan citizens have to be alert and even alert the security personnel when it comes to some fishy---

The Temporary Speaker (Sen. (Dr.) Machage): Order! Order!

Sen. Omondi: I beg to support.

ADJOURNMENT

The Temporary Speaker (Sen. (Dr.) Machage): Order! Order! Hon. Senators, it is now 6.30 p.m. We have come to the end of today's Business. The House, therefore, stands adjourned until tomorrow, 26th March, 2014, at 2.30 p.m.

The Senate rose at 6.30 p.m.