

# KENYA NATIONAL ARCHIVES

## PHOTOGRAPHIC SERVICE

Description of Document THE NATIONAL ASSEMBLY, HOUSE OF REPRESENTATIVES. OFFICIAL REPORT. VOL. VIII.

Covering Dates 25th January, to 29th April, 1966.

Reference No. FROM CENTRAL GOVERNMENT LIBRARY.

The following reproduction(s) of document(s), the property of THE KENYA GOVERNMENT.  
have been made by the Photographic Service of the Kenya National Archives solely for the purposes of research, and must not be quoted or otherwise reproduced by any means, either in whole or in part, without the express permission of the Chief Archivist, Office of the Vice-President, P.O. Box 30520, Nairobi, Kenya, to whom all communications respecting this film should be addressed.

Date of Reproduction 22<sup>nd</sup> February, 1967.

**KENYA NATIONAL ARCHIVES**  
**PHOTOGRAPHIC SERVICE**

Description of Document THE NATIONAL ASSEMBLY, HOUSE OF REPRESENTATIVES. OFFICIAL REPORT. VOL. VII.

2nd November, to 10th December, 1965.

Reference No. FROM CENTRAL GOVERNMENT LIBRARY.

**END**



**(2) The Assistant Minister in the Vice-President's Office**

(The Hon. Dr. F. L. M. Waiyaki)

*Administration of Oath*, 22*Motions, Adjournment—*

Adjournment of the House: To a Day other than the next normal Sitting Day, 480-482

Unilateral Declaration of Independence by Rhodesia (under S.O. 14), 411-413 (*Note*—Incorrectly shown as Assistant Minister in the President's Office, 413)*Questions—*

By-Election: Kisauni Likoni Mtongwe (64), 651

No. Pokots Employed by the National Assembly (116), 958, 959

**(3) Papers Laid**

Last African Common Services Organization—East African Income Tax Department Report for the period 1st July 1964 to 30th June 1965, 777

Sessional Paper No. 1 of 1965-66—Amendments to the Standing Orders of the House of Representatives, Kenya (as proposed by the Sessional Committee on 11th November 1965), 777

**Waiyaki, Dr. F. L. M.—**

(Member for Nairobi North-East)

(See also under Vice-President's Office, The Assistant Minister in the)

**Wamuthenya, A. K.—**

(Member for Mathura)

*Administration of Oath*, 22*Motions—*

Adjournment of Debate: Amendment to Land Registration (Special Areas) Act, 162-164, 166

Thanks for the Presidential Address, 382-384

**Warilthi, H. C.—**

(Member for Othaya-South Tetu)

(Acted as Temporary Deputy Speaker, 1024-1026—which see)

*Administration of Oath*, 22*Bill—*

Rent Restriction (Amendment) Bill, 832-834

*Motions—*

Amendment to Land Registration (Special Areas) Act, 144-148

Amendment to Standing Order 30: Notices of Motion, 912-913, 914

Limitation of Debate: Presidential Address Debate, 53-54

Water Facilities for Masai, 446-448

*Motion, Adjournment—*

Public Meetings in Nyeri (Question No. 94), NoM. 786

*Questions—*Detection of Wanjohi Mungau (95), 786, 787, 788  
Public Meetings in Nyeri and Secretary-General of Kanu (94), 781, 782, 784**Works, Communications and Power—****(1) The Minister for Works, Communications and Power**

(The Hon. D. Mwanjumba)

*Administration of Oath*, 22**(2) The Assistant Minister for Works, Communications and Power**

(The Hon. E. K. K. Bomet)

*Administration of Oath*, 22*Bill—*

Irrigation Bill, 632-635, 693

*Considered Ruling—*

Questions Out of Order which Involve the Electoral Commission, 574, 575

*Motions—*

Adjournment of Debate: Appointment of the Sessional Committee, 117

Appointment of the Sessional Committee, 98, 104

Railway from Kedowa to Homa Bay, 773-776

Thanks for the Presidential Address, 541-544

*Motion, Adjournment—*

Adjournment of the House: To a Day other than the next normal Sitting Day, 486

*Questions—*

Africanization: Branch Manager, East Africa Cargo Handling Service (67), 723, 724

Driving Tests at Embu, 1964-65 (113), 871, 872

Expansion of Rural Bus Services (12), 34

Improvement at Kisumu Airport (100), 871-872

Post Office for Bomet Administrative Centre (57), 662, 663

Road Construction in Laikipia (11), 32-33, 34

**(3) The Assistant Minister for Works, Communications and Power**

(The Hon. G. Godana)

*Administration of Oath*, 21*Motions—*

Limitation of Debate: Presidential Address Debate, 55, 56

Thanks for the Presidential Address, 237-240, 319

*Questions—*Payment to Individuals by Companies, 30  
Road Construction in Laikipia, 33

Questions out of order which involve the Electoral Commission, 573, 574-576, 578  
Seating on the Front Benches, 132-133, 944  
Standing Orders on Information to Government on Motions for Debate, 174  
Warning Light for Members' Speaking Time, 278

**POINTS OF ORDER—**

**Bills—**  
At what Stage a Bill may be Amended, 670-671

**Motions—**  
Adjournment of Debate, 113  
Debate in Adjournment of Debate Motions, 115, 117  
Lengthy Notices of Motion (Undesirable), 862  
Motion in Order, 277  
Urgency of Motion, 275

**Motions, Adjournment—**  
Adjournments under S.O. 14—Ruling, 368, 967-968  
Extension of Time for Adjournment Motion Debate—Ruling, 416-417  
Matters Suitable for Adjournment Motion Debates, 651; what matter may be raised, 833  
Motions for the Adjournment can be Moved without Notice, 62; any time, 969; when they may be raised, 666-667

**Order in the Chamber—**  
Addressing the Chair, 304. Bowing to the Chair, 17-18  
Administration of Oath (for Non-Christians), 273-274  
Catching the Speaker's Eye, 300-391. Choice of Speakers, 403  
Ceremonies in the Chamber which are not Sittings of the House, 44  
Conduct in the Chamber—Rulings, 358, 359  
Criticism of the Speaker—Not Allowed, 391  
Fraudulent Points of Order, 514  
Members Not to Rise on Points of Order when Mr. Speaker on his Feet, 125  
Misreporting of Speeches: Action, 278  
Mistaken Identity, 882  
Noise in the Chamber, 402-403  
Quorum: Ruling on Whips, 344  
Seating in the Chamber, 18-19; for Members, 890  
Seniority of Ministers and Seating on the Front Bench, 19-21, 114-115  
Substantiation of Allegations, 263-264, 480, 784-786, 1030  
When House Considers Speaker's Ruling to be Wrong—Ruling, 968-969

**President and Presidential Statements—**  
Conduct of the President (comments on not allowed), 401  
Copies of the Presidential Address, 25  
Debate on Presidential Statement, 1052-1053  
Questions and Comments on Presidential Statement, 1051-1052  
Respect for the President, 1051  
Status of President as Head of State and of Government, 1052

**Questions—**  
Absence of Minister to Answer Question: Dissatisfaction of the House, 420

Answering Questions in Member's Absence, 25; in Minister's Absence, 420  
Asking Questions in Member's Absence, 35-36, 39, 42  
Asking Questions on Newspaper Reports, 879-880  
Mistakes in Questions on the Order Paper, 77-78  
Out-of-Date Questions, 883-884  
What Constitutes an "Unsatisfactory Reply" to a Question, 86

**Rules of Debate—**  
Adjournment of Debate, 113; Debate in Adjournment of Debate Motions, 115, 117  
Anticipation and Continuation of Debate, 884-885  
Criticism of Friendly Countries Not Allowed, 409-410  
Limitation of Debate and Closure of, 111, 112; Ruling on, 890-891  
Standing Orders on Rules of Debate (Closure), 126-127

**Speaker, The Deputy—**  
(The Hon. Dr. F. R. S. De Souza)

**Points of Order—**  
Catching the Speaker's Eye, 384-385  
Conduct in the Chamber, 109  
Fraudulent Points of Order, 103, 107  
How to Address the Deputy Speaker, 311, 607  
Unparliamentary Language: "Duplicate Minister", 167; "Tshombe", 98, 102-103

**Speaker, The Temporary Deputy—**  
(The Hon. J. K. ole Tipsi)  
In the Chair (see 1046)

**Speaker, The Temporary Deputy—**  
(The Hon. H. C. Wariithi)

**Point of Order—**  
Unparliamentary Language: "Duplicates" (with reference to Assistant Ministers), 1025

**State Opening of Third Session—**  
7-16

**Tanu, J. K. K. arap—**  
(Member for Baringo South)  
Administration of Oath, 22

**Motions—**  
Limitation of Debate: Motions for the Adjournment to a Day other than the next normal Sitting Day, 430  
Thanks for the Presidential Address, 306-310

**Motion, Adjournment—**  
Adjournment of the House (under S.O. 31 (b)): To Await Cabinet Decision on Rhodesia, 970

**Questions—**  
Boundary Committee for Western/Nyanza Provinces, 956  
Destruction of Obsolete Canned Food, 870  
"High-Level" Manpower Training, 719  
Persons Shot by White Farmers in Laikipia, 74  
Rehabilitation of Ex-Convicts, 670  
Revision of Voters' Roll, North Mugirango, 571  
Road Construction in Laikipia, 33  
Tripartite Agreement: Results, 664

**Theuri, J. K.—**  
(Member for Nyeri)  
Administration of Oath, 22

**Motion—**  
Amendment to Land Registration (Special Areas) Act, 151-153

**Motion, Adjournment—**  
Adjournment of the House: To a Day other than the next normal Sitting Day, 467-468

**Tiall, M. C. M. ole—**  
(Specially Elected Member)  
Administration of Oath, 22

**Motion—**  
Water Facilities for Masai, 448-449

**Tipis, J. K. ole—**  
(Member for Narok East)  
(Acted as Temporary Deputy Speaker, 1046)  
Administration of Oath, 22

**Bill—**  
Irrigation Bill, 635-636, 671-681

**Ministerial Statements—**  
Judicial Commission of Inquiry into Maitre Position, 421-422  
Publication of Report and Bill on the Dairy Industry, 512, 513, 514

**Motions—**  
Adjournment of Debate: Amendments to Land Registration (Special Areas) Act, 172  
Amendment to Land Registration (Special Areas) Act, 184-185  
Limitation of Debate: Presidential Address, 56  
Limitation of Debate: Private Members' Motions, 423-424  
Thanks for the Presidential Address, 220-224, 392  
Water Facilities for Masai, NoM, 65, 433-438, 734-736

**Motions, Adjournment—**  
Death of Cattle in Mukogondo Reserve (Question No. 10), NoM, 77  
Pokots Living Near Mr. Kirsopp's (Question No. 44), NoM, 502

**Questions—**  
Development of Rift Valley Tribes, 727  
Death of Cattle in Mukogondo Reserve, 75  
Electoral Commission and Constituency Boundaries, 880  
Government Help for Payment of School Fees, 209  
"High-Level" Manpower Training, 718  
Pokots Living Near Mr. Kirsopp, 501-502  
Road Construction in Laikipia, 32

**Tuo, V. K. arap—**  
(Member for Marakwet)  
Administration of Oath, 22

**Questions—**  
North-Eastern Province Representation on Public Service Commission, 649  
Opening of Kapkanyar Forest, 87

**Tuva, F. B.—**  
(Member for Malindi)  
Administration of Oath, 22

**Motion—**  
Development Priorities for Coast Province, NoM, 276

**Tweh, J. K.—**  
(Member for Uasin Gishu)  
Administration of Oath, 565

**Question—**  
No Pokots Employed by the National Assembly, 959

**Vice-President's Office—**

**(1) The Vice-President and Minister Without Portfolio**  
(The Hon. A. O. Odunga)  
Administration of Oath, 21

**Ministerial Statement—**  
Judicial Commission of Inquiry into Maitre Position, 421-422

**Motions—**  
Amendment to Standing Order 25: Government Business, 891, 893, 894  
Amendment to Standing Order 30: Notices of Motion, 895-897, 914-916  
Amendment to Standing Order 168a: Seating in the Chamber, 916-917, 934-935  
Appointment of the Sessional Committee, NoM, 24, 88-90, 101, 129-131  
Exemption from Standing Orders: Presidential Address Debate, 136-137, 138  
Limitation of Debate: Motions for the Adjournment to a Day other than the next normal Sitting Day, 425-426, 433  
Limitation of Debate: Presidential Address Debate, 44-45, 60-61  
Limitation of Debate: Private Members' Motions, 422, 425  
Thanks for the Presidential Address, NoM, 24, 212-215  
Sessional Paper No. 1 of 1965/66: Amendments to Standing Orders, NoM, 778 (For Debate, see Three Separate Motions for Amendment to Standing Orders)  
Speakers' Committee: Establishment of, NoM, 778, 885-886, 890

**Motions, Adjournment—**  
Adjournment of the House: To Consider Presidential Address, 61  
Adjournment of the House: To a Day other than the next normal Sitting Day, 485  
Organization for African Unity and Rhodesia (under S.O. 14), 715-716  
Unilateral Declaration of Independence by Rhodesia (under S.O. 14), 368, 403-405

**Papers Laid, 777**

**Point of Order—**  
Debate on Presidential Statement, 1053

- Limitation of Debate and Closure of, 111-112; Ruling on, 890-891  
 Standing Orders on Rules of Debate (Closure), 126-127
- Rurumban, P. L.—**  
 (Member for Korosii)  
*Administration of Oath*, 22  
*Considered Rulings—*  
 Questions out of order which involve the Electoral Commission, 573
- Motions—*  
 Settlement of Impoverished Samburu, NoM, 354  
 Thanks for the Presidential Address, 380-382
- Motions, Adjournment—*  
 Adjournment of the House: To a Day other than the next normal Sitting Day, 456-457  
 Adjournment of the House: To a Day other than the next normal Sitting Day, 1019-1020
- Point of Order—*  
 Asking Questions in Member's Absence, 39
- Questions—*  
 Expansion of Rural Bus Services, 34  
 Fencing by European Farmers in Trans Nzoia, 960  
 Persons Shot by White Farmers in Laikipia, 74  
 Security Forces in North-East and Eastern Provinces, 866  
 Trained Teachers for Adult Education, 945
- Sadalla, S. K. arap Koeh—**  
 (Specialty Licensed Member)  
*Administration of Oath*, 22
- Saghai, L. G.—**  
 (Member for Kitutu West)  
 (See also under Local Government, The Minister for)
- Seroney, M. J.—**  
 (Member for Nandi North)  
*Administration of Oath*, 22
- Motions—*  
 Appointment of the Sessional Committee, 92  
 Limitation of Debate: Presidential Address, 45, 47, 55-56
- Motions, Adjournment—*  
 Adjournment of the House: To a Day other than the next normal Sitting Day, 478-480
- Point of Order—*  
 Ceremonies in the Chamber which are not Sitings of the House, 44
- Sessional Committee—**  
*Motions—*  
 Adjournment of Debate: Appointment of the Sessional Committee, 114-118  
 Appointment of the Sessional Committee, NoM, 24, 88-132
- Point of Order—*  
 Urgency of Motion (for Sessional Committee to Decide), 215
- Shikuku, J. M.—**  
 (Member for Butere)  
*Administration of Oath*, 22  
*Considered Rulings—*  
 Questions Out of Order which Involve the Electoral Commission, 574
- Motions—*  
 Adjournment of Debate: Appointment of the Sessional Committee, 115, 116  
 Amendment to Standing Order 30: Notices of Motion, 910  
 Amendment to Standing Order 168a: Seating in the Chamber, 931  
 Appointment of the Sessional Committee, 99, 101, 130  
 Limitation of Debate: Presidential Address, 45-46, 47, 50  
 Names of Subversive People to be Made Public, 989, 990, 995-999  
 Thanks for the Presidential Address, 304, 308, 354, 360, 393, 520, 522
- Motions, Adjournment—*  
 Adjournment of the House: To a Day other than the next normal Sitting Day, 460-462  
 Adjournment of the House: To a Day other than the next normal Sitting Day, 1044-1046  
 Boundary Committee for Western/Nyanza Provinces (Question No. 75a), NoM, 958  
 Employment of K.P.E. School-leavers (Question No. 72a), Nom, 668  
 Maitre Distribution, 270  
 Political Participation by Government Servants, 557, 560
- Points of Order—*  
 Extension of Time for Adjournment Debate, 417  
 Motions for the Adjournment Can be Raised on Questions by Private Notice, 595  
 Questions and Comments on Presidential Statement, 1051  
 Seating in the Chamber, 19  
 Substantiation of Allegations, 1030
- Questions—*  
 Africanization: Branch Manager, East Africa Cargo-Handling Service, 723  
 Africans in Managerial Posts in Private Companies (73a) (WR), 1057-1058  
 Boundary Committees for Western/Nyanza Provinces (75a), 955, 956, 957-958  
 Ceiling on Individual Land Ownership, 201  
 Child Welfare Centres in Country (76a) (WR), 1058  
 Composition of Local Selection Committee for Kericho Settlement Scheme, 589  
 Destruction of Obsolete Canned Food, 870  
 Electoral Commission and Constituency Boundaries, 581  
 Employment of K.P.E. School-Leavers (72a), 667  
 Fencing by European Farmers in Trans Nzoia, 960  
 Graduated Personal Tax by Public Servants: Distribution of, 661  
 "High-Level" Manpower Training, 718  
 Karura Forest Workers, 878

- Kenya Contribution to Recent O.A.U. Meeting, 655  
 Mr. E. W. Mathu's Post, 198, 199  
 Patients at Local Government Hospitals, Muranga, 26  
 Recruitment of Personnel for the National Assembly, 947  
 Removal of Europeans from Private Companies (74), 792  
 Scholarship Board Representation in Rift Valley Province, 43  
 Secondary Schools for Poor Areas, 40  
 Special Permits to Expatriates (75), 717, 727, 779, 780, 781  
 Tourists for Kaimosi, Kakamega, etc., 953  
 Tripartite Agreement: Results (71a), 663, 664
- Questions by Private Notice—*  
 Appointments in North Malakisi Location, 594  
 Increased Taxation: Marama Location (Unanswered), 420  
 (See Dissatisfaction of the House expressed at absence of Minister to answer Question, 420. Also Considered Ruling by Speaker at subsequent dissatisfaction at absence of Member to ask his Question on another day, 509-510)
- Slade, H.—**  
 (Ex Officio Member)  
 (See also under Speaker, The)
- Soi, A. K. urap—**  
 (Member for Bomet)  
*Administration of Oath*, 22
- Ministerial Statement—*  
 World Record for Kenya Runner, 510
- Motions—*  
 Appointment of the Sessional Committee, 97  
 Exemption from Standing Orders: Presidential Address Debate, 137  
 Railway from Keelowa to Homa Bay, NoM, 66, 76; 767, 982-984  
 Thanks for the Presidential Address, 338-342  
 Water Development: Bomet Division, NoM, 647
- Motions, Adjournment—*  
 Adjournment of the House: To a Day other than the next normal Sitting Day, 1025  
 Post Office for Bomet Administrative Centre (Question No. 57), NoM, 663
- Point of Order—*  
 How to Address Deputy Speaker, 311
- Questions—*  
 Questions raised on Kipsosoi Settlement Scheme: Bridges and Dams on Kipsosoi Settlement Scheme (22), 210, 211  
 Composition of Local Selection Committee for Kericho Settlement Scheme (6), 588-589  
 Employment of K.P.E. School-leavers, 668  
 Fencing by European Farmers in Trans Nzoia, 961  
 Kenya Contribution to Recent O.A.U. Meeting, 653  
 Post Office for Bomet Administrative Centre (57), 662-663  
 Potato Factory for Bomet (21), 30, 31  
 Report on the Kari-Pokot, 570
- Report of the Kibaki Commission on the Dairy Industry, 588  
 Respect for National Assembly Members, 491  
 Scholarship Board Representation in Rift Valley Province, 43  
 Secondary Schools for Poor Areas, 41  
 Tenwick Falls: Flow of Water (52), 662  
 Quorum, 344, 662
- Somo, A.—**  
 (Member for Lamu)  
*Administration of Oath*, 193
- Motion—*  
 Thanks for the Presidential Address, 372-376
- Points of Order—*  
 Lengthy Notices of Motion, 862  
 Matters Suitable for Adjournment Debates, 651
- Questions—*  
 Africanization: Branch Manager, East Africa Cargo-Handling Service, 723  
 By-Election: Kisumu-Likoni-Mtongwe, 651  
 Names of those Undermining Government's Authority, 883  
 New Secondary Schools Since Independence, 499  
 Secretarial Posts at State House, 196
- Speaker, The—**  
 (The Hon. H. Slade)  
*Administration of Oath*, 18  
*Communications from the Chair*  
 Administration of Oath, 17, 65  
 Assent to Bills, 489  
 Bills Already Debated in Previous Session, 515  
 Bowing to Members, 565  
 Damage to Bench Panels: Applause, 23  
 Death of the Hon. G. H. Kerre, 777  
 Direction of Traditional Applause: Bench Panels, 88  
 Motion for the Exemption of Standing Orders: Ruling, 136  
 Senate Agreement to Bills, 23  
 Senate Amendment to Bill from Previous Session—Ruling, 135, 136  
 Thanks from the President for House's Message of Congratulation, 274
- Considered Rulings—*  
 Bills Passed in Previous Session, 820  
 Conduct in the Chamber of Strangers with Cameras, 395  
 Deferment of Question No. 81 for Question by Private Notice, 863, 864  
 Dissatisfaction at Absence of Member to Ask Question by Private Notice, 509-510  
 Duration of Session and of Standing Committees, 888-889  
 Members Wishing to Pursue Matter on an Adjournment as a Result of an Unsatisfactory Reply to a Question, 719-720  
 Presidential Statements (to be heard in silence), 1049  
 Purpose of Notice of Motion, 902-903

No.	No.
78	Grace Period for Farm Loans Repayment (Mr. Makone), 873-875
79	Buildings on Possible Irrigation Sites (Mr. Oselu-Nyalick), 868-869
80	Mosquito Clearance: Victoria Gulf (Mr. Oselu-Nyalick), 658-660
81	Kenya Government Action if U.D.I. Declared (Mr. Ndile), Deferred for Question by Private Notice—See Considered Ruling, 863-864
82	Kenya Contribution to Recent O.A.U. Meeting (Mr. Ndile), 652-653
83	Water Development in Machakos District (Mr. Ndile), 875-876
84	Chai Irrigation Scheme (Mr. Ndile), 944
85	Adult Education by Trained Teachers (Mr. Ndile), 945-946
88	County Council Hostel, Machakos (Mr. Ndile), 721-722
92	Plans for Landless People (Mr. Odero-Sar), 797-798
93	Graduated Personal Tax by Public Servants—Distribution of (Mr. Odero-Sar), 660-661
94	Public Meetings at Nyeri and Secretary-General of Kanu (Mr. Waritih), 781-784
95	Detention of Mr. Wanjohi Mungau (Mr. Waritih), 786-788
96	Suspension of Classes at Kenyatta College (Mr. Kali), 790-792
97	Export of Tobacco by Kenya (Mr. Mbogohi), 793-794
97 (a)	Tobacco Company's Direction of Planting and Grading (Mr. Mbogohi), 794-795
98	"Made in Kenya" Mark for Local Manufacture (Mr. Jamah), 795
99	Automatic Telephone Exchange for Kisumu Post Office (Mr. Jamah), 795-796
100	Improvement to Kisumu Airport (Mr. Jamah), 870-871
101	Social Workers in Meru (Mr. Mate), 796-797
102	More Probation Officers for Meru (Mr. Mate), 798-799
103	Approved School for Meru (Mr. Mate), 878-879
105 (a)	Recruitment of Somalis for Security Forces (Mr. Khalif), 788-791
106	Kagumu Farmers Institute in Meru (Mr. Mate), 872-873
109	Information Officer for Meru (Mr. Mate), 951-952
111	Destruction of Obsolete Canned Foods (Mr. Murali), 869-870
112	Kenya's Detained in Foreign Countries (Mr. Murali), 864-865
113	Driving Tests at Embu, 1964-65 (Mr. Mbogohi), 871-872
114	Recruitment of Personnel for the National Assembly (Mr. Mbogohi), 946-948
115	Employment through Embu Labour Office (Mr. Mbogohi), 948-949
116	No Pokot Working in the National Assembly (Mr. Lorena), 938-939
117	Fencing by European Farms in Trans Nzoia (Mr. Lorena), 939-961
118	Security Forces for North-East and Eastern Provinces (Mr. Ithira), 865-868
119	Karum Forest Workers (Dr. De Souza), 876-878
120	Assault of Kenya Students in U.S.A. (Mr. Oboki), 943-944
122	Registration of Unemployed (Mr. Godia), 949-951
134	Tourists for Kakamega, Kakimos, etc. (Mr. Godia), 952-954

**Questions by Private Notice—**

Appointments in North Malakisi Location (Mr. Barasa), 594-595

Increased Taxation: Marama Location (Mr. Shikuku) (Unanswered), 420

Kenya Government Stand on O.A.U. Resolutions on Rhodesia (Mr. Masinde), 961-966

Statement by Vice-President During Coast Visit (Mr. Balala), 880-882

**Questions—Rulings—**

**Considered Rulings—**

Deferment of Question for Question by Private Notice, 863-864

Disatisfaction at Absence of Member to Ask Question by Private Notice, 509-510

Questions out of order which Involve Work of Electoral Commission, 573-576

**Points of Order—**

Absence of Minister to Answer Question: Dissatisfaction of the House, 420

Answering Questions in Member's Absence, 25

Answering Question in Minister's Absence, 420

Asking Question in Member's Absence, 35-36, 39, 42

Asking Questions on Newspaper Reports, 879-880

Mistakes in Questions on the Order Paper, 77-78

Out-of-Date Questions, 883-884

What Constitutes an "Unsatisfactory Reply" to a Question, 86

**Questions—Unanswered—Outstanding—**

No.

55 Campaign Against Stock Theft: Masai/Kipsiga Border (Mr. arap Soi)

61 Scientific Farming Methods for Africans (Mr. arap Biy)

63 Expansion of Tea-Growing Areas (Mr. arap Biy)

69 Attraction of Tourists to Rabai Location (Mr. Omar)

73 12-Hour Working Day (Mr. Omar)

76 Teaching African Socialism to the Masses (Mr. Shikuku)

86 Blood Supplies in Blood Bank (Mr. Ndile)

87 Meteorological Station in Machakos (Mr. Ndile)

89 Laboratory for Machakos Provincial Hospital (Mr. Ndile)

91 Completion of Mua Hills Water Scheme (Mr. Ndile)

91 District Agricultural Committee Membership, Machakos (Mr. Ndile)

104 Personnel of the Kenya Police Airwing (Mr. Oti Tipis)

105 Tribal Breakdown of Security Staff (Mr. Khalif)

107 Ndungu Hill for Tea Planting (Mr. Mate)

110 Transport Payment to Rurungu (Mr. Mate)

123 Strengthening Educational Negotiating Machinery (Mr. Godia)

No.	No.
125	Registered Non-Racial Parents' Association (Mr. Godia)
126	Surveyors for Hamisi (Mr. Godia)
127	European Land Settlement Officers (Mr. Godia)
128	European Settlement Officers' Advice to African Farmers (Mr. Godia)
129	Fatal Road Accidents Since 1963 (Mr. Godia)
130	Speed Limit Signs in the Country (Mr. Godia)
131	Urban Business Ownership: Non-Africans and Africans (Mr. Godia)
132	Canning Factory for Hamisi (Mr. Godia)
133	Exploitation of Minerals, Hamisi (Mr. Godia)
135	State Hotel for Kakamega (Mr. Godia)
136	Buying Out European Farmers (Mr. Godia)
137	African Property Valuers (Mr. Godia)
138	Land Prices Paid by New Settlers (Mr. Godia)
139	Administration of Adult Education (Mr. Godia)
140	Tarmac: Kisi/Nyanguni Road (Mr. Anyieni)
141	Railway Line from Lumbwa to Kisi (Mr. Anyieni)
142	Tarmac Roads in Kisi District (Mr. Anyieni)
143	Electricity Supplies for Kisi District (Mr. Anyieni)
144	Passion Fruit Factory for Kisi (Mr. Anyieni)
145	Tea Plantations for Majege-Bassi Farmers (Mr. Anyieni)
146	Training for Agricultural Instructors (Mr. Anyieni)
147	Size of the Kenya National Debt (Mr. Anyieni)
148	Local Investment of Insurance Companies (Mr. Anyieni)
149	Amendment of the Special District Act (Mr. Anyieni)
150	Law Students from the Commonwealth (Mr. Anyieni)
151	Pre-Indemnity Offences and Defendants (Mr. Anyieni)
152	European Who Committed Atrocities (Mr. Anyieni)
153	Remand Convicts (Mr. Anyieni)
154	Dams and Boreholes for Turkana District (Mr. Anyieni)
155	Deputy Chairman of the Public Service Commission (Mr. Muliro)
156	Secondary School Intake Increase (Mr. Godia)
157	Assistance for K.P.E. Candidates, 1965 (Mr. Godia)
158	Penalty for Losing Graduated Personal Tax Card (Dr. De Souza)
159	Modern Hotel for Kisumu (Mr. Oselu-Nyalick)
163	Cleaning Shores of Lake Victoria (Mr. Oselu-Nyalick)
161	Reinstatement of Kisumu Aerodrome (Mr. Oselu-Nyalick)
162	Contract Expatriate Civil Servants (Mr. Oselu-Nyalick)
163	Vacant Seats on Nyeri County Council (Mr. Waritih)
164	Projects for Othaya South Teru (Mr. Waritih)
165	Misappropriation of Funds by Trade Union Officials (Mr. Gichoya)
166	Graduated Personal Tax Deductions by Trade Unions (Mr. Gichoya)
167	Foot-and-Mouth Disease in West Pokot (Mr. Lorena)
168	Co-ordination between Kanu and Government (Mr. Lorena)
169	Students' Amenities Fund (Mr. Shikuku)
170	Ministerial Committee on Voice of Kenya (Mr. Shikuku)
171	Dismissals of Meru County Council Officials (Mr. Mate)
172	Additional Form I Classes in Meru in 1966 (Mr. Mate)
173	Contributions to Self-Help Schemes, Meru (Mr. Mate)
174	Mechanization Programmes for Co-operatives (Mr. Bala)
174 (a)	Loans to Co-operatives in Central Nyanza (Mr. Bala)
175	Plots on Luo Settlement Schemes (Mr. Bala)
176	Low Salaries Paid to Chiefs Since 1964 (Mr. Bala)
177	Increased Stock Theft in Nyando (Mr. Bala)

**Questions—Withdrawn**

No.

124 Third Term of K.P.E. Candidates to be Longer (Mr. Godia) (See 157)

**Questions—Written Replies—**

No.

2320\* Electric Generation for Coffee Factories (Mr. Mate), 564

2465\* Development Programmes in South Nyanza (Mr. Ngala-Aboki), 191-192

1 Imports and Exports Surcharge (Mr. Murali), 980, 134

26 Better Pay for Chiefs (Mr. Kamurek), 63-64

60 Sessional Paper No. 10: Aims and Presentation (Mr. arap Biy), 1054

62 Piped Water for Kipsiga Farmers (Mr. arap Biy), 1054-1055

70 Scholarships for Coastal Africans (Mr. Omar), 1055-1056

71 Kenya Asian Citizens in the National Youth Service (Mr. Omar), 1056

72 Working Hours for Dock Workers (Mr. Omar), 1056-1057

73 (a) African-held Managerial Posts in Private Companies (Mr. Shikuku), 1057-1058

76 (a) Child Welfare Centres in Country (Mr. Shikuku), 1058

108 Kenya Preliminary Examination Pupils in Meru, 1965 (Mr. Mate), 1059

121 Projects for School-leavers Since 1960 (Mr. Godia), 1059-1060

\*Pending from Second Session and old number used

**Quorum—**

174, 187, 311, 344, 530, 681, 816

**Point of Order—**

Ruling on Whips' Responsibility for 444

**Rules of Debate—**

**Points of Order—**

Adjournment of Debate, 113; Debate in Adjournment of Debate Motions, 115, 117

Anticipation and Continuation of Debate, 854-855

Conduct of the President (Criticism Not Allowed), 401

Criticism of Friendly Countries Not Allowed, 409-410

**Motions, Adjournment—**

- Adjournments under S.O. 14—Ruling, 368, 967-968  
 Extension of Time for Adjournment Motion Debate—  
 Ruling, 416-417  
 Matters Suitable for Adjournment Motion Debates,  
 651; what Matter may be Raised, 883  
 Motions for the Adjournment can be Moved without  
 Notice, 62; any time, 969; when they may be  
 raised, 667-668

**Order in the Chamber—**

- Addressing the Chair, 304; Bowing to the Chair, 17-18  
 Administration of Oath (for Non-Christians), 273-274  
 Catching the Speaker's Eye, 384-385, 390-391; Choice  
 of Speakers, 903  
 Ceremonies in the Chamber which are not Sitzings of  
 the House, 44  
 Conduct in the Chamber, 109; Rulings, 358, 359  
 Criticism of the Speaker—Not Allowed, 391  
 Fraudulent Points of Order, 103, 107, 514  
 How to Address Deputy Speaker, 311, 607  
 Members Not to Rise on Points of Order when Mr.  
 Speaker on his Feet, 12  
 Misreporting of Speeches: Action, 278  
 Mistaken Identity, 882  
 Noise in the Chamber, 402-403  
 Quorum; Ruling on Whips, 344  
 Seating in the Chamber, 18-19; for Members, 890  
 Seating of Ministers and Seating on the Front Bench,  
 19-21, 114-115  
 Substantiation of Allegations, 263-264, 480, 784-786  
 1133  
 Unparliamentary Language: "Duplicate Minister"  
 „67; "Thombe", 98, 102-103  
 When House Considers Speaker's Ruling to be Wrong  
 —Ruling, 968-969

**Presidential and Presidential Statements—**

- Conduct of the President (Comments on not allowed),  
 40  
 Copies of the Presidential Address, 25  
 Debate on Presidential Statement, 1052-1053  
 Questions and Comments on Presidential Statement,  
 1051-1052  
 Respect for the President, 1051  
 Status of President as Head of State and of Govern-  
 ment, 1052

**Questions—**

- Absence of Minister to Answer Question: Disatis-  
 faction of the House, 420  
 Answering Questions in Member's Absence, 25; in  
 Minister's Absence, 420  
 Asking Questions in Member's Absence, 35-36, 39, 42  
 Asking Questions on Newspaper Reports, 879-880  
 Mistakes in Questions on the Order Paper, 77-78  
 Out-of-Date Questions, 883-884  
 What Constitutes an "Unsatisfactory Reply" to a  
 Question, 86

**Rules of Debate—**

- Adjournment of Debate, 113; Debate on Adjourn-  
 ment of Debate Motions, 115, 117  
 Anticipation and Continuation of Debate, 884-885  
 Criticism of Friendly Countries Not Allowed, 409-410

- Limitation of Debate and Closure of, 111, 112;  
 Ruling on, 890-891  
 Standing Orders on Rules of Debate (Closure), 126-127

**President's Office—****(1) The President**

- (His Excellency the Hon. Mzee Jomo Kenyatta)  
*Ceremonial Opening of Extension to Parliament  
 Buildings—*  
 Arrival of His Excellency the President, 1; Departure,  
 6; Speech on Being Handled the Keys, 54

**State Opening of Parliament (Third Session)—  
 Presidential Address, 7-16**

- Communication from the Chair—*  
 Thanks from the President for House's Message  
 (President's Letter Read to Members), 274

- Presidential Statement—*  
 Kenya Government Policy on Rhodesia, 1048-1051

**(2) The Assistant Minister in the President's Office**

- (The Hon. J. Nyamwaya)  
*Administration of Oath, 65*  
*Communication from the Chair—*  
 Senate Amendment to Bill from Previous Session 133

- Motion—*  
 Appointment of the Sessional Committee, 949, 101

**Questions—**

- Better Pay for Chiefs (28) (WR), 63-64  
 Persons Shot by White Farmers in Laikipia (9), 73  
 74-75  
 Political Participation by Government Servants (1)  
 66-67, 68, 69

**Presidential Address—**

- On State Opening of Third Session, 7-16  
*Division—*  
 Limitation of Debate on Presidential Address, 54

**Motions—**

- Exemption from Standing Orders: The Presidential  
 Address, 136-138  
 Limitation of Debate: Presidential Address Debate,  
 144-151  
 Thanks for the Presidential Address, NoM, 24, 212-  
 260, 278-342, 354-403, 516-553

- Motion, Adjournment—*  
 Adjournment of the House: To Consider the Presi-  
 dential Address, 61-62

- Point of Order—*  
 Copies of the Presidential Address (for all Members),  
 25

**Presidential Statement—**

- Kenya Government Policy on Rhodesia, NO, 144,  
 1049-1051

- Considered Ruling—*  
 Presidential Statements (to be heard in silence), 1049

**Points of Order—**

- Debate on Presidential Statement, 1052-1053  
 Questions and Comments on Presidential Statement,  
 1051-1052  
 Respect for the President, 1051  
 Status of President as Head of State and of Govern-  
 ment, 1052

**Questions—Oral Answers—**

- | No. |  | No.    |   |
|-----|--|--------|---|
| 1   | Political Participation by Government Servants (Mr. Olerio-Sar), 66-69                             | 37     | The Electoral Commission and Constituency Boundaries (Mr. Nyaberi), 572-573, 577-581            |
| 2   | Students Who Went to Russia (Mr. Olerio-Sar), 56-58  | 37     | Measures to Stop Stock Raids in Western Kenya (Mr. Ekitella), 504-506                           |
| 3   | Take-over of Nursery Schools and Training Centres (Mr. Olerio-Sar), 77, 78                         | 38     | Registration of Taranganyu Hararaber Secondary School (Mr. Maitori-Iumbo), 495-496              |
| 4   | Patients at Local Government Hospitals in Muranga (Mr. Kaggia), 25-27                              | 39     | Respect for Members of the National Assembly (Mr. Maitori-Iumbo), 490-491                       |
| 5   | Landlord and Tenant Act, 1965 (Mr. Kaggia), 27-29  | 40     | Kenya Government Spokesman (Mr. Obok), 492, 493   |
| 6   | Nationalization of Lotteries and Government Pools (Mr. Kaggia), 78-79                              | 41     | New Secondary Schools Since Independence (Mr. Obok), 497-499                                    |
| 7   | Ceiling on Individual Land Ownership (Mr. Kaggia), 199-203   | 42     | Attorney-General's Office (Mr. Obok), 567-568   |
| 8   | Settlement of Africans on Former European Farms (Mr. Kaggia), 84-86                                | 43     | Names of Those Undermining Government's Authority (Mr. Obok), 581-583                           |
| 9   | Persons Shot by White Farmers in Laikipia (Mr. G. G. Karuki), 73-75                                | 44     | Speaking Living Near Mr. Kirsopp (Mr. Lorema), 501-502  |
| 10  | Death of Cattle in Mukogondo Reserve (Mr. G. G. Karuki), 75-76                                     | 44     | Speeding Cars on Nakuru Nairobi Road (Mr. Lorema), 506-507                                      |
| 11  | Road Construction in Laikipia (Mr. G. G. Karuki), 32-34  | 46     | Kadu Signs on Buildings (Mr. Lorema), 592   |
| 12  | Expansion of Rural Bus Services (Mr. Muruli), 34-35  | 47     | Report on the Kara-Puket (Mr. Lorema), 568-570  |
| 13  | Payment to Individuals by Companies (Mr. Muruli), 29-30  | 48     | Swahili Translation of the Laws of Kenya (Mr. arap Biy), 592-593                                |
| 14  | Unofficial Strikes (Mr. Muruli), 80  | 49     | Bee Industry in Kericho (Mr. arap Biy), 584-585   |
| 15  | Check on Rise in Prices (Mr. Muruli), 69-72  | 50     | Supervisory Team for National Hararaber Schools (Mr. arap Biy), 655-657                         |
| 16  | Opening of Kapkanyar Forest (Mr. Lorema), 86-87  | 51     | Rehabilitation of Ex-Convicts (Mr. arap Biy), 668-670   |
| 17  | Present Maize Quota (Mr. Lorema), 87-88  | 52     | Tenek Falls: Flow of Water (Mr. arap Biy), 662  |
| 18  | Critical Speech on Member (Mr. Ngata-Aboki), 80-84   | 53     | Report of Kibaki Commission on Dairy Industry (Mr. Gatuguta), 586-588                           |
| 19  | Foreigners Deported by Kenya Government (Mr. Lorema), 203-206                                      | 54     | Accidents on the Naivasha Nairobi Road (Mr. Gatuguta), 585-584                                  |
| 20  | Potato Factory for Bomet (Mr. arap Soi), 30-32   | 56     | Composition of Local Selection Committee for Kericho Settlement Schemes (Mr. arap Soi), 588-590 |
| 21  | Bridges and Dams on Kipsinoni Settlement Scheme (Mr. arap Soi), 210-211                            | 57     | Post Office for Bomet Administrative Centre (Mr. arap Soi), 662-663                             |
| 22  | Obvolu Intermediate School (Mr. Oselu-Nyalick), 206-208  | 58     | "High-Level" Manpower Training (Mr. arap Biy), 717-719  |
| 23  | Secondary Schools for Poor Areas (Mr. Oselu-Nyalick), 39-42  | 59     | Development for Rift Valley Tribes (Mr. arap Biy), 724-727                                      |
| 24  | Government Help for Payment of School Fees (Mr. Oselu-Nyalick), 208-210                            | 64     | By-Election: Kisauni/Likoni/Mtongwe (Mr. Omar), 650-651   |
| 25  | Secretarial Posts at State House (Mr. Obok), 195-197   | 65     | Charges at Pandya and Aga Khan Clinics, Mombasa (Mr. Omar), 657-658                             |
| 27  | Mr. E. W. Mathu's Post (Mr. Obok), 197-199   | 66     | Improvement of Coast General Hospital (Mr. Omar), 721   |
| 28  | Better Pay for Chiefs (Mr. Kamuren): Called and in Absence of Member Issued as a Written Reply, 35 | 67     | Africanization: Branch Manager of East Africa Cargo-Handling Service (Mr. Omar), 723-724        |
| 29  | Scholarship Board, Rift Valley Province: Representation (Mr. Kamuren), 42-44                       | 68     | Overseas Markets for Coconuts and Copra (Mr. Omar), 934-935                                     |
| 30  | Land Cultivation in Kericho Tea Plantations (Mr. Nyaberi), 507-508                                 | 71 (a) | Thripurite Agreement Results (Mr. Shikuku), 663-665   |
| 31  | Reduction of Agricultural Staff in Kisii (Mr. Nyaberi), 508-509                                    | 72 (a) | Employment of K.P.E. School-leavers (Mr. Shikuku), 667-668                                      |
| 32  | Arrested Women in Eastern Division of Kitui (Mr. Mwaura), 493-494, 503-504                         | 74     | Removal of Europeans from Private Companies (Mr. Shikuku), 792-793                              |
| 33  | Applications for Firearms Certificates (Mr. Mwaura), 494-495                                       | 75     | Special Permits to Expatriates (Mr. Shikuku), Called, 717 (Unanswered), 727-728, 779-778        |
| 34  | Trials by Registrar of African Courts, Kitui (Mr. Mwaura), 591-592                                 | 75 (a) | Boundary Committee for Western/Nyanza Provinces (Mr. Shikuku), 935-936                          |
| 35  | Revision of Voters' Roll in North Mugirango (Mr. Nyaberi), 570-572                                 | 77     | North-Eastern Province Representation on Public Service Commission (Mr. Amin), 648-650          |

**Odero-Jowi, J.—**

(Member for Lambwe)  
(See also under Labour and Social Services, The Assistant Minister for)

**Odero-Sar, J.—**

(Member for Ugenya)  
Administration of Oath, 65

**Motion—**

Thanks for the Presidential Address, 384-388

**Motion, Adjournment—**

Adjournment of the House: To a Day other than the next normal Sitting Day, 459

**Questions—**

Graduated Personal Tax by Public Servants, Distribution of (93), 660

Hand-over of Nursery Schools and Nursery Teacher-Training (3), 499-500

Plans for Landless People (92), 797

Political Participation by Government Servants (1), 66, 67

Take-over of Nursery Schools and Training Centres (3) (unanswered), 77 (see above)

**Odinga, A. O.—**

(Member for Bondo)  
(See also under Vice-President, The)

**Oduya, G. F.—**

(Member for Uigon-West)  
Administration of Oath, 273

**Motion—**

Adjournment of Debate: Amendment to Land Registration (Special Areas) Act, 166-167, 170-172

Adjournment of Debate: Appointment of the Sessional Committee, 114, 115-116

Amendment to Standing Order 30: Notices of Motion, 908

Amendment to Standing Order 168A: Seating in the Chamber, 919-922, 927

Appointment of the Sessional Committee, 98-99, 107, 130

Judicial Commission of Inquiry into Maitre Position, Nom, 274

Names of Subversive People to be Made Public, 991-995

Railway from Kedowa to Homa Bay, 976

Thanks for the Presidential Address, 227-232

Water Facilities for Masai, 438-441

**Motions, Adjournment—**

Adjournment of the House: To a Day other than the next normal Sitting Day, 1025-1027

Check on the Rise in Prices, 644-646

Maitre Distribution, 262, 270

**Points of Order—**

Adjournment Motions under S.O. 14: Ruling, 968

Criticism of a Friendly Country Not Allowed, 409

**Debate—**

Kenya Government Spokesman, 493

**Ogle, A. A.—**

(Member for Wajir South)  
Administration of Oath, 22

**Motion—**

Safeguarding of Loyal Somalis, NoM, 566-567

**Question—**

Recruitment of Somalis for Security Forces, 789

**Quorum, 174****Okele-Odongo, T.—**

(Member for Kisumu Rural)  
(See also under Finance, The Assistant Minister for)

**Okwanyo, J. H.—**

(Member for Migori)  
Administration of Oath, 22

**Communication from the Chair—**

Senate Amendment to Bill from Previous Session, 136

**Question—**

Accidents on the Nairobi Naivasha Road, 584

**Oloitiptip, S. S. ole—**

(Member for Kajjado)  
(See also under Commerce and Industry, The Assistant Minister for)

**Omar, S. T.—**

(Member for Mombasa Island South)  
Administration of Oath, 22

**Motion—**

Amendment to Land Registration (Special Areas) Act, 185-187

Amendment to Standing Order 168A: Seating in the Chamber, 924-926

**Points of Order—**

Asking Questions in Member's Absence, 35

Asking Questions on Newspaper Reports, 679-680

What Matters may be Raised on an Adjournment, 883

**Questions—**

Africanization: Branch Manager, East Africa Cargo-Handling Service (67), 723

By-Election: Kisumu/Likoni/Mtongwe (64), 650, 651

Charges at Pandya and Aga Khan Clinics, Mombasa (65), 657, 658

Expansion of Rural Bus Services, 34

Foreigners Deported by the Kenya Government, 205

Improvement in the Coast General Hospital, Mombasa (66), 721

Kenya Asian Citizens in National Youth Service (71), (WR), 1056

Overseas Markets for Coconuts and Copra (68), 954

Recruitment of Personnel for the National Assembly, 947

Scholarships for Coastal Africans (70) (WR), 1055-1056

Working Hours for Dock Workers (72) (WR), 1056-1057

**Omweri, S. K.—**

(Member for Wanjare-South Mugirango)  
Administration of Oath, 21

**Bill—**

Irrigation Bill, 693

**Motions—**

Amendment to Land Registration (Special Areas) Act, 141

Amendment to Standing Order 168A: Seating in the Chamber, 918, 922-924

Railway from Kedowa to Homa Bay, 973-976

Reduction of Taxation for Coffee Growers, NoM, 276

Speakers' Committee: Establishment of, 889

Teacher-Training at High School Level, NoM, 276

Thanks for the Presidential Address, 330-333

**Motion, Adjournment—**

Adjournment of the House: To a Day other than the next normal Sitting Day, 473-474

**Points of Order—**

Answering of Questions, 420

Limitation of Debate: Ruling, 890-891

**Questions—**

Land Cultivation on Kericho Tea Plantations, 588

Names of those Undermining Government's Authority, 582

Overseas Markets for Coconuts and Copra, 955

Reduction in Agricultural Staff, etc., in Kisumu, 509

Respect for National Assembly Members, 491

Supervisory Team for National and Harambee Schools, 656

**Onamu, H. J.—**

(Member for Nakuru West)  
(See also under Information, Broadcasting and Tourism, The Assistant Minister for)

**Order in the House—****Communications from the Chair—**

Bowing to the Members, 565

Damage to Bench Panels and Applause, 23

Direction of Traditional Applause and Bench Panels, 88

**Considered Rulings—**

Conduct in the Chamber of Strangers with Cameras (NA), 395

Presidential Statements (to be heard in silence), 1049

Seating on the Front Benches, 132-133, 944-945

Warning Light for Members' Speaking Time, 278

**Points of Order—**

Addressing the Chair, 304

Administration of Oath (for Non-Christians), 274-274

Bowing to the Chair, 17-18

Catching the Speaker's Eye, 384-385

Ceremonies in the Chamber which are not Sitings of the House, 44

Choice of Speakers, 903

Conduct in the Chamber, 109; rulings, 358, 359

Conduct of the President (comments NA), 401

Criticism of Friendly Countries Not Allowed (except by Substantive Motion), 409-410

Criticism of the Speaker Not Allowed, 390-391

Debate on Presidential Statement, 1052-1053

Fraudulent Points of Order, 103, 107, 514

How to Address the Deputy Speaker, 311, 607

Members Not to Rise on Points of Order when Mr. Speaker is on his Feet, 125

Mistaken Identity, 882

Noise in the Chamber, 412-403

Questions and Comments on Presidential Address (and Statement), 1051-1052

Quorum: Rulings on Whips, 344

Respect for President, 1051

Seating in the Chamber, 18-19; for Members, 890

Seniority of Ministers and Seating on the Front Bench, 19-21, 114-115

Status of President as Head of State and of Government, 1052

Substantiation of Allegations, 263-264, 430, 784-786, 1020

Unparliamentary Language: "Duplicate Minister", 167; "Tshombe", 96, 102-103

Urgency of Motion, 275 (for Sessional Committee to decide)

When House Considers Speaker's Ruling to be Wrong—Ruling, 968-969

**Oselu-Nyalick, L. W.—**

(Member for Winam)  
Administration of Oath, 193

**Motion—**

Division of Central Nyanza District, NoM, 779

**Motion, Adjournment—**

Adjournment of the House: To a Day other than the next normal Sitting Day, 452-453

Secondary Schools for Poor Areas, 50-55

**Questions—**

Buildings on Possible Irrigation Sites (79), 868

Government Help for Payment of School Fees (25), 208, 210

Mosquito Clearance, Victoria Gulf (80), 658, 659

Obuopu Intermediate School (23), 206

**Osogo, J. C. N.—**

(Member for Ruyamba)  
(See also under Agriculture and Animal Husbandry, The Assistant Minister for)

**Otiende, J. D.—**

(Member for Vihiga)  
(See also under Health and Housing, The Minister for)

**Pandya, A. J.—**

(Member for Mombasa Island North)  
Administration of Oath, 22

**Motion—**

Thanks for the Presidential Address, 292-296

**Personal Statement—**

Substantiation of Allegations, 364-364

**Points of Order—****Bill—**

At what Stage a Bill may be Amended, 670-671

**Motions—**

Adjournment of Debate, 113

Debate in Adjournment of Debate Motions, 115, 117

Lengthy Notices of Motion (undesirable), 862

Motion in Order, 277

Urgency of Motion, 275

**Questions—**

- Applications for Firearms Certificates (33), 494, 495  
 Cases Tried by Registrar of African Courts, Kitui (34), 591  
 Women Arrested in Eastern Division of Kitui (32), 493-494, 503, 504

**Mwamzandi, K. B.—**

- (Member for Kwale East)  
 Administration of Oath, 22

**Motions—**

- Invalidation of Coastal Land Claims, No.M. 277  
 Investigation into Non-African Ownership of Coastal Land, No.M. 277

**Motion, Adjournment—**

- Adjournment of the House (under 31 (b)). To await Cabinet Decision on Rhodesia, 92

**Mwanyumba, D.—**

- (Member for Wundanyi)  
 (See also under Works, Communications and Power. (The Minister for)

**Mwatsama, J. J.—**

- (Member for Kilifi North)  
 Administration of Oath, 22

**Mwendwa, E. N.—**

- (Member for Kitui Central)  
 (See also under Labour and Social Services. The Minister for)

**Natural Resources and Wild Life—**

- (1) **The Minister for Natural Resources and Wild Life** (The Hon. S. O. Ayodo)  
 Administration of Oath, 21

**Questions—**

- Karura Forest Workers (119), 877, 878  
 Tenwek Falls: Flow of Water (52), 662  
 Water Development in Machakos District (83), 875, 876

- (2) **The Assistant Minister for Natural Resources and Wild Life**

- (The Hon. J. Mohamed)  
 Administration of Oath, 22

**Motion—**

- Water Facilities for Masai, 450-451, 731-734

**Question—**

- Opening of Kapkanyar Forest (17), 86-87

**Ndile, J. K.—**

- (Member for Machakos North)  
 Administration of Oath, 22

**Motions—**

- Settlement of Squatters: Machakos District, No.M. 193

- Water Development: Machakos District, No.M. 193

**Point of Order—**

- Out-of-Date Questions, 883

**Questions—**

- Chai Irrigation Scheme (84), 944, 945  
 County Council Hostel, Machakos (88), 721, 722

- Kenya Contribution to Recent O.A.U. Meeting (82), 652, 653

- Political Participation by Government Servants, 68  
 Potato Factory for Bomet, 31  
 Trained Teachers for Adult Education (85), 945  
 Water Development in Machakos District (83), 875, 876

**Ngala, R. G.—**

- (Member for Kilifi South)  
 Administration of Oath, 973

**Motion, Adjournment—**

- Adjournment of the House: To a Day other than the next normal Sitting Day, 1018-1019

**Ngala-Abok, C. B.—**

- (Member for Homa Bay)  
 Administration of Oath, 22

**Considered Ruling—**

- Seating on the Front Benches, 133

**Motions—**

- Adjournment of Debate: Rent Restriction (Amendment) Bill, 843

- Amendment to Land Registration (Special Areas) Act 140

- Amendment to Standing Order 30: Notices of Motion, 905, 914

- Amendment to Standing Order 164: Seating in the Chamber, 917-919, 920, 928-929, 931

- Appointment of the Sessional Committee, 119

- Free Primary Education, Standards I-III, No.M. 567

- Government Control of the Economic Structure, No.M. 419

- Limitation of Debate: Motions for the Adjournment to a Day other than the next normal Sitting Day, 426, 427

- Limitation of Debate: Presidential Address, 49-50, 59, 60

- Names of Subversive People to Be Made Public, 999-1002, 1006

- Railway from Kedowa to Homa Bay, 979-980

- Recognition Courses for Foreign-Aid Teachers, No.M. 419

- Thanks for the Presidential Address, 237, 241-242, 314-320

**Motions, Adjournment—**

- Kenya Government Spokesman, 940, 941

- Maize Distribution, 268

- Political Participation by Government Servants (Question No. 1), No.M. 69, 553-557

- Unilateral Declaration of Independence by Rhodesia (under S.O. 14), 417

**Points of Order—**

- Administration of Oath, 273

- Asking Questions in Member's Absence, 35, 36

- Catching the Speaker's Eye, 390

- Mistakes in Questions on the Order Paper, 77

- Noise in the Chamber, 402-403

- Substantiation of Allegations, 263

- Urgency of Motion, 275

**Questions—**

- Check on the Rise in Prices, 71-72  
 Critical Speech on Member (19), 80, 81-82, 83-84  
 Detention of Wanjohi Mungau, 787  
 Electoral Commission and Constituency Boundaries, 577-578

- Free Primary Education: Standards I-III, 568  
 Hand-over of Nursery Schools and Nursery Teacher-Training, 500-501

- New Secondary Schools since Independence, 499  
 No Pokots Employed by National Assembly, 959  
 Plans for Landless People, 798

- Registration of Unemployed, 951

- Report of the Kibaki Commission on Dairy Industry, 587

- Scholarship Board Representation in Rift Valley Province, 44

- Secondary Schools for Poor Areas, 40

- Special Permits to Expatriates, 780

- Speeding Cars on Nakuru, Nairobi Road, 506

- Students who went to Russia (2) (on behalf of Mr. Odoro-Sar), 36, 37

- Supervisory Team for National and Harambee Schools, 656

- Suspension of Classes at Kenyatta College, 701

- Question by Private Notice—  
 Kenya Government Stand on O.A.U. Resolutions on Rhodesia, 964

**Ngugi, P. J.—**

- (Member for Machakos North)  
 (See also under Co-operatives and Marketing. The Minister for)

**Njeru, J.—**

- (Member for Tharaka)  
 (See also under Information, Broadcasting and Tourism. The Assistant Minister for)

**Njiriri, K. K.—**

- (Member for Kigumo)  
 (See also under Local Government. The Assistant Minister for)

**Njonjo, C.—**

- (Ex Officio Member)  
 (See also under Attorney-General. The)

**Nyaberi, J. O.—**

- (Member for North Mugirango)  
 Administration of Oath, 22

**Considered Ruling—**

- Questions out of order which involve the Electoral Commission, 576

**Motion—**

- Thanks for the Presidential Address, 224-227

**Questions—**

- Cases Tried by Registrar of African Courts, Kitui, 592  
 Electoral Commission and Constituency Boundaries (36), 572, 573, 577

- Land Cultivation in Kericho Tea Plantations (3), 507  
 Mosquito Clearance: Victoria Gulf, 659

- Political Participation by Government Servants, 68

- Reduction in Agricultural Staff, etc., in Kisii (31), 508, 509

- Revision of Voters' Roll, North Mugirango (35), 570, 571

**Nyaga, P.—**

- (Member for Meru South)  
 Administration of Oath, 22

**Motion for the Adjournment—**

- Adjournment of the House: To a Day other than the next normal Sitting Day, 1012-1013. (Note.—Name wrongly shown as "Mr. Nyagah")

**Question—**

- Security Forces in North-East and Eastern Provinces, 867

**Nyagah, J. J. M.—**

- (Member for Embu South)  
 (See also under Home Affairs. The Assistant Minister for)

**Nyamweya, J.—**

- (Member for Nyanban)  
 (See also under President. The Assistant Minister in the President's Office)

**Obok, L. R.—**

- (Member for Alego)  
 Administration of Oath, 65

**Motions—**

- Appointment of the Sessional Committee, 109

- Thanks for the Presidential Address, 397-401

**Motions, Adjournment—**

- Adjournment of the House: To a Day other than the next normal Sitting Day, 1018

- Kenya Government Spokesman, 936-937

- Maize Distribution, 272

**Questions—**

- Assault on Kenya Student in U.S.A. (120), 943

- Attorney-General's Office (42), 567, 568

- Kenya Government Spokesman (40), 492

- Mr. E. W. Mathu's Post (27), 197, 198

- Names of Those Undermining Government's Authority (43), 531, 582

- New Secondary Schools Since Independence (41), 497

- Secretarial Posts at State House (26), 195, 198

- Speeding Cars on Nakuru/Nakuru Road, 506

**Ochwada, A. A.—**

- (Specially Elected Member)  
 Administration of Oath, 22

**Motion—**

- Thanks for the Presidential Address, 245-251, 401

**Motion, Adjournment—**

- Adjournment of the House: To a Day other than the next normal Sitting Day, 474-476

**Point of Order—**

- Seniority of Ministers and Seating on the Front Bench, 20

**Question—**

- Persons Shot by White Farmers in Laikipia, 74

- Government Assistance for Education of Orphans (Mr. Kamau), NoM, 195
- Government Control of Economic Structure (Mr. Ngala-Abok), NoM, 419
- Increased Penalties for Theft (Mr. Godia), NoM, 353
- Increased Technical Education (Mr. Bala), 862-863
- Invalidation of Coastal Land Claims (Mr. Mwamzandi), NoM, 277
- Investigation into Neo-African Ownership of Coastal Land (Mr. Mwamzandi), NoM, 277
- Judicial Commission of Inquiry into Maize Position (Mr. Oduya), NoM, 274-275
- Judicial Inquiry into Maize Situation (Mr. Malinda), NoM, 275
- Land Price Negotiations with British Government (Mr. Godia), NoM, 276
- Legislation on Upkeep of Poor (Mr. Kerich), NoM, 566
- Medical School for Nairobi (Mr. Mate), NoM, 277
- More Development for Kipigas (Mr. arap Bw), NoM, 353
- Overhaul of Ministry of Education (Mr. Godia), NoM, 194
- Perfume Manufacturing Plant for Kenya (Mr. Gichoya), NoM, 195
- Placing of K.P.E. Students in Secondary Schools (Mr. Bala), NoM, 778
- Reduction of Taxation for Coffee Growers (Mr. Omwari), NoM, 276
- Removal of Certain Civil Servants (Mr. Bala), NoM, 778
- Reorganization of Public Service Commission (Mr. Mbogoh), NoM, 647
- Reorientation Courses for Foreign-Aid Teachers (Mr. Ngala-Abok), NoM, 419
- Safeguarding of Loyal Somalis (Mr. Oglet), NoM, 56-57
- Self-Determination of Kashmir People (Mr. Khalif), NoM, 779
- Selection Committee for National Youth Service Government Appointments (Mr. Khalif), NoM, 194-195
- Settlement of Impoverished Samburu (Mr. Rurumbani), NoM, 354
- Settlement of Squatters, Machakos District (Mr. Ndile), NoM, 193
- Special Force for Rhodesia (Mr. Mbogoh), NoM, 566
- Subdivision of Meru District (Mr. Mate), NoM, 859
- Teacher-Training at High School Level (Mr. Omwari), NoM, 276
- Water Development: Bomet Division (Mr. arap Soi), NoM, 647
- Water Development: Machakos District (Mr. Ndile), NoM, 193
- Motions—Rulings on—**
- Communication from the Chair—*
- Motion for the Exemption of Standing Orders, 136
- Considered Ruling—*
- Purpose of Notice of Motion, 902-903
- Standing Orders on Information to Government on Motions for Debate, 174
- Points of Order—*
- Adjournment of Debate, 113

- Criticism of Friendly Countries not Allowed (except by Substantive Motion), 409-410
- Debate in Adjournment of Debate Motions, 115, 117
- Lengthy Notices of Motion, 862
- Motion in Order, 277
- Urgency of Motion, 275
- Motions for the Adjournment—Debated—**
- (*Note.—The words Question No. in brackets means that Mover was of the opinion that the question had been answered unsatisfactorily.*)
- Adjournment of the House (under S.O. 31 (b)): 16
- Awai Cabinet Decision on Rhodesia (Mr. Anyeni), 969-972
- Adjournment of the House: To Consider Presidential Address (The Vice-President), 61-62
- Adjournment of the House: To a Day other than the next normal Sitting Day (The Minister for Information, Broadcasting and Tourism), 452-488
- Adjournment of the House: To a Day other than the next normal Sitting Day (The Assistant Minister for Agriculture and Animal Husbandry, Mr. Osoot), 1007-1049, 1053
- Check on Rise in Prices (Question No. 16) (Mr. Masinde), NoM, 72-73, 595, 636-646
- Kenya Government Spokesman (Question No. 40) (Mr. Muliro), NoM, 493, 730, 885, 935-942
- Maize Distribution (Mr. Makokha), NoM, 136, 212, 260-272
- Political Participation of Government Servants (Question No. 1) (Mr. Ngala-Abok), NoM, 69, 514, 553-563
- Safeguarding Kenya Preliminary Examination Papers (Mr. Barasa), NoM, 730, 799, 847-858
- Secondary Schools for Poor Areas (Question No. 24) (Mr. Godia), NoM, 42, 136, 342-352
- Under Standing Order 14—An Urgent Matter of Public Importance—*
- Organization for African Unity and Rhodesia (Mr. Kalli), NoM, 654-655, 703-716
- Unilateral Declaration of Independence by Rhodesia (The Vice-President), NoM, 368, 403-418
- Motions for the Adjournment—Notice Given—Not Debated—**
- Boundary Committee: Western/Nyanza Provinces (Question No. 75a) (Mr. Shikuku), NoM, 958
- Bridges and Dams on Kipsoni Settlement Scheme (Question No. 22) (Mr. Makone), NoM, 212
- Ceiling on Individual Land Ownership (Question No. 7) (Mr. Kagia), NoM, 203
- Composition of Local Selection Committee for Kericho Settlement Scheme (Question No. 56) (Mr. Masinde), NoM, 590
- Death of Cattle in Mukogondo Reserve (Question No. 10) (Mr. ole Tipis), NoM, 77
- Employment of K.P.E. School-leavers (Question No. 772a) (Mr. Shikuku), NoM, 668
- Employment through Embu Labour Office (Question No. 115) (Mr. Mbogoh), NoM, 949
- Fencing by European Farmers in Trans Nzoia (Question No. 117) (Mr. Lorema), NoM, 961
- Government Help in Payment of School Fees (Question No. 25) (Mr. Khassakhala), NoM, 210
- Graduated Personal Tax by Public Servants: Distribution of (Question No. 9) (Mr. Masinde), NoM, 66

- "High-Level" Manpower Training (Question No. 58) (Mr. arap Bw), NoM, 720
- Karura Forest Workers (Question No. 119) (Mr. Anyeni), NoM, 878
- Kenya Government Stand on O.A.U. Decisions on Rhodesia (Question by Private Notice) (Mr. Khalif), NoM, 967
- New Secondary Schools since Independence (Question No. 41) (Mr. Masinde), NoM, 499
- North-Eastern Province Representation on Public Service Commission (Question No. 77) (Mr. Khalif), NoM, 650
- Pokots Living Near Mr. Kiroppos (Question No. 44) (Mr. ole Tipis), NoM, 502
- Post Office for Bomet Administrative Centre (Question No. 57) (Mr. arap Soi), NoM, 663
- Public Meetings in Nyeri (Question No. 94) (Mr. Warathi), NoM, 786
- Recruitment of Somalis for Security Forces (Question No. 105a) (Mr. Khalif), NoM, 790
- Registration of Tarangany's Hararib Secondary School (Question No. 38) (Mr. Maison-Iumbo), NoM, 497
- Respect for National Assembly Members (Question No. 39) (Mr. Mbogoh), NoM, 491
- Settlement of Africans on Former European Farms (Question No. 8) (Mr. Godia), NoM, 86
- Students and Scholarships (Question No. 2) (Mr. Anyeni), NoM, 38-39
- Tripartite Agreement: Results (Question No. 71a) (Mr. Kiprotich), NoM, 665-666
- Motions for the Adjournment—Rulings—**
- Considered Ruling—*
- Members wishing to pursue matter on an Adjournment as a result of an unsatisfactory reply to a Question, 719-720
- Points of Order—*
- Adjournments under Standing Order 14, 368, 967-968
- Extension of Time for Adjournment Motion Debate, 416-417
- Matters suitable for Adjournment Motion's Debate, 651; what matters may be raised, 883
- Motions for the Adjournment may be moved without Notice, 62; any time, 969; when Notice of Motion for the Adjournment may be raised, 666-667
- Mulama, A. O.—**
- (Member for Mumias)
- Administration of Oath, 193*
- Muliro, M.—**
- (Member for Trans Nzoia)
- Administration of Oath, 65*
- Bill—*
- Irrigation Bill, 619
- Considered Ruling—*
- Member wishing to pursue matter on an Adjournment as a result of an Unsatisfactory Reply to a Question, 720
- Motions—**
- Amendment to Standing Order 168a: Seating in the Chamber, 932-933
- Appointment of the Sessional Committee, 107
- Exemption from Standing Orders: Presidential Address, 138
- Limitation of Debate: Motions for the Adjournment to a Day other than the next normal Sitting Day, 433
- Thanks for the Presidential Address, 361-363
- Motions, Adjournment—**
- Kenya Government Spokesman (Question No. 50), NoM, 493, 536
- Maize Distribution, 265-266, 269
- Organization for African Unity and Rhodesia (under S.O. 14), 705-706
- Unilateral Declaration of Independence by Rhodesia (under S.O. 14), 416
- Point of Order—**
- Urgency of Motion, 275
- Questions—**
- Check on Rise in Prices, 71
- Death of Cattle in Mukogondo Reserve, 78
- Kenya Contribution to Recent O.A.U. Meeting, 643
- Kenya Government Spokesman, 493
- Obuolu Intermediate School, 207
- Payment to Individuals by Companies, 29, 30
- Pokots Living Near Mr. Kiroppos, 502
- Trained Teachers for Adult Education, 945
- Quorum, 816*
- Mungai, Dr. N.—**
- (Member for Nairobi West)
- (See also under Internal Security and Defence, The Minister (c))
- Murgor, W. C.—**
- (Member for Elgeyo)
- (See also under Agriculture and Animal Husbandry, The Assistant Minister (c))
- Muruli, J.—**
- (Member for Kibomani)
- Administration of Oath, 22*
- Questions—**
- Check on the Rise in Prices (104, 69, 70)
- Destruction of Obsolete Canned Food (111), 869
- Detention of Kenyans in Foreign Countries (112), 864
- Expansion of Rural Bus Services (12), 34
- Imports and Exports Surcharges (13), 79-80 (WR), 134
- Payment to Individuals by Companies (14), 29
- Swahili Translation of the Laws of Kenya (9)
- Unofficial Strikes (15), 80
- Question by Private Notice—*
- Appointments in North Malawi Location, 698
- Murumbi, J. A.—**
- (Member for Nairobi South)
- (See also under External Affairs, The Minister (c))
- Mutiso, G. M.—**
- (Member for Yatta)
- (See also under Education, The Assistant Minister (c))
- Mwalwa, T. M.—**
- (Member for Kitui East)
- Administration of Oath, 22*



Removal of Europeans from Private Companies, 793  
Report of the Kibaki Commission on Dairy Industry, 586, 587  
Revision of the Voters' Roll, North Mugirango, 571  
Settlement of Africans on Former European Farms, 86  
Tourists for Kamosi, Kakamega, etc., 953

**Questions by Private Notice**

Appointments in North Malakisi Location, 594, 595  
Kenya Government Stand on O.A.U. Resolutions on Rhodesia, 961-963, 966

**Matano, R. S.—**

(Member for Kwale West)

(See also under External Affairs, the Assistant Minister for)

**Mate, B.—**

(Member for Meru Central)

*Administration of Oath, 21*

**Motions—**

Absorption of Meru Landless and Unemployed People, NoM, 194

Assistance for Welfare in Care of Widows and Children, NoM, 194

Medical School for Nairobi, NoM, 277

Subdivision of Meru District, NoM, 859

Thanks for the Presidential Address, 208

**Motion, Adjournment—**

Adjournment of the House: To a Day other than the next normal Sitting Day, 1038-1040

**Point of Order—**

Conflict in the Chamber—Rulings on, 358, 359

**Questions—**

Approved School for Meru (103), 878, 879

Driving Tests at Embu, 1964-65, 872

Electric Generators for Coffee Factories (2320)\* (WR), 864

Information Officer for Meru (109), 951-952

Kaguru Farmers' Institute in Meru (106), 872, 873

Meru K.P.E. Pupils, 1965 (108) (WR), 1059

More Probation Officers for Meru (102), 798, 799

Obuololo Intermediate School, 207

Potato Factory for Bomet, 32

Secretarial Posts at State House, 197

Security Forces for North-East and Eastern Provinces, 866, 868

Social Workers in Meru (101), 796

Trained Teachers for Adult Education, 945-946

\* Outstanding from Previous Session

**Mati, F. M. G.—**

(Member for Kitui North)

*Administration of Oath, 21*

**Mbai, P. N.—**

(Member for Kitui South)

**Mbogoh, G. J.—**

(Member for Embu North)

*Administration of Oath, 21*

**Considered Ruling—**

Member wishing to pursue matter on an Adjournment (as a result of an Unsatisfactory Reply to a Question), 720

**Motions—**

Africanization: Dismissal of Civil Servants, NoM, 489-490

Amendment to Land Registration (Special Areas) Act, 154, 182, 189, 190

Amendment to Standing Order 23: Government Business, 894

Amendment to Standing Order 30: Notices of Motion, 898-899, 900

Amendment to Standing Order 168A: Seating in the Chamber, 921, 929-932

Appointment of the Sessional Committee, 102, 125

Development of Agriculture: Meru, Embu and Machakos Districts, NoM, 419

Employment Policy, NoM, 489

Exemption from Standing Orders: Presidential Address, 138

Free Primary Education, NoM, 65, 737-742, 759-762

Limitation of Debate: Motions for the Adjournment to a Day other than the next normal Sitting Day, 429-430, 431-432

Limitation of Debate: Presidential Address, 51, 54

Limitation of Debate: Private Member's Motion, 423

Names of Subversive People to be Made Public, NoM, 66, 985-991

Reorganization of the Public Service Commission, NoM, 647

Special Force for Rhodesia, NoM, 866

Thanks for the Presidential Address, 240-245

**Motions, Adjournment—**

Employment through Embu Labour Office (Question No. 115), NoM, 949

Respect for National Assembly Members (Question No. 39), NoM, 491

**Point of Order—**

Seniority of Ministers and Seating on the Front Bench, 20

**Questions—**

Africanization: Branch Manager, East Africa Cargo Handling Service, 723-724

Better Pay for Chiefs (28) (on behalf of Mr. Kamuren), 35

Critical Speech on Member, 83

Detention of Kenyans in Foreign Countries, 865

Driving Tests at Embu, 1964-65 (113), 871-872

Electoral Commission and Constituency Boundaries, 579

Employment through Embu Labour Office (115), 948, 949

Export of Tobacco by Kenya (97), 793

Free Primary Education—Standards III-III, 568

Government Help for Payment of School Fees, 249

"High-Level" Manpower Training, 718-719

Information Officer for Meru, 952

More Probation Officers for Meru, 799

Obuololo Intermediate School, 207

Public Meetings in Nyeri and Secretary-General of Kanu, 783

Recruitment of Personnel for the National Assembly (114), 946, 947, 948

Respect for National Assembly Members, 491

Road Construction in Laikipia, 33-34

Students who went to Russia, 38

Tobacco Company's Direction of Planting, Grading, etc. (97a), 794

**Mboya, T. J.—**

(Member for Nairobi Central)

(See also under Economic Planning and Development, The Minister for)

**McKenzie, Colonel B. R., D.S.O., D.F.C.—**

(Specially Elected Member)

(See also under Agriculture and Animal Husbandry, The Minister for)

**Ministerial Statements—**

Judicial Commission of Inquiry into Mau Mau Position, 421-422

National Freedom from Hunger Campaign, 728-730

Publication of Report and Bill on the Dairy Industry, 510-514

World Record for Kenya Runner, 510

**Mohamed, J.—**

(Specially Elected Member)

(See also Natural Resources and Wildlife, The Assistant Minister for)

**Moi, D. T. arap—**

(Member for Baringo North)

(See also under Home Affairs, The Minister for)

**Moss, D. C. N.—**

(Member for Mount Elgon)

(See also under Health and Housing, The Assistant Minister for)

**Motions—Debated—**

Adjournment of Debate (Appointment of the Sessional Committee) (Mr. Anyieni), 114-118

Adjournment of Debate (Land Registration) (Special Areas Act) (The Assistant Minister for Lands and Settlement), 157-173

Adjournment of Debate (The Rent Restriction (Amendment) Bill) (The Assistant Minister for Education), 842-843

Amendment to the Land Registration (Special Areas) Act (Mr. Kamau), NoM, 24-25, 138-190

Amendment to Standing Order 23: Government Business (The Vice-President), NoM, 778, 891-894

Amendment to Standing Order 30: Notices of Motion (The Vice-President), NoM, 778, 895-916

Amendment to Standing Order 168A: Seating in the Chamber (The Vice-President), NoM, 778, 918-918

Appointment of the Sessional Committee (The Vice-President), NoM, 24, 88-132

Exemption from Standing Orders: Extension of Time for Debate (The Assistant Minister for Agriculture and Animal Husbandry), 104-104

Exemption from Standing Orders: The Presidential Address (The Vice-President), 136-138

Free Primary Education (Mr. Mbogoh), NoM, 65, 737-762

Limitation of Debate: Motions for the Adjournment to a Day other than the next normal Sitting Day (The Vice-President), 425-433

Limitation of Debate: Presidential Address Debate (The Vice-President), 44-61

Limitation of Debate: Private Members' Motions (The Vice-President), 422-425

Names of Subversive People to be Made Public (Mr. Mbogoh), NoM, 66, 985-1007

Railway from Kowoa to Homa Bay (Mr. arap Sou), NoM, 66, 762-776, 973-984

Sessional Paper No. 1 of 1965/66: Amendments to Standing Orders (The Vice-President), NoM, 778 (for Debate see under the three separate Motions for the amendment of Standing Orders)

Speakers' Committee: Establishment of (The Vice-President), NoM, 778, 885-890

Thanks for the Presidential Address (The Vice-President), NoM, 24, 212-260, 278-342, 354-403, 516-533

Water Facilities for Masai (Mr. ole Tiro), NoM, 65, 434-451, 730-737

**Motions—Notices Given—Not Debated—**

**Outstanding—**

Absorption of Meru Landless and Unemployed People (Mr. Mate), NoM, 194

African Agencies for Purchase and Sale of Staple Foods (Mr. Kamau), NoM, 195

Africanization: Dismissal of Civil Servants (Mr. Mbogoh), NoM, 489-490

Appointment of Chiefs and Dismissal of Civil Servants (Mr. Kasei), NoM, 779

Assistance to Welfare for Care of Widows and Children (Mr. Mate), NoM, 194

Boundary Alterations: Rift Valley Western Provinces (Mr. Barasa), NoM, 647-648

Changes in the Land Settlement Policy (Mr. Godia), NoM, 275-276

Commission of Inquiry: Kirinyaga County Council (Mr. Gichoya), NoM, 333-354

Computory Free Primary Education (Mr. Godia), NoM, 193

Denial of Business and Employment Opportunities to Non-Africans (Mr. Godia), NoM, 353

Development of Agriculture: Meru, Embu and Machakos Districts (Mr. Mbogoh), NoM, 419

Development Priorities for Coast Province (Mr. Luvu), NoM, 276

Disbanding of Kenya National Cadet Services (Mr. Mbogoh), NoM, 86

Division of Central Nyanza District (Mr. Gichoya), NoM, 799

Employment Policy: Meru, Embu and Eastern Provinces (Mr. Mbogoh), NoM, 489

Employment of Mau Mau in Kenya Army and Police (Mr. Kamau), NoM, 154

Erection of Independent Members: The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osoyo), NoM, 859

Establishment of Constituency Development Fund (The Assistant Minister for Agriculture and Animal Husbandry, Mr. Osoyo), NoM, 859-861

Free Primary Education: Standards III-III (Mr. Nguni Aboki), NoM, 867

**Questions—**

- Automatic Telephone Exchange for Kisumu Post Office (99) (on behalf of the Minister for Works, Communications and Power), 796
- Bridges and Dams on Kipsonoi Settlement Scheme (22), 210-21
- Composition of Local Selection Committee for Kericho Settlement Scheme (56), 588, 589, 590
- Grace Period for Farm Loans' Repayment (78), 874-875
- Plans for Landless People (92), 797-798
- Settlement of Africans on Former European Farms (8), 84, 85, 86

**Legal Notices—**

Legal Notice No.	Title	Date Published in Gazette
256	The Canning Crops Act (Second Schedule) (Amendment) Order, 1965, 566	28-9-65

**Limitation of Debate—****Motions—**

- Motions for the Adjournment to a Day other than the next normal Sitting Day, 425-433
- Presidential Address Debate, 44-61
- Private Members' Motions, 422-425

**Points of Order—**

- Limitation of Debate and Closure of, 111, 112
- Ruling on, 890-891

**Local Government—****(1) The Minister for Local Government**

(The Hon. I. G. Sagin)

Administration of Oath, 21

**Questions—**

- Development for Rift Valley (59) (on behalf of the Minister for Economic Planning and Development), 724-726, 727
- Graduated Personal Tax by Government Servants: Distribution of (93), 640, 661
- Patients at Local Government Hospitals in Muranga (4), 25-26-27

**(2) The Assistant Minister for Local Government**

(The Hon. K. K. Njiri)

Administration of Oath, 65

**Motion—**

- Exemption from Standing Orders: Presidential Address Debate, 137

**Lorema, J. P.—**

(Member for West Pokot)

Administration of Oath, 21

**Motions—**

- Thanks for Presidential Address, 393-397
- Water Facilities for Masai, 443-445, 448

**Motion, Adjournment—**

- Fencing by European Farmers in Trans Nzoia (Question No. 117), NoM, 961

**Point of Order—**

- Asking Question in Member's Absence, 42

**Questions—**

- Fencing by European Farmers in Trans Nzoia (117), 959
- Foreigners Deported by the Kenya Government (20), 203-204, 205
- Kadu Signs on Buildings (46), 592
- Maize Quota for West Pokot (16), 87
- No Pokot Employed by the National Assembly (118), 958
- Opening of Kapkanyar Forest (17), 86
- Rehabilitation of Ex-convicts, 670
- Report on the Kara-Pokot (47), 568, 569
- Scholarship Board Representation in Rift Valley Province (29) (on behalf of Mr. Kamuren), 42, 41
- Tourists for Kaimosi, Kakamega, etc., 954

**Maisori-Itumbo, B. C.—**

(Member for Kuria)

Administration of Oath, 21

**Bill—**

- Irrigation Bill, 614

**Motions—**

- Appointment of the Sessional Committee, 103-104
- Limitation of Debate: Private Members' Motions, 424
- Thanks for the Presidential Address, 311, 389-391

**Motion, Adjournment—**

- Adjournment of the House: To a Day other than the next normal Sitting Day, 458-460

Registration of Taranganya Harambee Secondary School (Question No. 38), NoM, 497

**Point of Order—**

- Quorum: Whips, 344

**Questions—**

- Electoral Commission and Constituency Boundaries, 579
- Registration of Taranganya Harambee Secondary School (38), 495, 496
- Respect for National Assembly Members (39), 490
- Question by Private Notice—
- Kenya Government Stand on O.A.U. Resolutions on Rhodesia, 963

**Makokha, C. C.—**

(Member for Elgon South-West)

Administration of Oath, 21

**Motions—**

- Amendment to Land Registration (Special Areas) Act, 154-157
- Free Primary Education, 751-753

**Motion, Adjournment—**

- Adjournment of the House: To a Day other than the next normal Sitting Day, 476-478

Maize Distribution, NoM, 136, 260-265, 269

Safeguarding K.P.E. Papers, 853-854

**Point of Order—**

- Substantiation of Allegations, 480

**Questions—**

- Critical Speech on Member, 83
- Electoral Commission and Constituency Boundaries, 579

**Makone, O.—**

(Member for Kitutu East)

Administration of Oath, 21

**Motion—**

- Appointment of the Sessional Committee, 109

**Motion, Adjournment—**

- Adjournment of the House: To a Day other than the next normal Sitting Day, 481

Adjournment of the House: To a Day other than the next normal Sitting Day, 1031-1032

Bridges and Dams on Kipsonoi Settlement Scheme (Question No. 22), NoM, 212

**Question—**

- Grace Period for Farm Loans' Repayment (78), 873

**Malinda, T. N.—**

(Specially Elected Member)

Administration of Oath, 22

**Bills**

- Copyright Bill, 811
- Eviction of Tenants (Control) (Mombasa) (Amendment) Bill, 846-847
- Irrigation Bill, 681-687, 806

**Motion—**

- Adjournment of Debate: Amendment to Land Registration (Special Areas) Act, 167, 169-170

Adjournment of Debate: Appointment of Sessional Committee, 117

Amendment to Standing Order 23: Government Business, 894

Amendment to Standing Order 30: Notices of Motion, 909-911

Appointment of the Sessional Committee, 95, 104-105, 118-121

Free Primary Education, 749-751

Judicial Inquiry into Maize Situation, NoM, 275

Limitation of Debate: Motions for the Adjournment to a Day other than the next normal Sitting Day, 428, 430, 431

Limitation of Debate: Presidential Address, 57-58

Thanks for the Presidential Address, 298

Water Facilities for Masai, 459

**Motion, Adjournment—**

- Adjournment of the House: To consider Presidential Address, 62

Adjournment of the House: To a Day other than the next normal Sitting Day, 482-483

Adjournment of the House: To a Day other than the next normal Sitting Day, 1037-1038

Organization for African Unity and Rhodesia (under S.O. 14), 709-710

Safeguarding K.P.E. Papers, 857-858

**Points of Order—**

- Administration of Oath—Name wrongly spelt, 23
- Choice of Speakers, 903

**Questions—**

- By-Election: Kikauini/Likoni/Mtongwe, 651
- County Council Hostel at Machakos, 722
- Water Development in Machakos District, 876

Quorum, 682

**Malu, W. M. K.—**

(Member for Machakos West)

Administration of Oath, 21

**Masinde, J. W.—**

(Member for Lurambi)

Administration of Oath, 65

**Bills—**

- Board of Adult Education Bill, 828-822
- Eviction of Tenants (Control) (Mombasa) (Amendment) Bill, 844-846

Irrigation Bill, 629-626, 701

Rent Restriction (Amendment) Bill, 844-847

**Motion—**

- Amendment to Standing Order 30: Notices of Motion, 905-908, 910

Amendment to Standing Order 168a: Seating in the Chamber, 929

Appointment of the Sessional Committee, 106

Free Primary Education, 742-746

Thanks for the Presidential Address, 355, 359, 378, 401-403, 518-519, 551

**Motion, Adjournment—**

- Adjournment of the House: To a Day other than the next normal Sitting Day, 481, 483-486

Adjournment of the House: To a Day other than the next normal Sitting Day, 1034-1035

Check on the Rise in Prices (Question No. 16), NoM, 72, 656-659

Composition of Local Selection Committee for Kericho Settlement Scheme (Question No. 50), NoM, 590

Graduated Personal Tax by Government Servants: Distribution of (Question No. 93), NoM, 661

Kenya Government Stand on O.A.U. Resolution on Rhodesia (Question by Private Notice), NoM, 967

New Secondary Schools since Independence (Question No. 41), NoM, 499

**Points of Order—**

- Catching the Speaker's Eye, 364

When House Considers Speaker's Failure to be Wrong —Ruling, 968

**Questions—**

- Approved School for Meru, 879
- Boundary Committee for Western, Nyanza Provinces, 956, 957

Check on Rise in Prices, 71

Composition of Local Selection Committee for Kericho Settlement Schemes, 589

Detention of Wanjuu Mungu, 787-788

Employment of K.P.E. School-leavers, 689

Grace Period for Farm Loans' Repayment, 874

Graduated Personal Tax by Public Servants, Distribution of, 661

New Secondary Schools since Independence, 497, 498

Registration of Unemployed, 950

**Kerre, G. H.—**

(Member for Elgon-Central—until 7-12-65—when died)  
(See Communication from the Chair on death of the Hon. G. H. Kerre, 777)

*Administration of Oath.* 21

**Motion—**

Adjournment of Debate: Amendment to Land Registration (Special Areas) Act, 157

**Khalif, A. S.—**

(Member for Wajir North)

*Administration of Oath.* 21

**Bill—**

Irrigation Bill, 687-688

**Motions—**

Amendment to Standing Order 23: Government Business, 892-894

Amendment to Standing Order 30: Notices of Motion, 905

Amendment to Standing Order 168A: Seating in the Chamber, 930

Appointment of the Sessional Committee, 102

Limitation of Debate: Presidential Address, 46-47

Selection Committee for National Youth Service: Government Appointments, NoM, 194-195

Self-determination for Kashmir People, NoM, 779

Speakers' Committee: Establishment of, 888, 889  
Thanks for the Presidential Address, 237, 255-260, 279, 280

**Motions. Adjournment**

Adjournment of the House: To consider: Presidential Address, 61, 62

Adjournment of the House: To a Day other than the next normal Sitting Day, 472-473

Kenya Government Spokesman, 935

Kenya Government Stand on O.A.U. Resolutions on Rhodesia (Question by Private Notice), NoM, 967

North-Eastern Province Representation on Public Service Commission (Question No. 77), NoM, 630

Recruitment of Somalis for Security Forces (Question No. 103a), NoM, 790

**Personal Statement—**

Substantiation of Allegations, 160

**Points of Order—**

At what Stage a Bill may be amended, 670

Matters which may be raised under S.O.14—Ruling, 961

Standing Orders on Rules of Debate (Closure), 127

**Questions—**

Detention of Wanjohi Mungau, 787

Foreigners Deported by the Kenya Government, 205

Information Officer for Meru, 952

Landlord and Tenant Act, 1965, 28-29

Measures to stop Stock Raids in Western Kenya, 505

Mr. E. W. Mathu's Post, 197

Names of those undermining Government's Authority, 383

North-Eastern Province Representation on Public Service Commission, 630

No Pokot Employed by National Assembly, 959

Recruitment of Somalis for Security Forces (105a), 788, 789, 790

Registration of Unemployed, 950-951

Security Forces for North-East and Eastern Provinces, 866, 867

**Khasakhala, E. E.—**

(Member for Emukhaya)

*Administration of Oath.* 21

**Motions—**

Adjournment of Debate: Appointment of the Sessional Committee, 114

Amendment to Standing Order 30: Notices of Motion, 897-898, 906, 907

Appointment of the Sessional Committee, 80, 95, 127-128

Limitation of Debate: Motions for the Adjournment to a Day other than the next normal Sitting Day, 426, 429

Speakers' Committee: Establishment of, 888, 889  
Thanks for the Presidential Address, 278-280

**Motions. Adjournment—**

Adjournment of the House: To a day other than the next normal Sitting Day, 1010

Government Help in Payment of School Fees (Question No. 25), NoM, 210

**Questions—**

Kenya Government Spokesman, 492

New Secondary Schools since Independence, 499

**Kiamba, D. I.—**

(Member for Machakos Central)

*Administration of Oath.* 21

**Kiano, Dr. J. K.—**

(Member for Kangema)

(See also under Commerce and Industry, The Minister for)

**Kibaki, M.—**

(Member for Nairobi-Doonholm)

(See also under Economic Planning and Development, The Assistant Minister for)

**Kibuga, J. N.—**

(Member for Ndia)

*Administration of Oath.* 21

**Motions—**

Amendment to Land Registration (Special Areas) Act, 148-151

Appointment of the Sessional Committee, 98, 114

Exemption from Standing Order: Presidential Address, 138

Limitation of Debate: Motions for the Adjournment to a Day other than the next normal Sitting Day, 432

Limitation of Debate, Presidential Address, 55, 56

Thanks for the Presidential Address, 232-237, 297, 298

**Motions. Adjournment—**

Adjournment of the House: To a Day other than the next normal Sitting Day, 1035-1037

Check on the Rise in Prices, 639-640, 645

Maize Distribution, 263, 268

**Points of Order—**

Matters suitable for Adjournment Debates, 652

Misreporting of Speeches—Action, 278

**Questions—**

By-election: Kisauni/Likoni/Mtongwe, 651

Patients at Local Government Hospitals in Muranga, 26

**Kioko, S. M.—**

(Member for Machakos East)

*Administration of Oath.* 21

**Kiprotich, C.—**

(Member for Kericho East)

*Administration of Oath.* 21

**Motions. Adjournment—**

Organization of African Unity and Rhodesia (under S.O. 14), 708, 711, 712, 713-715

Tripartite Agreement: Results (Question No. 71 (a)), NoM, 665, 666

**Question—**

North-Eastern Province Representation on Public Service Commission, 649

**Koinange, M.—**

(Member for Kiambaa)

(See also under Education, The Minister for)

**Komor, J. G.—**

(Specially Elected Member)

*Administration of Oath.* 22

**Motions—**

Appointment of the Sessional Committee, 128-129

Thanks for the Presidential Address, 307, 363-372

**Motion. Adjournment—**

Organization for African Unity and Rhodesia (under S.O. 14), NoM, 635

**Questions—**

Charges at Aga Khan and Pandya Clinics, Mombasa, 658

Overseas Markets for Coconuts and Copra, 954

Recruitment of Personnel for the National Assembly, 947

Students who went to Russia, 37

**Konchellah, J. L. N. ole—**

(Member for Narok-West)

(See also under Education, The Assistant Minister for)

**Kubai, F. P. K.—**

(Member for Nakuru East)

(See also under Labour and Social Services, The Assistant Minister for)

**Labour and Social Services—****(1) The Minister for Labour and Social Services**

(The Hon. E. N. Mwendwa)

*Administration of Oath.* 22

**Motion—**

Thanks for the Presidential Address, 310-314

**Questions—**

Child Welfare Centres in Country (76a) (WR), 1058

Employment of K.P.E. School-leavers (72a), 667-668

Kaguru Farmers' Institute in Meru (106), 872-873

Kenya Asian Citizens in National Youth Services (71) (WR), 1056

Projects for School-leavers since 1960 (121) (WR), 1059-1060

Tripartite Agreement: Results (71a), 663-664, 665

Working Hours for Dock Workers (72) (WR), 1056-1057

**(2) The Assistant Minister for Labour and Social Services**

(The Hon. F. P. K. Kubai)

*Administration of Oath.* 193

**Ministerial Statement—**

World Record for Kenya Runner, 10

**Motion—**

Thanks for the Presidential Address, 533-535

**Question—**

Hand-over of Nursery School and Nursery Teacher Training (3), 500, 501

**(3) The Assistant Minister for Labour and Social Services**

(The Hon. J. Odero-Jowh)

*Administration of Oath.* 22

**Motion—**

Resignation of K. J. ... (See also under ...)

**Motion. Adjournment—**

Adjournment of the House: To a Day other than the next normal Sitting Day, 1021-1023

**Questions—**

Employment through Eldu Labour Office (115), 948

Recruitment of Personnel for the National Assembly (112), 946, 947-948

Registration of Unemployed (122), 949-950, 951

Scholarships Board Representation in Rift Valley Province (29), 43

Social Workers in Meru (101), 796, 797

Unofficial Strikes (15), 80

**Lands and Settlement—****(1) The Minister for Lands and Settlement**

(The Hon. J. H. Angaine)

**(2) The Assistant Minister for Lands and Settlement**

(The Hon. J. M. Gachago)

*Administration of Oath.* 65

**Motions—**

Adjournment of Debate: Amendments to Land Registration (Special Areas) Act, 187-190, 167

Amendment to Land Registration (Special Areas) Act, 174

Appointment of Sessional Committee, 100, 104, 124, 125

**Points of Order—**

Assistant Minister giving Notices of Motion, 862

What constitutes an "Unsatisfactory Reply" to a Question, 86

- Bill—**  
Board of Adult Education Bill, 824-825
- Considered Ruling—**  
Conduct in the Chamber: Strangers with Cameras, 395
- Motion—**  
Thanks for the Presidential Address, 364-367
- Motions for the Adjournment—**  
Adjournment of the House: To a Day other than the next normal Sitting Day, 457-458  
Adjournment of the House To a Day other than the next normal Sitting Day, 1027-1028
- Point of Order—**  
Lengthy Notice of Motion, 882
- Questions—**  
Ceiling on Individual Land Ownership, 203  
Mr. E. W. Mathu's Post, 198  
Overseas Markets for Coconuts and Copra, 954
- Jamal, A. H.—**  
(Member for Kisumu Town)  
Administration of Oath, 273
- Point of Order—**  
Anticipation and Continuation of Debate, 885
- Questions—**  
Automatic Telephone Exchange for Kisumu Post Office, (99), 295, 296  
Improvement to Kisumu Airport (100) 870, 871  
"Made in Kenya" Mark for Local Manufacture (98) 705
- Question by Private Notice—**  
Kenya Government Stand on O.A.U. Resolutions on Rhodesia, 966
- Jubat, M.—**  
(Member for Garissa South)  
Administration of Oath, 21
- Kaggia, B. M.—**  
(Member for Kandara)  
Administration of Oath, 21
- Motion—**  
Free Primary Education, 746-749
- Motions, Adjournment—**  
Adjournment of the House: To a Day other than the next normal Sitting Day, 1023-1025  
Ceiling on individual Land Ownership, (Question No. 7), NoM 203
- Questions—**  
Ceiling on individual Land Ownership, (7),-199, 200, 202  
Landlord and Tenant Act, 1965, (5), 27, 28  
Nationalization of Lotteries and Gambling Pools, (6), 78, 79  
Patients at Local Government Hospitals in Murang'a (4), 25, 26, 27  
Political Participation by Government Servants, 68-69  
Public Meetings in Nyeri and Secretary-General of Kanu, 782, 783
- Respect for National Assembly Members, 490**  
Settlement of Africans on Former European Farms, (8), 84, 85
- Kali, J. D.—**  
(Member for Nairobi East)  
Administration of Oath, 21
- Bill—**  
Irrigation Bill, 626-629
- Ministerial Statement—**  
Publication of Report on Dairy Industry, 511
- Motion—**  
Thanks for the Presidential Address, 216, 519-523
- Motions, Adjournment—**  
Adjournment of the House (under S.O. 31 (6)) To await Cabinet Decision on Rhodesia, 971-972  
Kenya Government Spokesman, 942  
O.A.U. and Rhodesia, (under S.O. 14), NoM 654 703-705
- Point of Order—**  
Air Conditioning in the Chamber, 916
- Questions—**  
Africanization: Branch Manager, East African Cargo Handling Service, 724  
Ceiling on Individual Land Ownership, 202  
Names of those undermining Government's Authority, 583  
Suspension of Classes at Kenyatta College, (96) 701  
Tourists for Kaimosi, Kakamega, etc., 953-954
- Questions by Private Notice—**  
Kenya Government Stand on O.A.U. Resolutions on Rhodesia, 963, 965  
Statement by Vice-President during Coast Visit, 882
- Kamau, W.—**  
(Member for Githunguri)  
Administration of Oath, 21
- Ministerial Statement—**  
Publication of Report and Bill on Dairy Industry, 511
- Motions—**  
Adjournment of Debate: Amendment to Land Registration (Special Areas) Act, 165  
African Agencies for Purchase and Sale of Staple Foods, NoM 195  
Amendment to Land Registration (Special Areas) Act, NoM 24-25, 138-144, 153, 154, 155, 187-190  
Appointment of the Sessional Committee, 105-106  
Government Assistance for Education of Orphan, NoM 195  
Names of Subversive People to be made Public, 1003-1004  
Thanks for the Presidential Address, 388  
Water Facilities for Masai, 449-450, 451
- Motion, Adjournment—**  
Adjournment of the House: To a Day other than the next normal Sitting Day, 455-455

- Points of Order—**  
Administration of Oath 274  
Conduct of the President, 401  
Fraudulent Points of Order—ruling, 514  
Senility of Ministers and seating on the Front Bench, 19
- Questions—**  
Persons shot by White Farmers in Laikipia, 73  
Supervisory Team for National and Harambee Schools, 657
- Question by Private Notice—**  
Kenya Government Stand on O.A.U. Resolutions on Rhodesia, 965
- Kamuren, W. R. arap—**  
(Member for Baringo South)  
Administration of Oath, 65
- Bill—**  
Irrigation Bill, 600, 629-632, 678
- Motion—**  
Adjournment of Debate: Amendment to Land Registration (Special Areas) Act, 165, 166, 167-168  
Thanks for the Presidential Address, 545-549  
Water Facilities for Masai, 449
- Points of Order—**  
Seating on the Front Benches, 944  
When Notice of Motion for the Adjournment may be raised, 686
- Questions—**  
Better Pay for Chiefs, (28) (WR), 63-64  
Boundary Committee for Western/Nyanza Provinces, 956  
Death of Cattle in Mukogondo Reserve, 76  
Detention of Kenyans in Foreign Countries, 865  
Grace Period for Farm Loans' Repayment, 874  
Names of those undermining Government's Authority, 583  
New Secondary Schools since Independence, 498  
Recruitment of Personnel for the National Assembly, 948  
Registration of Taranganya Harambee Secondary School, 496  
Rehabilitation of Ex-Convicts, 669
- Kariki, G. G.—**  
(Member for Laikipia-Nanyuki)  
Administration of Oath, 21
- Motion—**  
Adjournment of Debate: Appointment of the Sessional Committee, 117
- Motion, Adjournment—**  
Adjournment of the House: To a Day other than the next normal Sitting Day, 1016-1017
- Point of Order**  
Noise and Interruptions, 924
- Questions—**  
Death of Cattle in Mukogondo Reserve, (10), 75  
Persons Shot by White Farmers in Laikipia, (9), 73  
Road Construction in Laikipia, (11), 32
- Karinki, J. M.—**  
(Member for Aberdare)  
Administration of Oath, 65
- Bill—**  
Board of Adult Education Bill, 825-826
- Motions—**  
Adjournment of Debate: Amendment to Land Registration (Special Areas) Act, 168-169  
Amendment to Land Registration (Special Areas) Act, 182-184  
Amendment to Standing Order 30: Notices of Motion, 908  
Amendment to Standing Order 168A: Seating in the Chamber, 921  
Appointment of Sessional Committee, 121-124  
Limitation of Debate: Presidential Address, 58-59  
Thanks for the Presidential Address, 313, 320-325
- Motion, Adjournment—**  
Adjournment of the House: To a Day other than the next normal Sitting Day, 468-470
- Question—**  
Check on the Rise in Prices, 70
- Kase, J. Z.—**  
(Member for Tana River)  
Administration of Oath, 563
- Bill—**  
Irrigation Bill, 606-612
- Motion—**  
Appointment of Chiefs and Deputies of Civil Servants, NoM, 779
- Motions, Adjournment—**  
Adjournment of the House (under 31 (6)): To await Cabinet Decision on Rhodesia, 970-971  
Adjournment of the House: To a Day other than the next normal Sitting Day, 1014-1016
- Points of Order—**  
Member may move Motion for the Adjournment any time, 969  
When House considers Speaker's Ruling to be wrong—ruling, 968
- Kenyan, J.—**  
(Member for Thika-Githundu)  
(See also under President, The)
- Kerich, A. K. arap—**  
(Member for Belgut)  
Administration of Oath, 21
- Motion—**  
Appointment of the Sessional Committee, 100  
Legislation on Uplift of the Poor, NoM, 566  
Thanks for the Presidential Address, 357
- Point of Order—**  
Mistaken Identity, 882
- Questions—**  
Destruction of Obsolete Canned Food, 870  
Detention of Kenyans in Foreign Countries, 864-865  
Employment through Embu Labour Office, 349  
Fencing by European Farmers in Trans Nziya, 960  
North-Eastern Province Representation on Public Service Commission, 649

**Godana, G.—**

(Member for Marsabit-Moyale)  
(See also under Works, Communications and Power,  
The Assistant Minister for)

**Godin, I. C. S.—**

(Member for Hamisi)  
*Administration of Oath.* 21

**Motions—**

Appointment of the Sessional Committee, 107  
Changes in Land Settlement Policy, NoM 275-276  
Compulsory Free Primary Education, NoM 193  
Increased Penalties for Theft, NoM 353  
Land Price Negotiations with British Government,  
NoM 276  
Lamination of Debate: Presidential Address, 5051  
Non-Africans to be denied Business and Employ-  
ment Opportunities, NoM 353  
Overhaul of Ministry of Education, NoM 194  
Thanks for the Presidential Address, 216-220

**Motions, Adjournment—**

Adjournment of the House: To a Day other than  
the next normal Sitting Day, 1028-1030  
Secondary Schools for Poor Areas (Question No. 24),  
NoM 42, 136, 342-346.  
Settlement of Africans on Former European Farms  
(Question No. 8), NoM 86

**Questions—**

Death of Cattle in Mukogondo Reserve, 76  
Projects for School-leavers since 1960 (121) (WR),  
1059  
Registration of Unemployed (122), 949-950  
Secondary Schools for Poor Areas (24) (on behalf of  
Mr. Oculu-Nyalyick), 39  
Tourists for Kaimosi, Kakamega, etc., (134), 952,  
953  
Trained Teachers for Adult Education, 946

**Health and Housing—****(1) The Minister for Health and Housing**

(The Hon. J. O. Oluende)  
*Administration of Oath.* 21

**Bills—**

Eviction of Tenants (Control) (Mombasa) (Amend-  
ment) Bill, 843  
Rent Restriction (Amendment) Bill, 830-832

**Considered Rulings—**

Bills Passed in Previous Session, 830

**Motion, Adjournment—**

Adjournment of the House: To a Day other than  
the next normal Sitting Day, 485-488

**Question—**

Destruction of Obsolete Canned Food (111), 869, 870

**(2) The Assistant Minister for Health and Housing**

(The Hon. D. C. N. Moses)  
*Administration of Oath.* 22

**Bill—**

Irrigation Bill, 692

**Motion—**

Appointment of the Sessional Committee, 96

**Questions—**

Charges at Pandya and Aga Khan Clinics, Mombasa,  
(65), 657, 658  
County Council Hostel at Machakos (88), 722  
Improvement of Coast General Hospital, (66), 721  
Mosquito Clearance: Victoria Gulf, (80), 659-660

**Home Affairs—****(1) The Minister for Home Affairs**

(The Hon. D. T. arap Moi)  
*Administration of Oath.* 65

**Motions—**

Appointment of the Sessional Committee, 93, 94, 100,  
101, 105, 108  
Thanks for the Presidential Address, 340  
**Motion, Adjournment—**  
Adjournment of the House: To a Day other than  
the next normal Sitting Day, 462, 464-465

**Point of Order—**

Addressing the Deputy Speaker, 607

**Questions—**

Approved School for Meru (103), 878, 879  
Rehabilitation of Ex-Convicts, (51), 668-669, 670

**(2) The Assistant Minister for Home Affairs**

(The Hon. J. J. M. Nyagah)  
*Administration of Oath.* 22

**Bill—**

Board of Adult Education Bill, 822-823

**Motions—**

Adjournment of Debate: Amendment to Land  
Registration (Special Areas) Act, 160-162  
Amendment to Standing Order 30: Notices of  
Motion, 903-905  
Limitation of Debate: Presidential Address, 59  
Thanks for the Presidential Address, 251-255

**Motion, Adjournment—**

Adjournment of the House: To a Day other than  
the next normal Sitting Day, 1020-1021

**Questions—**

Check on the Rise in Prices, 72  
More Probation Officers for Meru, (102), 798, 799  
Nationalization of Lotteries and Gambling Pools, (69)  
78-79

**Information, Broadcasting and Tourism—****(1) The Minister for Information, Broadcasting and Tourism**

(The Hon. R. Acheng-Oreko)  
*Administration of Oath.* 21

**Bill—**

Copyright Bill, 807-810, 816-817

**Motions—**

Amendment to Standing Order 30: Notices of  
Motion, 910-911  
Amendment to Standing Order 168A: Seating in the  
Chamber, 928

**Speakers' Committee: Establishment of, 887-888**

Thanks for the Presidential Address, 215-216, 280,  
375

**Motion, Adjournment—**

Safeguarding K.P.E. Papers, 852

**Point of Order—**

Seating in the Chamber, 18

**Questions—**

Critical Speech on Member, 80-81, 82  
Information Officer for Meru (109), 951, 952  
Tourists for Kaimosi, Kakamega, etc. (134), 952-953,  
954

**(2) The Assistant Minister for Information, Broadcasting and Tourism**

(The Hon. J. Njeru)

*Administration of Oath.* 22

**(3) The Assistant Minister for Information, Broadcasting and Tourism**

(The Hon. H. J. Onamu)

*Administration of Oath.* 22

**Point of Order—**

Conduct in the Chamber, 358

**Internal Security and Defence—****(1) The Minister for Internal Security and Defence**

(The Hon. Dr. N. Mungai)

*Administration of Oath.* 489

**Motion, Adjournment—**

Unlawful Declaration of Independence by Rhodesia,  
(under S.O. 14), 417-418

*Papers Laid.* 565, 566

**Questions—**

Accidents on the Nairobi/Naivasha Road, (54), 584  
Applications for Firearms Certificates (33), 494, 495  
Attorney-General's Office (42) (on behalf of the  
President's Office), 567, 568  
Kenya Government Spokesman, (40) (on behalf of  
the President's Office), 492-493  
Names of those undermining Government's Authority  
(43), 581-582, 583  
Pokots living near Mr. Kiroppos (44) (on behalf of  
the President's Office), 501, 502  
Report on the Kara-Pokot (47) (on behalf of the  
President's Office), 568-569, 570  
Respect for National Assembly Members (39) (on  
behalf of the President's Office), 490, 491  
Women Arrested in Eastern Division of Kitui (52),  
494, 503-504

**(2) The Assistant Minister for Internal Security and Defence**

(The Hon. C. M. G. Argwings-Kodhek)

*Administration of Oath.* 193

**Considered Rulings—**

Deferral of Question for Question by Private  
Notice, 863, 864

Questions out of order which involve the Electoral  
Commission, 373, 374

**Motion—**

Thanks for the Presidential Address, 297

**Motions, Adjournment—**

Adjournment of the House (under 318): To await  
Cabinet Decision on Rhodesia, 971  
Kenya Government Spokesman, 939-942

**Points of Order—**

Administration of Oath, 273  
Substantiation of Allegations, 785, 1030  
What Matters may be raised on an Adjournment, 883

**Questions—**

Assault on Kenya Student in U.S.A. (120), 941-944  
Boundary Committee for Western/Nyanza Provinces  
(75a), 955-956, 937  
Cases tried by Registrar of African Courts, Kitui,  
(34) (on behalf of the Attorney-General), 591-592  
Detention of Kenyans in Foreign Countries (112)  
864, 865  
Detention of Wanjohi Mungau, (95), 786, 787, 788  
Electoral Commission and Constituency Boundaries,  
(30) (on behalf of the Vice-President), 572-573,  
577, 578, 580, 581  
Foreigners deported by the Kenya Government, (20),  
204-205, 206  
Kadu Signs on Buildings, (46) (on behalf of the  
Attorney-General), 592  
Measures to stop Stock Roads in Western Kenya,  
(37), 505, 506  
Mr. I. W. Mathu's Post, (27) (on behalf of the  
President's Office), 197-198, 199  
Public Meetings in Nyeri and Secretary-General of  
Kabu (94), 781-782, 783-784  
Recruitment of Somalis for Security Forces, (105a),  
788-789, 790

Revision of Voters' Roll, North Mugirango, (35)  
(on behalf of the Vice-President), 570, 571, 572  
Secretarial Posts at State House, (26) (on behalf of  
the President's Office), 196, 197  
Security Forces for North-Eastern and Eastern Pro-  
vinces, (118), 865-866-867-868  
Special Permits to Expatriates, (75), 727-728, 779-  
780-781  
Speeding Cars on Nakuru/Nairobi Road, (45), 506,  
507  
Swahili Translation of the Laws of Kenya, (48) (on  
behalf of the Attorney-General) 592-593

**Question by Private Notice—**

Appointments in North Malakisi Location, (on  
behalf of the President's Office), 394, 393  
Kenya Government Stand on O.A.U. Resolution on  
Rhodesia, 926, 963, 964-965, 966  
Statement by Vice-President during Coast Visit, 880-  
881-882

**Ithral, S.—**

(Member for Nyambene-North)  
*Administration of Oath.* 65

**Question—**

Security Forces for North-East and Eastern Pro-  
vinces, (118), 865, 866, 868

**Jahazi, M.—**

(Specially Elected Member)  
*Administration of Oath.* 22

## Questions—

Meru K.P.E. Pupils, 1965 (108) (WR), 1059  
Scholarships for Coastal Africans, (70) (WR), 1055-1056

## (2) The Assistant Minister for Education

(The Hon. J. L. N. ole Konchellah)  
*Administration of Oath*, 647

## Motion—

Thanks for the Presidential Address, 376, 518

## Motion for the Adjournment—

Adjournment of the House: To a Day other than the next normal Sitting Day, 1040-1041

## Questions—

New Secondary Schools since Independence (41), 497, 498, 499

Registration of Turanganya *Harumbee* Secondary School (38), 495, 496

Supervisory Team for National and *Harumbee* Schools, (50), 655-656, 657

## (3) The Assistant Minister for Education

(The Hon. G. M. Mutiso)

*Administration of Oath*, 22

## Bills—

Board of Adult Education Bill, 817-818, 827-830  
Irrigation Bill, 668-692

## Motions—

Adjournment of Debate: Amendment to Land Registration (Special Areas) Act, 164-165

Adjournment of Debate: Rent Restriction (Amendment) Bill, 842-843

Amendment to Land Registration (Special Areas) Act, 188-189

Free Primary Education, 755-759

Thanks for the Presidential Address, 258, 281, 403

## Motions, Adjournment—

Adjournment of the House: To a Day other than the next normal Sitting Day, 1011-1012, 1013, 1024

Maize Distribution, 266-268

Safeguarding K.P.E. Papers, 848, 854-857

Secondary Schools for Poor Areas, 349-352

## Points of Order—

Conduct in the Chamber, 358

Reading of Supplementary Questions, 591

Respect for the President, 1051

## Questions—

Government Help for Payment of School Fees (25), 208, 209, 210

"High-Level" Manpower Training, (58), 717-718, 719

Obuoi Intermediate School (23), 206, 207, 208

Scholarship Bursar Representation in Rift Valley Province (29), 42, 43

Secondary Schools for Poor Areas (24), 39, 40, 41-42

Students who went to Russia (2), 36, 37, 38

Suspension of Classes at Kenyatta College (96), 790, 791, 792

Take-over of Nursery Schools and Training Centres (3) (Unanswered), 78

Trained Teachers for Adult Education, (85), 945, 946

## (4) Paper Laid

Kenya Education Commission Report, Part II, 23

## Ekitella, G. K.—

(Member for Turkana South)

*Administration of Oath*, 22

## Questions—

Fencing by European Farmers in Trans Nzoia, 960

Landlord and Tenant Act, 1965, 28

Maize Quota for West Pokot, 87

Rehabilitation of Ex-Convicts, 670

## Exemption from Standing Orders—

*Communication from the Chair—*

Motion for Exemption from Standing Orders—  
Ruling, 136

## Motions—

Extension of Time for Adjournment Debate, 1043-1044

The Presidential Address, 136-138

## External Affairs—

## (1) The Minister for External Affairs

(The Hon. J. A. Murumbi)

*Administration of Oath*, 65

## Motion, Adjournment—

Unilateral Declaration of Independence by Rhodesia (under S.O. 14), 405-407 (Note: Name same incorrectly at top of Column 407)

## (2) The Assistant Minister for External Affairs

(The Hon. R. S. Matano)

*Administration of Oath*, 21

## Motion—

Thanks for the Presidential Address, 283-287

## Motion, Adjournment—

Organization for African Unity and Rhodesia (under S.O. 14), NoM 654, 710-713

## Point of Order—

Answers to Questions in Member's Absence 25

## Question—

Kenya Contribution to Recent O.A.U. Meeting, (52), 652-653

## Finance—

## (1) The Minister for Finance

(The Hon. J. S. Gichuru)

*Administration of Oath*, 647

*Papers Laid*, 565

## (2) The Assistant Minister for Finance

(The Hon. T. Okelo-Olongo)

*Administration of Oath*, 22

## Motions, Adjournment—

Adjournment of the House: To a Day other than the next normal Sitting Day, 1032-1034

Maize Distribution, 266, 269

Organization for African Unity and Rhodesia (under S.O. 14), 706-709

## Point of Order—

Anticipation and Continuation of Debate, 834

## (3) Papers Laid

Report No. 3

Loans from the United Kingdom Government for Land Settlement Schemes, 565

Report No. 4

Loan from the United Kingdom Government for the Land Bank and the Agricultural Finance Corporation, 565

Report No. 5

Loan from the United Kingdom Government for Ol Kalou Co-operative Farming Scheme, 565

Report No. 6

International Development Association Credit No. 77  
K.E.—(Tea Road Project), 565

Report No. 7

Corrections to Report No. 1 and Report No. 2, 565

## Gachago, J. M.—

(Member for Kiharu)

(See also Lands and Settlement, The Assistant Minister for)

## Gaciatia, A. L.—

(Member for Nyambene-South)

*Administration of Oath*, 21

## Gatuguta, J. K.—

(Member for Kikuyu)

*Administration of Oath*, 21

## Motions—

Free Primary Education, 741

Water Facilities for Masai, 441-443

## Points of Order—

Copies of the Presidential Address, 25

Seniority of Ministers and Seating on the Front Bench, 19

## Questions—

Accidents on the Nairobi/Naivasha Road, (54), 853-854

Detection of Wanjohi Munguu, 787

Electoral Commission and Constituency Boundaries, 578

Kenya Contribution to recent O.A.U. Meeting, 653

Report of the Kibaki Commission on the Dairy Industry (53), 586, 587

Suspension of Classes at Kenyatta College, 791

## Gichoya, K. N.—

(Member for Gichugu)

*Administration of Oath*, 21

## Bill—

Irrigation Bill, 612-620, 803-804, 805, 806

## Motions—

Amendment to Land Registration (Special Areas) Act, 173-174, 175-182, 187, 188

Amendment to Standing Order 168A: Seating in the Chamber, 931, 932

Commission of Inquiry: Kirinyaga County Council, NoM 353-354

Exemption from Standing Orders: Extension of Time for Adjournment Debate, 1044

Free Primary Education, 755

Limitation of Debate: Motions for the Adjournment to a Day other than the next normal Sitting Day, 426-427, 429, 430

Limitation of Debate: Presidential Address, 51-52, 56, 57

Limitation of Debate: Private Members' Motions, 423

Perfume Manufacturing Plant for Kenya, NoM 195

Thanks for the Presidential Address, 523-525

## Motions, Adjournment—

Adjournment of the House: To a Day other than the next normal Sitting Day, 463-463

Adjournment of the House: To a Day other than the next normal Sitting Day, 1008, 1041-1043, 1053

Kenya Government Spokesman, 937-938

Public Meetings in Nyeri, (94), NoM, (NA), 786

## Points of Order—

Seniority of Ministers and Seating on the Front Bench, 20

Status of President as Head of State, and of Government, 1052

## Questions—

Composition of Local Selection Committee for Kericho Settlement Scheme, 590

Electoral Commission and Constituency Boundaries, 581

Kidu Signs on Buildings, 592

New Secondary Schools since Independence, 498

North-Eastern Province Representation on Public Service Commission, 649

Opening of Kaplanyar Forest, 87

Patients at Local Government Hospitals in Muranga, 267

Public Meetings in Nyeri and Secretary-General of Kanu, 783

Secondary Schools in Poor Areas, 41

Students who went to Russia, 37

Swahili Translation of the Laws of Kenya, 593

Tripartite Agreement: Results, 664, 665

## Gichuru, J. S.—

(Member for Limuru)

(See also under Finance, The Minister for)

## Godana, E. D.—

(Member for Rendile)

*Administration of Oath*, 63

## Bill—

Irrigation Bill, 689

## Motions—

Thanks for the Presidential Address, 256-301

Water Facilities for Masai, 445-446

## Motions, Adjournment—

Adjournment of the House: To a Day other than the next normal Sitting Day, 458

Secondary Schools for Poor Areas, 348-349

## Personal Statement—

Substantiation of Allegations, 360-361

Quorum, 681, 682

Eviction of Tenants (Control) (Mombasa) (Amendment) Bill, 1R. 515, 2R. 843-847  
Irrigation Bill, 1R. 515, 2R. 595-636, 671-703, 1C. 800-807

Rent Restriction (Amendment) Bill, 1R. 515, 2R. 830-842, (DA), 842-843

Trading in Prohibited Goods Bill, 1R. 515

#### Bills—Rulings—

##### Communications from the Chair—

Assent to Bills, 489

Bills already Debated in Previous Session, 515

Senate Agreement to Bills, 22

Senate Amendment to Bill from Previous Session—  
Ruling, 135-136

##### Considered Rulings—

Bills Passed in Previous Session, 830

##### Point of Order—

At what stage a Bill may be Amended, 670-671

#### Bij, A. K. arap—

(Member for Buret)

Administration of Oath, 21

##### Motions—

Amendment to Standing Order 168A: Seating in the Chamber, 931

More Development for Kipsigis, NoM 353

##### Motions, Adjournment—

Adjournment of the House: To a Day other than the next normal Sitting Day, 453-454

Adjournment of the House: To a Day other than the next normal Sitting Day, 1013-1014

"High-Level" Manpower Training (Question No. 58), NoM 720

##### Questions—

Itec Industry in Kericho, (49), 584, 585

Composition of Local Selection Committee for Kericho Settlement Scheme, 589

Development of Rift Valley Tribes, (59), 724, 726

"High-Level" Manpower Training, (58), 717, 718  
Piped Water for Kipsigis Farmers (62) (WR), 1054, 1055

Potato Factory for Bomet, 32

Presentation of Aims and Objects of Sessional Paper No. 10 (60) (WR), 1054

Rehabilitation of Ex-Convicts, (51), 668, 669

Students who went to Russia, 38

Supervisory Teams for National and Harambee Schools, (50), 655

Swahili Translation of Laws of Kenya (48), 592, 593

Tourists for Kaimosi, Kalamaga, etc., 953

##### Quorum, 311

#### Bomett, E. K. K. arap—

(Specially Elected Member)

(See also under Works, Communications and Power, The Assistant Minister for)

#### Bonaya, A. W.—

(Member for Isiolo)

Administration of Oath, 21

#### Bill—

Irrigation Bill, 693

#### Motion—

Thanks for the Presidential Address, 325-329

#### Ceremonial Opening of Extensions to Parliament Buildings—

Speaker of the Senate, 1-2

Speaker of the House of Representatives, 2-5

His Excellency the President (on being handed keys), 5-6

#### Chairman of Committee—

(The Hon. F. R. S. De Souza)

No rulings listed

#### Chairman of Committees, The Deputy—

(The Hon. H. Slade)

No Rulings listed

#### Chirchir, W. K. arap—

Specially Elected Member)

Administration of Oath, 22

#### Choge, S. K. arap—

(Member for Nandi South)

Administration of Oath, 21

#### Motion—

Thanks for the Presidential Address, 376-380

#### Questions—

Nationalization of Lotteries and Gambling Pools, 68

Political Participation by Government Servants, 67

#### Commerce and Industry—

##### (1) The Minister for Commerce and Industry

(The Hon. Dr. J. G. Kioko)

Administration of Oath, 21

##### Questions—

African Managerial Posts in Private Companies (730) (WR), 1057-1058

Export of Tobacco by Kenya (97), 793-794

Imports Surcharges (13) (WR), 134

Landlord and Tenant Act, 1965 (5), 27, 28, 29

"Made in Kenya" Mark for Local Manufacture (98), 795

Payment to Individuals by Companies (14), 29, 30

Potato Factory for Bomet (21), 30-31

Removal of Europeans from Private Companies (14), 792, 793

Tobacco Company's Direction of Planting, Grading, etc., (97a), 794-795

##### (2) The Assistant Minister for Commerce and Industry

(The Hon. S. S. Oloitipit)

Administration of Oath, 193

##### Motions—

Amendment to Standing Order 30: Notices of Motion, 914

Amendment to Standing Order 168A: Seating in the Chamber, 917, 926-929

Appointment of the Sessional Committee, 103

Thanks for the Presidential Address, 287-292, 313

#### Communications from the Chair—

Administration of Oath, 17

Assent to Bills, 489

Bills already debated in Previous Session, 515

Bowing to the Members, 565

Damage to Bench Panels: Applause, 23

Death of the Hon. G. H. Kerre, 777

Direction of Traditional Applause: Bench Panels, 88

Motion for Exemption from Standing Orders—  
Ruling, 136

Senate Agreement to Bills, 23

Senate Amendment to Bill from Previous Session—  
Ruling, 135-136

Thanks from the President for House's Message, 274

#### Considered Rulings—

Bills passed in Previous Session, 830

Conduct in the Chamber of Strangers with Cameras, 395

Deferment of Question for Question by Private Notice, 863-864

Dissatisfaction at Absence of Member to ask Question by Private Notice, 509-510

Duration of Session and of Standing Committees, 883-889

Members wishing to pursue matter on an Adjournment as a result of an Unsatisfactory Reply to a Question, 719-720

Presidential Statement, 1049

Purpose of Notice of Motion, 902-903

Questions out of order which involve the Electoral Commission, 573-576

Seating on the Front Benches, 132-133, 944-945

Standing Orders on Information to Government on Motions for Debate, 174

Warning Light for Members' Speaking Time, 278

#### Co-operatives and Marketing—

##### (1) The Minister for Co-operatives and Marketing

(The Hon. P. J. Ngei)

Administration of Oath, 65

##### Motion, Adjournment—

Maize Distribution, 262, 268-272

##### Questions—

Electric Generators for Coffee Factories (2320)\* (WR), 564

Maize Quota for West Pokot (18), 87

Overseas Markets for Coconuts and Copra (68), 954, 955

\* Outstanding from Previous Session

##### De Souza, Dr. F. R. S.—

(Member for Nairobi North-West)

(See also under Speaker, The Deputy)

(See also under Chairman of Committees)

Administration of Oath, 21

##### Question—

Karura Forest Workers (119), 876-877

#### Dingirira, A. H.—

(Member for Taveta-Voi)

Administration of Oath, 21

#### Divisions—

Limitation of Debate: Presidential Address, 54

#### Economic Planning and Development—

##### (1) The Minister for Economic Planning and Development

(The Hon. T. J. Mboya)

Administration of Oath, 193

##### Considered Ruling—

Questions out of order which involve the Electoral Commission, 574, 578, 576

##### Ministerial Statement—

Notice of, 973

##### Motions—

Amendment to Standing Order: 168A: Seating in the Chamber, 933, 934

Railway from Kaldwa to Homa Bay, 977-979

Thanks for the Presidential Address, 549-553

##### Members, Adjournment—

Adjournment of the House: To a Day other than the next normal Sitting Day, 1048-1049

Check on the Rise in Prices, 640-644, 648

Political Participation by Government Servants, 560-563

Unofficial Declaration of Independence by Rhodesia, (under S.O. 10), 413-416

##### Questions—

Ceiling on Individual Land Ownership (7), 199-200, 201, 202-203

Development Programmes in South Nyanza (2463)\* (WR), 791-792

North-Eastern Province Representation on Public Service Commission (7) (on behalf of the President's Office), 648, 649-650

Presentation of Aims and Objects of Sessional Paper No. 10 (60) (WR), 1054

\* Outstanding from Previous Session

##### (2) The Assistant Minister for Economic Planning and Development

(The Hon. M. Kibuli)

Administration of Oath, 65

##### Motions—

Appointment of the Sessional Committee, 128

Thanks for Presidential Address, 333-338

##### Motion, Adjournment—

Adjournment of the House: To a Day other than the next normal Sitting Day, 458, 470-472

##### Point of Order—

Motion in Order, 277

##### Question—

Check on the Rise in Prices (16), 69-70, 71, 72

#### Education—

##### (1) The Minister for Education

(The Hon. M. Koinange)

Administration of Oath, 21

##### Motion—

Free Primary Education, 754-755

**Questions—**

- Bee Industry in Kericho (49), 584-585  
 Death of Cattle in Mukogodo Reserve (10), 75-76  
 Land Cultivation in Kericho Tea Plantations, (30), 507-508  
 Reduction in Agricultural Staff, etc. in Kisii, (31), 508-509

**(3) The Assistant Minister for Agriculture and Animal Husbandry**

(The Hon. J. C. N. Osoyo)  
*Administration of Oath*, 777

**Bill—**

- Copyright Bill, 811-813  
 Irrigation Bill, 800-801, 804-805, 807

**Motions—**

- Amendment to Standing Order 30: Notices of Motion, 899-902, 908  
 Erection of Independence Memorial, NoM 859  
 Establishment of Constituency Development Fund, NoM 859-861  
 Exemption from Standing Orders: Extension of Time for Debate, 1043, 1044  
 Names of Subversive People to be made Public, 995, 1004-1007

**Motion, Adjournment—**

- Adjournment of the House: To a Day other than the next normal Sitting Day, 1007-1010, 1025

**Papers Laid** 777**Questions—**

- Buildings on Possible Irrigation Sites, (79), 809  
 Chai Irrigation Scheme, (84), 944, 945  
 Fencing by European Farmers in Trans Nzoia (117), 959, 960, 961

**(4) Paper Laid**

- The Kenya Tea Development Authority Annual Report and Accounts for the Kenya Tea Development Authority for the period 1st July 1964, to 30th June 1965, 777

**Alexander, R. S.—**

(Specially Elected Member)

*Administration of Oath*, 489

**Bill—**

- Irrigation Bill, 802-803

**Ministerial Statement—**

- World Record for Kenya Runner, 510

**Question—**

- Security Forces for North-East and Eastern Provinces, 867

**Amis, S. M.—**

(Member for Mandera)

*Administration of Oath*, 21

**Questions—**

- North-Eastern Province Representation on Public Service Commission, (77), 648, 650  
 Recruitment of Somalis for Security Forces, 789

**Angaine, J. H.—**

(Member for Meru West)

(See also under Lands and Settlement, The Minister for)

**Anyieni, Z. M.—**

(Member for Majoge-Bassi)

*Administration of Oath*, 21

**Bill—**

- Board of Adult Education Bill, 818-820, 823, 824  
 Copyright Bill, 813-816  
 Rent Restriction (Amendment) Bill, 837-842

**Considered Ruling—**

- Questions out of order which involve Electoral Commission, 573

**Motions—**

- Adjournment of Debate (Appointment of the Sessional Committee), 114  
 Amendment to the Land Registration (Special Areas) Act, 149  
 Amendment to Standing Order 23: Government Business, 891-892, 894  
 Amendment to Standing Order 30: Notices of Motion, 913-914  
 Amendment to Standing Order 128A: Seating in the Chamber, 920, 928, 930, 933  
 Appointment of the Sessional Committee, 898-899, 101, 105, 106, 108, 109-113, 123, 125  
 Free Primary Education, 757  
 Limitation of Debate: Motions for the Adjournment to a Day other than the next normal Sitting Day, 428-429, 431  
 Limitation of Debate: Presidential Address, 454-455, 52-53  
 Railway from Kedowa to Homa Bay, 767-770, 773-774, 979, 980  
 Thanks for the Presidential Address, 232, 241, 257, 282, 403, 520, 522, 535-540

**Motions, Adjournment**

- Adjournment of the House (under S.O. 31 (b)): To await Cabinet Decision on Rhodesia, 969-970, 972

- Adjournment of the House: To a Day other than the next normal Sitting Day, 463-468

- Karura Forest Workers, (Question No. 119), NoM 878

- Safeguarding K.P.E. Papers, 851-853  
 Students who went to Russia, (Question No. 21), NoM 38

- Unilateral Declaration of Independence by Rhodesia, (Under S.O. 14), 408-411.

**Points of Order—**

- Adjournments under S.O. 14—Ruling, 368, 967, 968  
 Anticipation and Closure of Debate, 885  
 Prolongation of Adjournment Debate—Ruling, 416  
 Question by Private Notice—Ruling, 799-800  
 Out of Date Questions, 884  
 Seating for Members, 890  
 Standing Orders on Rules of Debate (Closure), 12  
 Substantiation of Allegations, 784, 785  
 When Notice of Motion for the Adjournment may be raised, 666

**Questions—**

- Boundary Committee for Western/Nyanza Provinces, 957

**Centre on Individual Land Ownership, 201**

Critical Speech on Member, 82, 83

Detention of Wanjohi Mungau, 788

Electoral Commission and Constituency Boundaries, 574

Improvement in Coast General Hospital, 721

Karura Forest Workers, 878

Kenya Government Spokesman, 492

Landlord and Tenant Act, 1965, 28

Measures to stop Stock Raids in Western Kenya, 505

Payment to Individuals by Companies, 29

Persons Shot by White Farmers in Laikipia, 74

Pokos living near Mr. Kirsopp's, 502

Public Meetings in Nyeri and Secretary-General of Karu, 782

Registration of Unemployed, 950

Report of the Kibaki Commission on the Dairy Industry, 586

Revision of the Voters' Roll, North Mugirango, 572

Secretarial Posts at State House, 196

Special Permits to Expatriates, 781

Students who went to Russia, 36

Tobacco Company's Direction of Planting, Grading, etc., 784

**Questions by Private Notice—**

Kenya Government Stand on O.A.U. Resolutions on Rhodesia, 963, 964

(Question, 530)

**Aremian, P. A.—**

(Member for Turkana North)

*Administration of Oath*, 21

**Communication from the Chair—**

Direction of Traditional Applause: Bench Panels, 88

**Motions—**

Appointment of Sessional Committee, 100, 112

Thanks for the Presidential Address, 216

**Points of Order—**

Administration of Oath, 273

When Notice of Motion for the Adjournment may be raised, 666

**Questions—**

Bee Industry in Kericho, 586

Bridges and Dams on Kipsosoi Settlement Scheme, 211

Fencing by European Farmers in Trans Nzoia, 960

Measures to stop Stock Raids in Western Kenya, (17) (on behalf of Mr. Ekeitha), 504-505

New Secondary Schools since Independence, 498

Pokos living near Mr. Kirsopp's, (44) (on behalf of Mr. Lorema), 501

Report on the Kara-Pokoi, 569

Speeding Cars on Nakuru/Nairobi Road (45) (on behalf of Mr. Lorema), 506

**Argwings-Kodhek, C. M. G.—**

(Member for Gpm)

(See also under Internal Security and Defence, the Assistant Minister for)

**Attorney-General, The—**

(The Hon. C. Njaoji)

*Administration of Oath*, 63

**Bill—**

- Copyright Bill, 810-811, 816  
 Quorum, 816

**Ayodo, S. O.—**

(Member for Kasipul-Kiboodo)

(See also under Natural Resources and Wildlife, The Minister for)

**Babu, M.—**

(Member for Membasa Mainland)

*Administration of Oath*, 65

**Bala, O.—**

(Member for Nyando)

*Administration of Oath*, 193

**Motions—**

- Increased Technical Education, NoM 863-863  
 Limitation of Debate: Motions for the Adjournment to a Day other than the next normal Sitting Day, 432  
 Placing of K.P.E. Students in Secondary Schools, NoM 778  
 Removal of Certain Civil Servants, NoM 778  
 Thanks for the Presidential Address, 301-306  
 Motion for the Adjournment  
 Adjournment of the House: To a Day other than the next normal Sitting Day, 1040-1049

**Question—**

Mosquito Clearance: Victoria Gulf, 660

**Balala, S. M.—**

(Specially Elected Member)

*Administration of Oath*, 22

**Motion—**

Appointment of the Sessional Committee, 124

**Question—**

Landlord and Tenant Act, 1965, 28

**Questions by Private Notice—**

Kenya Government Stand on O.A.U. Resolutions on Rhodesia, 966

Statement by Vice-President on Coast Visit, 880, 881

**Barasa, M.—**

(Member for Elgon East)

*Administration of Oath*, 21

**Motion—**

Boundary Alterations: Rift Valley Western Provinces, NoM 647-648

**Motion, Adjournment—**

Safeguarding K.P.E. Papers, 847-851

**Question by Private Notice—**

Appointments in North Mahkoti Location, 594

**Bills—**

Betting, Lotteries and Gaming Bill, 1R, 515

Board of Adult Education Bill, 1R, 515, 2R, 817-818

Copyright Bill, 1R, 515, 2R, 807-817



# Index to the House of Representatives Debates OFFICIAL REPORT

First Parliament—Third Session

VOLUME VII

2nd November 1965 to 10th December 1965

## Explanation of Abbreviations

Notice of Motion = NoM; Motion or Question Withdrawn = Wdn; Dropped = Drpd; Written Reply = (WR); Bills: Read First, Second or Third Time = 1R, 2R, 3R; In Committee = IC; Progress Reported = PR; Report = R; Consideration of Report = ConR; Division = (Div); Debate adjourned = (DA); Not allowed = (NA)

*N.B.*—For the convenience of Members asking questions, the number of the question has been shown in brackets against the question. This number is also shown in brackets against the Minister or Assistant Minister making the official reply. No number is shown when the question is merely a supplementary question.

### Abdi-Rahman, O. M.—

(Member for Garissa North)

*Administration of Oath*, 21

### Achieng-Onoko, R.—

(Member for Nakuru Town)

(See also under *Information, Broadcasting and Tourism, The Minister for*)

### Adjournment—

*Daily*, 16, 62, 133, 190, 272, 352, 418, 488, 564, 646, 716.

776, 858, 942, 972, 1054

### Adjournment of Debate—

Appointment of the Sessional Committee (Mr. Anyeni), 114-118

Land Registration (Special Areas) Act (The Assistant Minister for Lands and Settlement) 157-173

Rent Restriction (Amendment) Bill, (The Assistant Minister for Education, Mr. Muiso), 842-843

### Adjournment Motions—

(See under *Motions for the Adjournment*)

*Administration of Oath*, 18, 21-23, 65, 193, 273, 489, 565, 647, 771, 973

*Communication from the Chair*, 17

*Point of Order (For non-Christians)*, 273-274

### Agar, E. O.—

(Member for Karachuonyo)

*Administration of Oath*, 565

*Motions—*

Railway from Kedowa to Homa Bay, 770-771, 775

Thanks for the Presidential Address, 528-533

### Questions—

Registration of Taranganya Harambee School, 496

### Agriculture and Animal Husbandry—

(1) *The Minister for Agriculture and Animal Husbandry*

(The Hon. B. R. McKenzie, DSO, DFC)

*Administration of Oath*, 21

*Bill—*

The Irrigation Bill, 595-606, 615, 617, 618, 621, 635, 636, 672, 679, 682, 683, 689, 690, 693-703

*Considered Ruling—*

Questions out of order which involve Electoral Commission, 575

*Ministerial Statements—*

National Freedom from Hunger Campaign, 727-730

Publication of Report and Bill on the Dairy Industry, 510-511, 512, 513

*Papers Laid*, 566, 777

*Point of Order—*

Bowing to the Chair, 17-18

*Questions—*

Piped Water for Kipsign Farmers, (62) (WR), 1054-1055

Report of the Kibaki Commission on the Dairy Industry, (53), 586, 587-588

*Quorum*, 681, 682

(2) *The Assistant Minister for Agriculture and Animal Husbandry*

(The Hon. W. C. Murgos)

*Administration of Oath*, 22

*Question No. 108*

MERU K.P.E. PUPILS, 1965

Mr. Mate asked the Minister for Education:—

- (a) How many pupils were estimated to have sat K.P.E. in Meru District this year (1965).
- (b) In view of the increase in numbers over 1964, what had the Government done to increase Form I places in 1966, so that the successful pupils could get a secondary school education.

The Minister for Education (Mr. Koinange):

(a) Some 5,100 pupils sat for the Kenya Preliminary Examination in Meru this year, as compared to 5,206 candidates of 1964.

(b) It will therefore be seen that there was no increase in terms of absolute numbers over 1964 numbers. But despite this, Meru District will be provided with increased secondary school places according to the development programme.

*Question No. 121*

PROJECTS FOR SCHOOL-LEAVERS SINCE 1960

Mr. Godia asked the Minister for Labour and Social Services what projects did his Ministry, in consultation with local authorities and private firms, intend to advise the Government to establish, in order to begin absorbing the 80 per cent of the regular population who, annually, had been unable to secure places in secondary or technical schools since 1960.

The Minister for Labour and Social Services (Mr. Mwendwa): At the present time, only one in every fifteen of the 300,000 young people who reach the age of sixteen years every year can expect to obtain full-time employment in the established wage-earning sector of the economy. The number who can expect to obtain skilled or high level manpower jobs, is about one in 150.

This, it will be seen that the early creation of sufficient jobs to absorb the bulk of primary

school-leavers, depends on the development of the economy in the newly emerging rural areas, rather than in established industries.

It is with such rural development in mind that Government's early developments plans are being drawn up and executed. It is also with this feature of development in mind that the President made his call of "Back to the Land" to his people. If Kenya's many thousands of landholders concentrate on the development of their holdings they will not only provide themselves with employment, but they will also provide jobs for others—both in farming and secondary rural industries.

What is equally important—they will be setting a proper example to those of our young people who, even if they were able to secure places in secondary or technical schools, would not find a sufficient number of skilled jobs available to them.

At the same time, however, Government realizes that the creation of jobs for primary school-leavers also depends on the development of skilled and high level manpower to head new industries. Thus, those measures which as the House is aware, are being taken by Government to produce the correct numbers of secondary and higher students to man the skilled and high level jobs will indirectly, if not directly, also help to create jobs for primary school-leavers.

In addition, Government intends, in conjunction with other employing bodies, to launch as many labour intensive projects as are compatible with its overall Development Plan.

However, in view of the size and nature of our unemployment problems, I am sure that the House will appreciate that it would be unwise and of little lasting benefit for Government to engage in a series of temporary expedients such as would consume the country's financial resources and thereby undermine its well-considered development plans.

It is on this over-riding Government project, and the peoples' response to the call of "Back to the Land," that the ultimate solution of the unemployment problem depends.

---



---

*Index*

---



---

[The Minister for Agriculture and Animal Husbandry]

and a wide range of crops can be grown without recourse to supplemental irrigation. What the Kipsigis farmers need, is sound agricultural advice, credit and hard work on their part and whilst we can give them the first two they alone can contribute the third.

Question No. 70

SCHOLARSHIPS FOR COASTAL AFRICANS

Mr. Omar asked the Minister for Education if he could tell the House the number of Coast African students who had got Government scholarships to Britain, America, India, Russia, China, Canada, New Zealand and Makerere College after Kenya had gained her independence.

The Minister for Education (Mr. Koinange): Since independence, the following students from the Coast Province have gone to institutions of higher learning either locally or overseas:—

1963/1964	24
1964/1965	44
1965/1966	59

These have mainly gone to places shown below:—

1963/1964

University of East Africa	6
United Kingdom	8
United States of America	3
India	1
Poland	1
Hungary	1
W. Germany	1
Canada	1
U.A.R.	2

TOTAL 24

1964/1965

University of East Africa	21
United Kingdom	6
Union of Soviet Socialist Republics	10
United States of America	3
Canada	1
Denmark	1
Yugoslavia	1
Czechoslovakia	1

TOTAL 44

1965/1966

University of East Africa	25
Union of Soviet Socialist Republics	11
United States of America	10
United Kingdom	2
Poland	2
Hungary	2
Yugoslavia	1
Sweden	1
U.A.R.	5

TOTAL 59

Question No. 71

KENYA ASIAN CITIZENS IN NATIONAL YOUTH SERVICE

Mr. Omar asked the Minister for Labour and Social Services if he would give the number of Kenya Asian citizens who had the National Youth Service.

The Minister for Labour and Social Services (Mr. Mwendwa): In answer to the question by the hon. Member for Mombasa Island South, no Kenya citizens of Asian origin have been enrolled in the National Youth Service.

There is, of course, no reason why a citizen of Asian origin should not be enrolled, if he cares to offer himself, and if he is accepted by the selection committee in his particular district.

Question No. 72

WORKING HOURS FOR DOCK WORKERS

Mr. Omar asked the Minister for Labour and Social Services if he was aware that the Mombasa dock workers demanded a change in their working hours. If the answer was in the affirmative, what steps did he intend to take to meet this demand.

The Minister for Labour and Social Services (Mr. Mwendwa): I understand that the present officials of the Dock Workers' Union have expressed dissatisfaction with the working hours which were negotiated a few months ago between the former union officials and the management. In order for me to take any action, the matter must be reported to me, in accordance with the Industrial Disputes Act.

I should like to mention that it is the Government's policy to encourage and assist in the building of a voluntary system of collective bargaining which will enable industrial disputes to be resolved by representatives of employers and workers in each industry, through the industry's

[The Minister for Labour and Social Services] own negotiating machinery. The Dock Worker's Union and the Cargo Handling Services have adequate negotiating machinery to deal with any dispute, including the one to which the hon. Member has made reference. I am sure that this dispute will be processed through the industry's own negotiating machinery. If a deadlock is reached, either party will report the existence of a dispute to me and I shall take the appropriate action, in accordance with the provisions of the Trade Disputes Act. So far, however, a dispute on working hours has not been reported to my Ministry and, therefore, no action is stipulated.

Question No. 73 (a)

AFRICANS IN MANAGERIAL POSTS IN PRIVATE COMPANIES

Mr. Shikuku asked the Minister for Commerce and Industry:—

- Could the Minister tell the House how many Africans had been appointed to managerial posts in private firms since Kenya became independent and a Republic.
- Would the Minister tell the House whether it was true that special positions had been created by private firms to fit Africans into which was merely window-dressing.
- Could the Minister give the number of Africans who had actually replaced Europeans or who were understudying them with a view to taking over their jobs.

The Minister for Commerce and Industry (Dr. Kioko): The hon. Member has asked three very relevant questions, but I must request him to allow me to reply to them collectively as they are very inter-related.

My Ministry initiated a brief survey last year which showed that there were about 700 positions of managers and directors at top level in 200 of Kenya's leading firms. Of these jobs, 135 or 19 per cent were held by Africans. This is not obviously good enough, but it must be realized that the rapid pace of Africanization in Government has resulted in many senior African administrators leaving commercial firms to take up appointments with the Government. This has led to a shortage of senior staff in commercial concerns, but the position is now improving quite considerably. It is estimated that now 30 per cent of top management in overseas controlled concerns is now Africans compared with 10 per cent

three years ago. This same progress has not been made in local companies. It is a fact that, in particular, Asian controlled firms have shown a marked reluctance to Africanize at all and are tending to ignore Government persuasion. I am taking action to initiate another more thorough survey and, when the results have been analysed, action will be taken to make certain that the pace of Africanization increases as trained manpower becomes available. The question of tightening immigration control is now under active consideration, so that permission to employ expatriate staff will be related to the efforts being made by particular firms to train local personnel.

The hon. Member has mentioned "window dressing". It is undoubtedly true that certain firms may have created "shadow" posts merely as window dressing, but, although details are not available, I do not think there are many cases of this type, for trade and industry in Kenya is extremely competitive and few firms can afford to carry unnecessary "passengers" on their payroll.

The Government is doing all it can, but, as was pointed out in Sessional Paper No. 10, there is a shortage of trained, experienced and qualified personnel of all races in Kenya. Kenya has one of the most advanced commercial and industrial complexes in independent Africa and, while pressing hard for rapid Africanization, we must not sacrifice efficiency in the process.

Question No. 76 (a)

CHILD WELFARE CENTRES IN COUNTRY

Mr. Shikuku asked the Minister for Labour and Social Services what was the Minister doing to establish child welfare centres throughout the country, as there was evidence that it was not only in Nairobi that children suffered from *Kwashiorkor* or malnutrition.

The Minister for Labour and Social Services (Mr. Mwendwa): I am not certain what the hon. Member for Butere means by "child welfare centres". But if he means branches of the Child Welfare Society of Kenya, I would like to inform him that this is a voluntary organization and all branches are established on a voluntary basis. It is, therefore, up to the people to establish branches in their respective areas if they feel there is need.

The Government has given the Child Welfare Society of Kenya a grant of approximately £500 each year since the financial year 1960/61. This year they received £1,000.

**[The President]**

relations with Britain. We believe that any action taken must advance the cause that we are supporting in Rhodesia. A division among African States could have serious repercussions, not the least of which would be the threat to the Organization for African Unity itself.

In the circumstances, the Kenya Government has now decided to consult more fully with our East African neighbours, including Zambia, and other African States to determine the best action to take. We feel that unilateral action by any African State would not meet the situation.

Thank you, Mr. Speaker.

#### DEPARTURE OF HIS EXCELLENCY THE PRESIDENT

The Speaker (Mr. Slade): Hon. Members, His Excellency, the President, would now like to take his leave.

(Hon. Members rose in their places while His Excellency, the President, left the Chamber)

#### POINT OF ORDER

##### RESPECT FOR THE PRESIDENT

The Assistant Minister for Education (Mr. Mutiso): On a point of order, Mr. Speaker, I am rising for your guidance, for the interest of the House. I would like you to explain whether, when His Excellency the President comes to this House as the Head of State and makes a statement, it is in order or out of order for the Members to walk in when His Excellency is speaking, as is the case with the Speaker?

The Speaker (Mr. Slade): There is nothing laid down about it in our Standing Orders—we are facing new situations every day—but I think it is a good point raised by Mr. Mutiso, to show respect for the President. If any Member enters the House when the President is on his feet, he should stay at the Bar until the President has finished what he has to say.

#### POINT OF ORDER

##### QUESTIONS AND COMMENTS ON PRESIDENTIAL STATEMENT

Mr. Shikuku: On a point of order, Mr. Speaker, you did rule that when the President is giving a speech from the Presidential Chair there will be no questions or interruptions. After he has given the speech, are the Members of this House not allowed to comment after he has left the Chamber?

The Speaker (Mr. Slade): If they can find a suitable opportunity; and actually in the adjournment debate now, although there is so very little time left, it is open to hon. Members to comment directly on what the President said, as part of this debate, not as a comment following straight upon his speech. But there are only very few minutes left; it is almost time for the Mover to reply.

#### POINT OF ORDER

##### STATUS OF PRESIDENT AS HEAD OF STATE AND GOVERNMENT

Mr. Gichoya: On a point of order, Mr. Speaker, under our Constitution, His Excellency the President has two status: one as the Head of Government, whom we can question straightforwardly on whatever the Government has decided, and the other as the Head of State, whether he sits on the Throne or otherwise, we cannot question that. Do we take it for granted that this speech was from the Head of the State and not the Head of Government?

The Speaker (Mr. Slade): Yes. Whenever His Excellency speaks from this Chair, he is speaking as President, as Head of State, and he has special rights but special limitations. You will find it all in Standing Orders. If he speaks as an ordinary Member of the House, even as leading the Government, he will speak from that Bench, and will then be subject to the ordinary rules of the House, with the ordinary rights of a Member.

#### POINT OF ORDER

##### DEBATE ON PRESIDENT'S SPEECH

Mr. Oduya: On a point of order, Mr. Speaker, in view of the fact that the Members in this Chamber are very concerned about Rhodesia, and in view of the fact that the hon. President has already made a speech on this subject, will there be an opportunity for the Members to debate the Presidential speech which has just been made?

The Speaker (Mr. Slade): Order! That is something which Government might answer, if hon. Members agree to the adjournment which is now before the House today. If this Motion is carried, we shall adjourn until 25th January, but it is always open to Government to ask for the House to meet earlier or later than the date fixed by the adjournment. I do not know whether Government can indicate, in replying to this debate now, whether or not there is a possibility of this House being invited to debate the President's speech before 25th January.

#### ADJOURNMENT

The Speaker (Mr. Slade): The House is therefore adjourned until Tuesday, 25th January 1966, at 2.30 p.m.

*The House rose at thirty minutes past One o'clock.*

#### WRITTEN REPLIES TO QUESTIONS

##### Question No. 60

##### PRESENTATION OF AIMS AND OBJECTIVES OF SESSIONAL PAPER No. 10

Mr. arap Bly asked the Minister for Economic Planning and Development what his Ministry was doing to make sure that the aims and objectives of the Sessional Paper No. 10 on African Socialism were fully and satisfactorily presented to the ordinary man in the country-side.

The Minister for Economic Planning and Development (Mr. Mboya): My Ministry is very conscious of the need to ensure that the aims and objectives of the Sessional Paper are fully and satisfactorily presented to the public. Two seminars to discuss the Development Plan and the Sessional Paper No. 10 were held at the Kenya Institute of Administration for provincial teams and it is hoped that similar seminars will be held at district headquarters for district teams. It is also hoped that seminars will be mounted at the Kenya Institute of Administration for party officials and politicians, who will, in turn, be able to interpret the aims and objectives of the Sessional Paper to the country at large.

As the hon. Members know, the Sessional Paper has been translated into Swahili and the Ministry of Information, Broadcasting and Tourism and the Community Development Department are taking every opportunity to explain it to the general public. It is hoped that the hon. Members will encourage their constituencies to purchase this publication, in order to acquaint themselves with the aims and objectives of the Sessional Paper.

##### Question No. 62

##### PIPED WATER FOR KIPSIGIS FARMERS

Mr. arap Bly asked the Minister for Agriculture and Animal Husbandry when his Ministry was going to provide Kipsigis farmers with a piped water supply system to enable them to grow various kinds of crops all the year round.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): The Kericho District is one of the best rainfall areas of Kenya

The Vice-President (Mr. Odiga): Mr. Speaker, Sir, from the speech of the President, it will be seen very clearly that the President is still consulting with other African States and, therefore, nothing useful would come from any debate on this speech. So I say to the Members that this is the time when they should spend their Christmas quietly. We, as Government, will still be pursuing this matter, and if there is any reason to call them back, we will be able to consider it and see that they are called. However, at the present moment we wish them a happy Christmas.

#### MOTION FOR THE ADJOURNMENT

##### ADJOURNMENT OF THE HOUSE TO A DAY OTHER THAN THE NEXT NORMAL SITTING DAY

(Resumption of debate on Motion interrupted by  
Presidential Statement)

The Speaker (Mr. Slade): Order!

Mr. Gichoya: Mr. Speaker, Sir, I require your guidance on this. The Vice-President says that we could be called here when the situation becomes very clear to the Government. Now, Sir, since the Motion, which we have at the present moment, puts it into effect that we have to limit ourselves from today until the 25th, what can we do so that as what has been expressed here in that particular Motion the hon. Members can go and rest assured that the decision of the House will be respected?

The Speaker (Mr. Slade): Order! Hon. Members cannot actually put anything in the Motion here to record what the Vice-President has said, but it is in HANSARD what the Vice-President has said; of course, and if it is accepted by the House as the reason for agreeing to this Motion, it will be on record. Thereafter, while the House stands adjourned, there are many ways for hon. Members to bring to the notice of the Government their desire that the House should meet again, prior to the 25th January, if there is a real occasion for it to do so. Otherwise, on meeting on the 25th January, there will, of course, be an opportunity for a Notice of Motion on this subject of Rhodesia.

Now, I am afraid we have reached the limit of time that we allowed ourselves without the Mover replying to the debate, and so I think we will have to deprive ourselves of the privilege of hearing Mr. Osogo's reply.

I must now put the question that the House be adjourned until Tuesday, 25th January 1966.

(Question put and agreed to)

The Speaker (Mr. Slade): You can have another minute. But carry on now, do not waste any more.

Mr. Bala: Thank you very much, Mr. Speaker.

Sir, we are asking the Government to implement some of the agreements which it has made with various countries. During last year, particularly, I brought up questions about irrigation schemes. Now the Assistant Minister for Agriculture replied in this House that on the question of irrigation schemes we should ask the Soviet Government, and then we said that it was not our responsibility, as Members of Parliament, to go and discuss with the Soviet Government when, in actual fact, the agreement with the Soviet Government was a matter between the Kenya Government and the Soviet people.

Now, Sir, recently I was very surprised when the Minister for Economic Planning, who was touring our constituencies, introduced a completely new topic by asking the public whether the public only wanted the irrigation scheme from the Soviet Union or from any other government. This is not actually something for which the public is responsible. The public wants an irrigation scheme and, without consultation with them, there were some negotiations between the Kenya Government and the Government of the Soviet Union. And then when we brought a question here, we were told that, as regards the irrigation scheme, we were waiting for the Soviet Union. What point is there in waiting so long, only to find that the public is now to be asked at this stage, "Do you want irrigation schemes from another country, from any other country?" In fact, what we wanted was an irrigation scheme; and it was the duty of this Government to see where it could find the money for an irrigation scheme.

Now, Mr. Speaker, why are we very bitter about this irrigation scheme? For one thing, at the moment we are being fed on American maize; it is very scarce, and we cannot get it. At the same time, our people have suffered a lot of droughts, and every time our country has been flooded, every time our country has suffered a long drought, we could not have a proper harvest. Now our people are not going to depend on American maize, and moreover, we do not get it free; we get it when we pay for it and we cannot get the money to pay for it.

So I think our Government should take proper action on this question of an irrigation scheme because our people are prepared to work according to the call of the President, that we

should go back to the land. But if we go back to the land and then the Kano people get flooded out, what happens? We go back to the land, we work very hard and after working so much we find that our land has been completely flooded once again. Now, Sir, when the Minister—

The Speaker (Mr. Slade): You have finished your time, Mr. Bala.

Oh, I am sorry, I agreed to give you another minute.

Mr. Bala: Thank you, Mr. Speaker. When the Minister for Agriculture was touring our constituency, he promised the people that, before the end of this year, the Cabinet was going to meet and some announcement would be made about the Kano irrigation scheme. And I hope that, before the end of this year, when the Cabinet meets, I would appeal to my Government to see that something is done about this scheme, because our people are not going to be all the time suffering from famine year by year and the children cannot get a proper education, school fees cannot be paid because, with all that effort that our people are putting into digging that land, they do not get anything out of the land.

So, Sir, with these few remarks, I appeal to my Government to see that we get something done about the irrigation scheme.

The Minister for Economic Planning and Development (Mr. Mboya): Mr. Speaker, Sir, I would not have intervened in this debate at all but for the fact that the hon. Member who has just spoken has brought me into the matter that he has raised, and I feel it is very necessary that I clear the position because allegations are made about what I said during a tour of his constituency. There were other Members of Central Nyanza present at the meeting. What the hon. Member has declined to tell the House is that it was not me who raised the question of the scheme, it was him. At a cocktail party reception organized for me by Members of the area, the hon. gentleman, in making a speech deliberately came with a written speech and started to talk about rumours of Ministers in this Government who, it is alleged, are blocking the scheme because it is being sponsored by the Soviet Government.

It is the hon. Member who has, himself, started the rumours in his own constituency that some of us are blocking this because it is being sponsored by the Soviet Union, and it is—

Mr. Bala: On a point of order, Mr. Speaker, since the Minister says I had a written speech, a speech which I still have, could the Minister

[Mr. Bala] substantiate the fact that I did allege that there were some Ministers who were trying to block this scheme simply because it starts from the Soviet Union?

The Minister for Economic Planning and Development (Mr. Mboya): Mr. Speaker, Sir, yes, I can say definitely that the hon. Member, in the evening at the town-hall read out his speech and there are Members here who were present with me, before I spoke, in which he attacked some of us and said that some people were blocking the scheme because it was from the Soviet Union. Also—

#### ARRIVAL OF HIS EXCELLENCY THE PRESIDENT

*(The Speaker announced the arrival of His Excellency the President, the Honourable Mzee Jomo Kenyatta, M.P.)*

*(The House rose while His Excellency the President took his seat in the Presidential Chair)*

#### CONSIDERED RULING

##### PRESIDENTIAL STATEMENTS

The Speaker (Mr. Slade): Hon. Members, since this procedure is not yet very familiar, I think I should remind the House of Standing Order 10A (d) which we adopted after Kenya became a Republic. The President, while occupying the Chair of State, may on any day after disposal of all matters other than business, and before the House proceeds with business, make a Presidential Statement which shall be heard in silence and not followed by any comment or question.

Now, this is not exactly the time in the ordinary way for such a Presidential Statement to be made, but I know that every single Member of the House has a desire to hear such a statement so this should be treated, please, as a statement made under that Order, which is heard in silence and not followed by any comment or question.

##### PRESIDENTIAL STATEMENT

###### KENYA GOVERNMENT POLICY ON RHODESIA

The President (Mr. Kenyatta): Mr. Speaker, fellow Members, I wish just to say a few words on Rhodesia.

Since the unilateral declaration of independence, the Kenya Government has been in close contact with other African States to ensure concerted action against the rebel régime in

Rhodesia. The Government has also brought pressure on the British Government to take decisive action to crush the rebellion and lead the country to majority rule. The Kenya Government must make it clear that the responsibility for the present condition in Rhodesia lies with the British Government.

The British Government must use force to restore constitutional government and create the necessary conditions for democratic majority rule.

In our effort to help our brothers in Rhodesia, we have called for unity and positive action by all the nationalist forces in Rhodesia. The Kenya Government has considered the resolutions passed by the assembly of Heads of States and Governments at its meeting in Accra in October this year. The meeting has severed all trade and economic relations with Rhodesia and has stopped all money transactions between Kenya banks and Rhodesia. We have, in addition, decided to refuse to recognize any travel documents issued or renewed by the illegal government. We have further cut off all communication channels, including telegraphic, telephone, teleprinter, radio telephone and the air services with Rhodesia.

The Kenya Government has all along been concerned that action taken should be co-ordinated with our East African neighbours and, especially, Zambia. It will be remembered that a meeting of representatives of the four States took place in Nairobi recently. The Kenya Government remains fully committed to the decisions taken at the meeting and will continue to consult with the governments concerned on any new developments or changes in measures to be taken.

We believe that Zambia's interests must be taken into consideration at all times, since we must help her safeguard her sovereignty. The recent meeting of the Organization for African Unity Council of Ministers has proposed that all African countries sever diplomatic relations with Britain on 15th December, if by that time Britain has not crushed the rebellion. The Kenya Government supports all the Organization for African Unity resolutions and efforts and will remain a faithful member of the organization.

It is, however, obvious since the resolution was announced there have been conflicting reactions by various African States. This means that action taken would not be effective and could, in fact, be abortive.

We are particularly concerned that the Zambian Government has expressed serious doubts about the wisdom of breaking diplomatic

[Mr. Gichoya]

person does not know what is going on, to the district commissioner and the provincial commissioner. Sir, the *Jamhuri* celebrations which are going to take place this week-end are being handed over to the Administration; the Administration which was fighting against the nationalists is the Administration which is being given all the responsibilities of telling the people that we are now in a *Jamhuri* standard.

The Speaker (Mr. Slade): Order! There are too many conversations.

Mr. Gichoya: Mr. Speaker, Sir, we are trying to Africanize, and in some cases, we are just merely replacing a colonial white with a black colonial in mind. This, Sir, has been the practice and I say this sincerely and in good faith, that there were a few words, and I hate to say this, expressed by the Member for Ndia, where he said that we did waste the public money yesterday by adjourning the House, and therefore we should make an apology. Mr. Speaker, Sir, if the Member had any common sense he would have said that the Cabinet should come and make an apology for ignoring the demand of the supreme authority. Mr. Speaker, Sir, I say that it is not the Cabinet which is supreme in Kenya, but the Parliament of Kenya. This was stated here, Mr. Speaker, Sir, by his Excellency the President, that the authority of this country resides within this House. So, Sir, when the House makes a decision, a wise decision, why should be made to apologize, it is the Cabinet which should apologize.

The Speaker (Mr. Slade): Order! Yes, Mr. Osogo, you have a point of order?

#### MOTION

EXEMPTION FROM STANDING ORDERS:  
EXTENSION OF TIME OF DEBATE

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): On a point of order, Mr. Speaker, Sir, I beg to move that the debate be continued for an extra half hour and that the business of this debate be accordingly exempted from the provisions of Standing Order 11 until 1.30 p.m. today.

Mr. Speaker, Sir, the reason for moving this Motion, is that the House has been very anxious, since yesterday, to hear a statement by Government concerning the point which was raised. This is the reason why we are moving this Motion. The Cabinet has indicated that by 1.30 p.m., they will be ready to give a statement, and we have, Sir, just received a message from the Leader of this House, His Excellency the Vice-President, that we extend the time.

Therefore, Mr. Speaker, I beg to move.

Mr. Gichoya: He has already spoken in this debate.

The Speaker (Mr. Slade): Order! He is still entitled to speak to it, if he wants to.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, I have moved a Motion, and since I learnt, with interest, that if the hon. Members will be patient the President himself is going to come to the House.

Mr. Speaker, Sir, I beg to move.

The Assistant Minister for Education (Mr. Mutiso) seconded.

The Speaker (Mr. Slade): I will propose the question. In fact, I think I will put this question immediately. I think that is the correct procedure.

(Question put and agreed to)

#### NOTICE OF PRESIDENTIAL STATEMENT

The Speaker (Mr. Slade): I further have to inform hon. Members, on the advice of the Vice-President, that before 1.30 p.m., His Excellency the President, will himself come and make a statement on the subject of Rhodesia.

#### MOTION FOR THE ADJOURNMENT

ADJOURNMENT OF THE HOUSE TO A DAY OTHER  
THAN THE NEXT NORMAL SITTING DAY

The debate on the adjournment continues meanwhile.

(Resumption of debate)

Mr. Shikuku: Mr. Speaker, I have two, three, four points here. One is that I would like to warn the Government and the nation as such that any country worthy of its name should never at any time depend on another country for its food. In Kenya, Mr. Speaker, we talk of neo-colonialism. Neo-colonialism cannot be done away with if one country depends on another country for food. This is a very serious situation whereby we cannot escape from neo-colonialism because if you are fed by the United States then you are likely to agree with the United States all the time because, if you do not, you have no food. Therefore, Mr. Speaker, to avoid this embarrassing situation, the Kenya Government must promote and help all the farmers in this country to plant more maize and give them a better price so that we do not depend on America for food, or depend on Russia or any other country for food, because we will be thereby enslaving ourselves.

Mr. Speaker, another issue is this. Today we have the Kenya Government not guarding its own borders. If you go to Uganda, any traders who

[Mr. Shikuku]

travel from here with goods to Uganda have their licences stopped and they pay Sh. 30 before they are allowed to enter any of the neighbouring territories. In Kenya, our borders are free; Uganda trucks come here free, they are never checked; Uganda citizens drive into this country without being stopped. But when we go to Uganda, Mr. Speaker, we are stopped and checked and re-checked. Is this the way we have to get on with our neighbours, in order to be good neighbours? Mr. Speaker, I feel that the Kenya Government should make sure that if there is no federation they tell us there is no federation, rather than reporting to be so friendly and yet dilly-dallying about the East African Federation.

Mr. Speaker, another issue is the question of the Cabinet. Sir, I have said this time and again. It so happens that, as a human being, one is exposed to work for a certain period and one is exposed to rest for a certain period. It appears that our Cabinet has done so well and has been doing so much that it is already tired and sleepy. So it is time it was reshuffled, so that we have new brains and new strength to carry this country forward. Sir, the present Cabinet has been in office too long, and I call on the President of this country to consider this question seriously.

Another issue, Sir, is the tourist industry in this country. The Minister for Information and Tourism must also be very active to let other countries know more about this country. You find tourists from the United States—and I know what I am talking about, Sir, because I did go there—the Americans do not know whether we even wear clothes here. And yet they come here to look at our animals and photograph them. I suggest to the Ministry for Information and Tourism that a system should be instituted whereby, when these tourists come here, they should stay at least two or three days talking to the people, visiting them and finding out whether we wear clothes, and that we do not live on the tops of trees in the jungle. This will teach them a lesson because I am very frustrated and very amazed to find that despite the fact that some of the important hon. leaders of this country have visited America they have never told the Americans that we wear clothes, and these people think that we live in a primitive way.

Lastly, there is the question of replies in this House by Ministers and Assistant Ministers. Yesterday, Mr. Speaker, one of the Assistant Ministers was daring enough to tell a lie in this House, that I was at a tribal meeting when I was not. He did that on a point of substantiation; in other words, Sir, he abused the dignity of this House to

stand up on a point of substantiation and told the House a lie that I was there when I was not there.

Mr. Speaker, I feel very strongly that the question of the Abaluhya who are left in the Central Nyanza needs to be settled; the ones who are there, if they want to come home, should be allowed to do so. If the Government doubts the sincerity of the Abaluhya who want to come back to Western Province, I challenge the Government to accept a referendum and we will find out what is going to happen there. We are not going to have *Umoja*, when *Umoja* means taking the Baluhya land. If that is *Umoja*, I say "No".

Mr. Bala: Thank you very much, Mr. Speaker, for giving me this opportunity to express my views.

Now, that we are about to adjourn the House for the next six weeks, while appreciating what the Government has done—

[The Speaker (Mr. Slade) left the Chair]

[The Temporary Deputy Speaker (Mr. ole Tipis) took the Chair]

Now, Mr. Deputy Speaker, I hope you will give me an extra one or two minutes because you are being so much applauded, and a lot of my time has been taken up.

In this country, Sir, we know that nobody, not even the Members who have spoken, is against the Government and nobody criticizes the Government unreasonably. Since Independence, I know that the Government has tried its best to all that the Government should do within such a short time, but, at the same time, the Government has not actually done much about the native reserves. All the development we have seen is only concerned with promotions, with development in the towns or promotions of civil servants. But we have not seen actual development in the native reserves. Now, Sir, in the constituency I represent we have been asking the Government to bring about—

[The Temporary Deputy Speaker (Mr. ole Tipis) left the Chair]

[The Speaker (Mr. Slade) resumed the Chair]

The Speaker (Mr. Slade): Order! I have to thank hon. Members for allowing me to give the Chair over to a Member without consulting them. I had a very urgent telephone call, and I have to thank Mr. ole Tipis for standing in.

Mr. Bala: On a point of order, Mr. Speaker, since a lot of my time has been lost by interruptions—

[Mr. Mate]

grounding and they could go out into the world and become useful citizens. Today, we have the lucky boys who, after School Certificate, can go on to the Higher School Certificate; that is right for doctors and engineers and so on, but for the ordinary manpower of Kenya we must have an examination authorized by the Minister for Education at Form II.

This used to be the case some time back, but this examination was abolished. It was wrong, and it should come back so that children of poorer families could get a certificate with some meaning. They could go out as clerks or farmers, or they could go into hospitals and be trained as hospital assistants, or they could go into industry with a bit of education. So, Mr. Speaker, I would appeal very strongly to the Ministry of Education to take an interest in the *Harambee* secondary schools and, especially, help them and make sure that the efforts that the people are putting in is not wasted. They should not discriminate between the so-called Government schools or aided schools and assume that the *Harambee* schools belong to another race of people; they belong to the same people of Kenya. So, Sir, I feel that the Ministry should take this seriously.

Mr. Speaker, I want to mention a case in Meru which the Minister of Education knows so much about. A *Harambee* school for girls was proposed at a place called Mulhambi, which I am glad to say the Vice-President visited some time back and donated some Sh. 1,000 towards the effort. A number of Ministers from Nairobi have been there, they have seen the particular project, and I would appeal to the Minister of Education to give a grant-in-aid to the secondary school. The people themselves have put up the building and have provided the material, and so far no project in Meru has been helped, and I appeal to the Minister of Education to help this particular school. We have two girls' secondary schools in Meru already and this is the third one, where the people themselves have made the effort, and I would invite the Ministry of Education to send people there to come and see. The Provincial Education Officer, Embu, knows about it, and I would appeal most sincerely for help in this particular project.

Mr. Speaker, I feel that I have the right to criticize the Government for two things that have happened recently. We have had two Presidential visits to Meru District, but no place in Meru has been helped. We hear of *Harambee* efforts being assisted in other districts, and in Meru it is taken for granted that we do not need Government help.

An hon. Member: You have coffee.

Mr. Mate: Mr. Speaker, the coffee is there. It does not mean that coffee is a health centre, or coffee is a school, or coffee is a good road. Mr. Speaker, coffee is not a railway line, coffee is not tar mac into Meru. So, Mr. Speaker, I appeal to Government to help us to help Kenya so that we get better hospitals, better roads and better schools in order to be able to help Kenya.

Mr. Speaker, the Cabinet is the instrument for change for Kenya, so let the Ministers listen to us, and we shall be so constructive in our criticism.

The Assistant Minister for Education (Mr. ole Konchellah): Thank you very much, Mr. Speaker.

I would like to thank the Government and the hon. Members of this House for the contribution they have made to this House and to the country for the whole year. I am on the side of those people who said that the Government has done a lot, but it is only a matter of saying that. There has been a very big pressure of people wanting rapid development, and this is what makes many Members of this House say that our Government is not doing much. This is only because everybody wants development and we cannot do it at once.

Mr. Speaker, Sir, two of the hon. Members who spoke about schools, it is quite true that everybody is speeding up and wanting his child to go to school, but he forgets that when a child wants to go to school the Government also wants money to help that child. I suppose that the hon. Members in this House—during the recess of two to three weeks—will do us a lot of good if they would be able to contact people in their constituencies and tell them that the Government cannot afford to educate every child in this country. But it could be of great help if there could be a system in every county council whereby people would levy a special rate for education.

Mr. Speaker, Sir, I very much congratulate the hon. Member who mentioned that yesterday the House adjourned simply because of the Rhodesian issue and they wasted a number of hours without stopping to think about it and talk about the country, and the plans of the country. Mr. Speaker, Sir, we say here that we have no money to educate our children. A Member said that he had 30,000 children who had nowhere to go for secondary education. Where would he get money to go and fight Smith if he has no money to educate the children here?

Mr. Speaker, Sir, I am stating facts that when we talk about fighting in Rhodesia, it is easy to talk about fighting, but it is difficult to put it into practice. It needs planning. First of all we must get some money, the Moran would never go to

[The Assistant Minister for Education]

fight if you could not support them; to give them food and give them the necessary things. So it is easier for us here to sit down and talk about things that we can do, but we need planning, even if it is a matter of ending relationship with Britain, we need some plans. You cannot just rush and say that we need a fight, you must plan for these things. You also need trained men; it does not take a day to train a man to go and fight.

Mr. Speaker, Sir, I would like also to bring to the notice of the Ministry of Defence that since there are threats in Africa at the moment we must get military people who know and who can tolerate fights, into the army and into the police, and I suggest that more Kalenjins and more Masai, more Turkana, more Samburu, more Boran and more of other tribes who can fight should be brought into the army.

Mr. Speaker, Sir, I would like to see the Government taking this step. It is not good to wait and then, when things become worse, we would at that time run to the Masai and say, "Come along," we would run to the Samburu and other people and tell them to come along. We would like to train them right now.

Mr. Speaker, Sir, I would like to say something about settlement. We have quite a number of people who have been settled in the Rift Valley Province. We also have quite a number of Masai who have their own district in the Rift Valley which is known as Uasin Gishu. Uasin Gishu in the Rift Valley is a tribal land, and there are about 20,000 of these people belonging to this particular tribe who are wandering about. There is a group of 2,000 in a place called Kipkarren, and I understand the General Service Unit is being sent to check them out of their own original land, and this is very, very wrong.

The Speaker (Mr. Slade): It is the end of your time, Mr. Konchellah.

Mr. Gichoya: Thank you, Mr. Speaker, Sir. I feel that the Assistant Minister who was speaking just now, his Ministry has failed in the country. It is true, Mr. Speaker, Sir, that one should count the blessing—

The Assistant Minister for Education (Mr. ole Konchellah): On a point of order, Mr. Speaker, Sir, I think that that was a very serious allegation which was made by the hon. Member—

The Speaker (Mr. Slade): Oh, no, that was an expression of opinion. It is not an allegation of fact.

Mr. Gichoya: Thank you, Mr. Speaker, Sir, out of all the Ministries which we have, and this is my own personal opinion, I feel that the most disappointing Ministry is the Ministry of Education. It has no plan, and we questioned that fact here, during the Speech Day, the policy of the Ministry towards the *Harambee* secondary schools: the policy of the Government towards the establishment of secondary schools for technical subjects. Mr. Speaker, Sir, up to this moment we are more or less sailing in the colonial boat which had no proper directions—

An hon. Member: Very comfortable!

Mr. Gichoya: Mr. Speaker, Sir, a colonial boat can never be comfortable.

The other thing which I wanted to say is this. Let us count the blessings one by one. Now, Sir, we have been promised a vegetable cannery factory at Sagana, which is hoped to serve Meru, Embu, Nyeri and Kirinyaga and Muranga. Mr. Speaker, Sir, that was just a mere bit of wishful thinking by the Minister, so that we could tell our people to count one of their blessings, that a factory was going to come as a blessing from our Government. Now, Sir, if this factory is not going to be established, how am I going to stand against the people when I tell them that the Government is going to do it, but they still have not done it for three years? No planning has been made for that factory, but we are still told to count our blessings. Mr. Speaker, Sir, that is one of the blessings I have to count in this country.

Mr. Speaker, Sir, another thing I would like to say is this: Rome was not built in a day. This is a very good delaying tactic and it applied, Mr. Speaker, Sir, in those good old days when people did not have any idea of what modern education was like. But, today, Mr. Speaker, Sir, the saying, "Rome was not built in a day" can never apply to Kenya. We have been saying this, "Let us reorganize Kanu", "Let us establish the machinery of the party in order". We did it all in good faith, Mr. Speaker, Sir. We tried to reorganize our branches and one year has already gone by. But, still the headquarters, which did not have any telephones, does not have any telephone connexions today, and yet Kanu is the Government. Here, Mr. Speaker, Sir, I would like to know the relationship which exists between the party and the Government. If there is any connexions between the two, then the one which now has operating machinery should assist the other in which is dying, so that both of them can be on the same par.

Here, Mr. Speaker, Sir, I have found out that the work of the party is being transferred very very carefully, and in a way that the ordinary





Mr. Makone: Thank you, Mr. Speaker, Sir, for giving me this chance to speak.

Mr. Speaker, it is true that we have had political freedom in this country and I agree with the Assistant Minister for Agriculture that Rome was not built in a day. But, Sir, the political freedom which we have had is good and it has meant that we have our President and some people have been given Ministerial posts, and we have our people in the Government key posts. But what is more important than that is what we have done for the people who put us in these places. Mr. Speaker, we cannot do now what we shall do in 1990. It is true that we shall advance stage by stage. But, Sir, economic freedom is necessary for the people who have placed us where we are.

Sir, a method has to be devised whereby we shall grow economically. I believe that we cannot acquire economic freedom as we did with the settlement schemes, but a way has to be found whereby, stage by stage, the indigenous African people of this country enjoy economic freedom.

Mr. Speaker, the Minister for Commerce and Industry came to Kisii, to my constituency, last year and promised the people that sooner or later—he said “very soon”—his Ministry was going to establish a vegetable factory. The idea of establishing this factory disappeared as the Minister boarded his aircraft for Nairobi. This is no good, Sir. The Government Ministers should be Government Ministers and whatever is said by such a Minister should be as responsible as his office is. We do not want a Government Minister speaking as an ordinary Member like myself does. We should not have to differentiate between the occasions when a Minister is speaking as a Minister and when he is speaking as a Member for a constituency. We regard Ministers as always being Ministers of the Government. And therefore, since this particular Minister spoke of this vegetable factory, people are waiting to see such a factory materializing, so that the Kisii people will benefit from the economic freedom of this country.

Now, Sir, I turn to famine relief. It is no good buying maize from America and helping the people to survive just for the sake of surviving. What are we going to do tomorrow? If you give them maize, food, all right, but what plans do we have to make sure that tomorrow again we are not caught by the same excuses? It is all right to give me food today, but if you cannot plan for me tomorrow, it is no good. I would say that if there is no plan, then let them die. Mr. Speaker, we need now proper, definite economic freedom.

Sir, we have said several times here that the Ministers and the Government should listen to Members because we are the mouthpiece of the public. Mr. Speaker, we have said that the Ministry of Settlement should be abolished right away. It does not take advice from the Members. We have told the Minister that the former European gentlemen who have sold their farms are the gentlemen who are now advising the Government; they have big posts in the Kenya Co-operative Creameries and in the Ministry of Settlement. They cannot listen to what our people tell us. People lose interest—

The Speaker (Mr. Slade): Order! That is the end of your time, Mr. Makone.

Mr. Makone: I beg your pardon.

The Assistant Minister for Finance (Mr. Okello-Odongo): Mr. Speaker, Sir, I too would like to join my colleagues and the hon. Members who have supported this Motion, and I would like to join also my colleagues on this side in enumerating the work that the Government has done, and I am quite in accord with what they said.

Now, Sir, this is the end of the year, at least the end of our sitting this year, and it is now two years since we achieved independence. We are now facing a new year, our third independent one. Some people have a practice of making resolutions when a new year comes, and I think that it might be appropriate for the Members of this House to think of the past and then make a resolution to meet the future.

Sir, we have done a lot of things and naturally, not being angels, we must have had our faults and we must have had our shortcomings. But it is important that, at this juncture, we should reveal again what our interests should be, as Members of this House, with regard to this country. Now we know that we are struggling for the economic progress of our people and for the social progress of our people, and it has also been said that if you want to know the strength of the chain you look at the weakest link of it. So, if we are going to look at what we have done, and at the progress of our people, it is natural that we are going to look at the places where we are most backward. If we want to see how Kenya has advanced, we are not going to look at Nairobi and Nakuru and Kisumu, but at the remote village in the reserve, and find out just what progress has been made there. If the children still go half-naked and people go to bed with half-empty stomachs and a lot of people go without education, then we know that there is much work still to be done.

**[The Assistant Minister for Finance]**

I think that all the Members will agree with me that there is work for us to do and that we do not have time to waste.

Mr. Speaker, Sir, that being so, they should be able to help us to find out ways and means of how we can concentrate on this job of bringing economic and social progress to our people and to see to it that in the rural areas we develop our people, give them the necessary education, and bring them the necessary development and wealth, so that we can attain what we want.

Another thing that needs to be stressed is love for our country. We have a beautiful country and I think we should be very thankful for it. We have wonderful hills and mountains; we have Mt. Kenya, which attracted the attention of our President when he was a writer so that he entitled his book, *Facing Mount Kenya*; we have the beautiful sea down at Mombasa, which has inspired our people at the Coast; we have Lake Victoria which has inspired people living on the western side; we have Mt. Elgon and so on. Sir, it is important that we develop a love for our country and develop our love for our people, so that we serve our country and serve our people without being deviated from our purpose.

Mr. Speaker, my speech would be incomplete if I did not mention unity. We know that in endeavouring to improve the standard of living of our people, we must work as one people, we must work together. And we must work as sons of one mother, namely Kenya. We must learn the art of working together. One of the most important things is that we must learn to tolerate each other. We have differences; they may be tribal differences or they may be ideological differences sometimes; or they may be just personal differences. But we have only one master and that is our people whom we have to serve, so it is important that we become united and serve these people. So one of the things we must do is to tolerate each other, listen to each person, hear him to the end, hear what he says; and we may find that if we listen to him until he finishes speaking the differences we thought we had are imaginary, and that we are working together on the same lines.

Mr. Speaker, Sir, this is a very important House; this is the House which, for the first time, was elected by universal suffrage in this country so we have a place in history. This is the first Parliament in independent Kenya so

we have a place in history. People have criticized this Parliament as being very young. A lot of people are very young and they say that sometimes we have not done our job properly. Let us not go down in history as people who were young and who just played around; let us go down in history as young men who came here and tried their best to bring progress to this country and to our people.

Mr. Masinde: Thank you very much, Mr. Speaker, because I thought I had missed my chance. I want to mention a few things, since I agree with one of the many Assistant Ministers who are lining the bench in front of me that we are going home for a number of weeks and must try to tell people what Government has done for us for the past two years.

But for a person like myself, who comes from Lurambi—where we have had a number of promises from Government, none of which have been fulfilled—it becomes very difficult to say that Government has done a number of things.

Mr. Speaker, Sir, if I may quote a number of the things which have been happening and which have been mentioned by Government, it was announced a long time ago there was to be a paper mill, but up to date nothing has happened. It would be better for us to be told that we shall have to wait for two or four years, because then we would know where we are, but to say that it is coming and yet no definite date is given, Mr. Speaker, does not interpret what Government says properly.

Sir, coming to another point, recently we had a number of Ministers—particularly the Minister for Co-operatives and Marketing, the Minister for Finance, the Minister for Agriculture—announcing the prices of maize and, at the same time, they announced new prices of flour, what the consumer in Nairobi is going to pay, Sir, here we say that our Government is definitely confused, it is not helping the farmer, it is not even helping the poor consumer. Today, the price of maize would have gone up without increasing the price of flour, because when you calculate, getting 25 cents per lb. for flour, you will get definitely one bag of 200 lb. which costs the consumer Sh. 50.

An hon. Member: What is your interest?

Mr. Masinde: My interest is that I represent the farmers, and I am a farmer myself; you should learn that.

Mr. Speaker, you find straightaway that a consumer buys one bag of maize at Sh. 50, and yet the producer sells it to the board at Sh. 27/50, almost half. Where does this half of

[The Temporary Deputy Speaker (Mr. Warithi) left the Chair]

[The Speaker (Mr. Slade) resumed the Chair]

I do not want to waste my time, Mr. Speaker.

My fourth point is about the Ministry of Education. I demand that the Ugali Secondary School is important in Teso. I have 400 girls sitting for the Kenya Preliminary Examination and there is no school. We need a secondary school, at least to bring Standard V for next year, and one additional school for Form I for boys.

Thank you very much, Mr. Speaker.

Mr. Jahazi: Thank you, Mr. Speaker.

Mr. Oduya: Interjection.

The Speaker (Mr. Slade): Mr. Oduya, you have just had five minutes, will you please keep quiet for another five minutes.

Mr. Jahazi: I wish to appeal to the Ministry of Agriculture upon the maize price. Up to now the country has not heard of any proposed increase in the price, and although Mr. Oduya also mentioned this, I would like also to make the same point. We do not hear any talk about the co-operative banks, and we wonder whether they are just trying to keep quiet because when the Minister comes to the House and he goes as far as giving a date for the opening of any institution we take it for granted that the—

The Speaker (Mr. Slade): I am sorry to interrupt you, Mr. Jahazi, but we have found there is a flaw in the arrangements of microphones here, that they do not catch hon. Members speaking from the bench that you are in. I think I will have to ask you, and Mr. Khasakhala if he wants to speak, to speak from the bench behind you, so as to make sure that HANSARD gets you. I am sorry about this, we will get it altered.

Mr. Jahazi: As I said, Mr. Speaker, when the Ministers come with a statement about opening up an institution of the Government, we expect them to fulfil that promise to the House. And I am very much surprised that since that day the Minister for Co-operatives has not even come out, either in the Press or in this House, to tell us why the co-operative bank programme has been shelved. I would like to call upon him—if he is here—to tell the nation what happened to the co-operative banks, because the development of this nation, Sir, revolves very much on co-operatives. If the co-operatives are not backed by the bank, or something like that, I do not see how the African hope of grabbing the economy of the country will be fulfilled.

Mr. Speaker, Sir, I would also like the Government to consider very seriously the question of all those materials manufactured for the tourist market. Now the Wakamba carvers and all other handicraft makers in this country have been crying and appealing to the Government to put the trade in the hands of the people who are actually carrying out the work of making these articles. So many of these carvings are being made by the Africans, and the fellows who get the profit from these carvings are the Asians. They are the people who wait until they can buy these things cheaply, and then they can export them overseas under a different name, and the poor Africans who manufacture these things do not get anything out of it. Even the products from the national parks, the animals, bring in a profit for somebody else. We are told to protect the animals, but the people who profit from these animals, the trophies are not the Africans'. They are the foreigners' who have no interest at all for this country. Therefore, the Government must see to it that all the products, the national assets, whatever we try to protect, that the Africans must get the profit from this protection. Otherwise, Sir, there is no need to tell the people to preserve the animals while the hunters are the ones who get the trophies and sell them at exorbitant prices.

Mr. Speaker, Sir, we find in town that a zebra skin belt or a wrist watch strap costs about Sh. 60 or Sh. 70, and who is selling them? The Patelis are the ones selling these things, and others who are there, and what the African gets from the zebras is only the licence which the hunter pays. Now, Sir, we think that the Government must wake up and see that whatever the products are of this nation, they are enjoyed by the Africans themselves, and we would like a statement to be made by the Minister for Co-operatives about the Co-operative Bank which he promised this House.

Mr. Godia: Thank you, Mr. Speaker, Sir.

Mr. Speaker, on speaking on the adjournment. I would like to say a few words about Kanu. Mr. Speaker, Sir, I would like to urge the Office of the President to instruct his civil servants to see that at all costs they work in co-operation with the Kanu officers in the country, Mr. Speaker, Sir, in a case like these celebrations for Jamhuri. It appears that the Office of the President has instructed the administrative officers only to work on these celebrations, and the party has no place. Thus, Mr. Speaker, Sir, I feel it is a breach of the peace as far as the party is concerned. The party should have played a very, very important part in this organization.

[Mr. Godia]

Now, Mr. Speaker, Sir, right up to the provincial level, and down to the district level, and regional level the officers of Kanu should be brought into the picture, and their advice with regards to these celebrations should have been sought, because they are the people who form part of the Government and when we make plans for celebrations and leave out the Kanu officials, it is a bad thing for the country. Therefore, Mr. Speaker, Sir, I think the Office of the President should consider this matter very seriously, not only on this occasion, but on all other occasions, that Kanu as a party ought to be brought into the picture, so as to show that this party really exists. It is because of this party that we have this Government.

Mr. Speaker, Sir, regarding the Ministry of Commerce and Industry. It is true, Mr. Speaker, Sir, that most of the business in this country is in the hands of the non-Africans, and we therefore demand that the non-Africans who are not citizens of this country should not be given the priority of getting a licence to carry on business in this country, because they are exploiting us. Mr. Speaker, Sir, in the recruitment of civil servants we urge that only citizens of Kenya be given the first priority, but that the non-Africans who have not yet registered as citizens of Kenya should not be given priority in getting employment in the Civil Service. Otherwise, this would show that the need of our people is not taken into account.

Now, Mr. Speaker, Sir, I would like to speak with regards to employment within the Ministry of Labour. I would like to urge the Minister for Labour to work out a plan so that all the people who are not employed in this country are known, so that the Ministry of Economic Planning can work out a system whereby some kind of employment could be secured for these people. We could easily, Mr. Speaker, Sir, ask the Ministry for Agriculture to set aside farms, which would be called State farms, so that some of our people who are unemployed can find work on these farms. I understand from the Ministry of Agriculture that something is being done, but as yet we have not had this stated in this House, and therefore, we would like the Minister for Agriculture to give a statement as to where these farms are, how many there are, and how many men, who are not employed, have been able to find work on these farms, so that we know. But, Sir, if this is not done publicly, then, Sir, I feel that it is very unfair to the country.

Now, Mr. Speaker, Sir, there is another point which I would like to speak upon and that is with regard to tourism. I have asked the Minister

for Tourism to see that some kind of establishment is made in the Western Province to attract tourists. Mr. Speaker, Sir, I would like to draw his attention to one camp, one place, which would be of very great interest, and that is a place in my constituency, and that is a place by the name of Mwanzandi, which has a very good hill and on that hill you can see almost the whole of Kenya. Therefore, Mr. Speaker, Sir, I would like to ask the Ministry of Tourism to see that a camp is established there.

Lastly, Mr. Speaker, Sir, on the policy of—

The Speaker (Mr. Slade): There is no lastly, I am afraid, Mr. Godia. You have had your time.

Mr. Godia: I have finished?

The Speaker (Mr. Slade): Yes. Order!

#### POINT OF ORDER

##### SUBSTANTIATION OF ALLEGATION

Hon. Members I must just interrupt the debate for a moment on a point of order. Yesterday, Mr. Kodhek referred to Mr. Shikuku as having been at a tribal party at the Mayfair Hotel, and insisted that it was true. Mr. Shikuku asked me what he could do if he proved that it was not true, and I told him the remedy; which is that he can require Mr. Kodhek to come and acknowledge to this House that it was not true. I understand from Mr. Shikuku that he has demonstrated to Mr. Kodhek that he was wrong in his statement. I had hoped that Mr. Kodhek would be here before we started business to make the required acknowledgement, but he is here now, and I ask him to make it.

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): Mr. Speaker, Sir, the Member for Butere came to me and, as a matter of fact, demonstrated to me that he missed this particular tribal party and therefore I was wrong.

The Speaker (Mr. Slade): You go one step further and apologize, Mr. Kodhek.

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): I apologize.

Mr. Shikuku: On a point of order, Mr. Speaker, Sir—

The Speaker (Mr. Slade): No, no more on that, Mr. Shikuku. This is quite enough.

(Resumption of debate)

**[The Assistant Minister for Labour and Social Services]**

Mr. Speaker, Sir, I would like now to speak as a Member for Lambwe constituency. I am glad to say that the President visited my constituency during this year and the people there are still very grateful for the visit, but I would like to point out one or two problems we are facing in my constituency which, unfortunately, my Government has not been able to deal with.

Mr. Speaker, Sir, when *Shifita* murder our people, we send security forces there—

**The Speaker (Mr. Slade):** Mr. Oduya, there are far too many interruptions from you. Supposing every hon. Member chattered as much as you do. Do keep quiet, please.

**The Assistant Minister for Labour and Social Services (Mr. Odeoro-Jowi):** Mr. Speaker, Sir, I think the Member for Teso should behave himself.

Mr. Speaker, Sir, we have a problem in my constituency, a problem brought about by tsetse flies. I have said this earlier: I have written to the Minister in charge of the health portfolio, but so far nothing has been done. Every year sleeping sickness takes a toll of the people I represent. They die, quietly, silently. You see, if a *Shifita* shoots one of our people, we send police there, but when that nasty fly bites the people I represent and they die, nothing is being done about it. Mr. Speaker, Sir, I think this is a terrible state of affairs.

I support the Motion.

**Mr. Kaggia:** Mr. Speaker, Sir, it has been very common, whenever we adjourn the House until the next sitting, for Ministers to stand up here and tell us that now Members should go to their constituencies and speak to the people living there about Government's policy but it is very important for the Ministers to tell us what to tell the people, because when we are told to go and tell the people what the Government is doing and we do not know what the Government is doing, it is very difficult.

Mr. Speaker, I think the trouble with our Government is that it has no policy in many of the things it is doing. What it has been doing is doing things piecemeal. When someone complains there, they then do something without a plan at all, and it is very difficult for us to go and tell the people that the Government is doing this or that. For example, Mr. Speaker, we have been urging in this House for the Government to give us a simple land policy. Many times we have complained, especially myself. The people

in my constituency have been complaining because the Government has never evolved a land policy. They have been demanding land, they are starving, they have nowhere to cultivate, and all we are told is to follow the old land policy which was evolved by the colonialists. My question, Mr. Speaker, is this: am I expected by this Government to go back to my constituency and tell them, "This is our Government policy, that you can never get land because a Mr. Smith or Mr. Blundell is farming that land"? I am not prepared to do that, Mr. Speaker. I will continue to urge this Government to evolve a land policy which is going to help my people.

Mr. Speaker, here we have a settler Minister for Agriculture. We have complained so many times that he only cares for the interests of European farmers in this country and he does not do anything to help our African farmers. The Government continues to keep this man in office and our people are still suffering.

**[The Speaker (Mr. Slade) left the Chair]**

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

Mr. Speaker, Sir, here we have a Minister for Commerce and Industry who is doing everything he can in this country to ensure that the commerce of this country remains in the hands of Europeans and Asians and does nothing—

**Hon. Members:** Question, question.

**Mr. Kaggia:** You can shout, but he does nothing to help the African business men who are trying to compete with Asians and Europeans who have been entrenching themselves in this country for years. Mr. Speaker, Sir, I am not prepared to go to the country and tell my people, "Look here, the Minister for Commerce is doing a wonderful job, tomorrow Africans will be rich." The Government has no policy which is helping Africans to compete or to take over business from the Asians.

**The Assistant Minister for Education (Mr. Mutiso):** On a point of information, Mr. Speaker—

**Mr. Kaggia:** No, I will not give way, Sir.

Mr. Deputy Speaker, Sir, only the other day we had an Assistant Minister for Internal Security and Defence here who did not know the policy of this Government regarding Rhodesia. Since yesterday, we have given the Government the chance to come and tell us what they think about this. If I am asked by my constituents what the policy of our Government

**[Mr. Kaggia]**

about Rhodesia is, what am I going to say? Someone had the audacity here just a few minutes ago to tell us that this Government had given us a wonderful foreign policy. Mr. Deputy Speaker, if I am asked by my constituency, I will not know what to say, because the Government seems to be so undecided, they do not know what to do, and I do not know for whom they are waiting to admire them. Therefore, Sir, this is ridiculous.

Now, Mr. Deputy Speaker, if I may say something about education, I have said in this House previously—

**The Temporary Deputy Speaker (Mr. Warĩthĩ):** That is the end of your time, Mr. Kaggia.

Mr. Oduya: Thank you, Mr. Deputy Speaker.

We have heard from our colleagues of the duplicates of the Ministries this morning. By duplicates I mean the Assistant Ministers. We have just heard this morning, Mr. Speaker, Sir—

**The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo):** On a point of order, Mr. Deputy Speaker, is it in order for the hon. Member to call us duplicates. Could it be an order for him to withdraw?

**The Temporary Deputy Speaker (Mr. Warĩthĩ):** Mr. Oduya, the word "duplicates" seems to have been taken exception to by the Assistant Ministers. Will you withdraw that word?

Mr. Oduya: Mr. Deputy Speaker, I was merely trying to point out to the chair that there were no Ministers present.

**The Temporary Deputy Speaker (Mr. Warĩthĩ):** Mr. Oduya, you will withdraw, otherwise you do not continue.

Mr. Oduya: All right. Anyway, I withdraw, Sir.

**Mr. amp. Soh:** On a point of order, Mr. Deputy Speaker, is it not a fact that the other Speaker, Mr. Slade, one day ruled that to call an Assistant Minister a duplicate is correct?

**The Temporary Deputy Speaker (Mr. Warĩthĩ):** I have already ruled that it is out of order and he has withdrawn.

Mr. Oduya: So, Mr. Deputy Speaker, I want to start now, I think. The Minister of Agriculture is also here, he has told us to go—because he also comes from my district, Busia—back and

tell the people of the Government policy. But if I go back to tell the Government policy to the people, I must tell this Government also to accept the people's demands. The other day here, Sir, we agreed to a Motion on the maize price that the people outside this House—that means throughout the country—would like to see the price of Sh. 47 per bag for maize, so that they could produce more maize; instead of buying American maize at Sh. 63; when it reaches the country. Now, the Government of Kenya has only given Sh. 37. It is just like giving nothing, because in Uganda, Mr. Deputy Speaker, the maize is Sh. 57. Now, how do you expect that a Teso farmer or a Bunyoro farmer—where the Assistant Minister for Agriculture comes from—to sell his maize at Sh. 37 per bag, when he can get Sh. 57 on just the other side from where he is farming? So, all that I can tell the Government is that if there is no better price for maize, maize will continue to go out of Kenya. If they bring American maize, we will also take our maize out because we also want money. That is one point.

My second point is in regard to *wimbi*. The other day I demanded that *wimbi* be made a national product, and that better prices should also be offered. Now, at the moment some of these boards are, I think, stealing because the West Kenya Marketing Board buys our *wimbi* at Sh. 31 per bag. Now, when an ordinary farmer wants to go to the store to buy *wimbi* if he does not have Sh. 55 cash he cannot get a bag of *wimbi*. Now you can see, as representatives in this House, what robbers these boards are. This must also be corrected. We want better prices for the farmer rather than this money be paid to maintain the boards and pay salaries of their staff.

My third point is about the Teso. I want to advise those who may have the opportunity of meeting the Ministry, if they are lucky, because I know that most of the people do not even tell know what the Cabinet means, but I must tell them to convey this message to the Ministry of Defence that Tesos are being discriminated against in the employment in the military forces in this country. The Tesos demand a share.

An hon. Member: They could not fight.

Mr. Oduya: Give them a bullet and you will see.

Mr. Deputy Speaker, I demand that Tesos be given a share. When the recruitment took place in Kakamega, only Baluhya were taken and no Teso was taken.

[Mr. Ngala]

education is uniform throughout the country, because I feel that the so-called *Harambee* schools will become a big problem in future if they are not watched and guided by Government properly, and channelled into the proper system of education. I am glad that the Assistant Minister for Education is here and if he does not control this, then I think it will create a very serious problem.

The other point on education, Mr. Speaker, Sir, is that as a free country, we are entering the third year of our freedom. The education system should be adjusted so as to be nationalistic. We see African dances in different places which are very good and very admirable. They should be adopted into the education system so that during physical education, our children can learn how to dance in international places and feel proud that they are doing something for their country. It is no use, Mr. Speaker, Sir—

The Speaker (Mr. Slade): I am afraid your time is up.

Mr. Ngala: I am sorry that my time is over and I hope I have made my point.

Mr. Rurumbani: Mr. Speaker, Sir, I rise to make only two points. The first point that I would like to make, Mr. Speaker, is to show again my appreciation to His Excellency, the President, and our Government for the famine relief that the President has sent to the Samburu District which, of course, has gone a long way to help the lives of so many families which were on the verge of starvation. However, Sir, I would like to make another appeal to our Government, that as a result of eating this yellow maize, with nothing else added on, has caused a lot of sickness among the people. Children and adults are suffering from diarrhoea. In fact, Sir, we already have some cases of death as a result of eating the yellow maize with no oil added on. I would, therefore, appeal to His Excellency the President and the Chairman of the Famine Relief Committee, to send more dried milk, soup and vegetables to Samburu District.

The other point that I would like also to make, Mr. Speaker, is the tragic and pathetic killing of 82 Turkana by the people of neighbouring territories. Sir, I think it is high time that our Government did something to see to it that the security situation in our country returns to normal.

Within our own country, Sir, we have instances of one tribe perpetrating a raid on another tribe. We are now attacked by our neighbouring territories, and that shows probably, Mr. Speaker, our Government is not really doing

anything to see to it that the security situation is really good or bad. I therefore ask our Government to see to it that all these districts which have a boundary with these neighbouring territories are well safeguarded, and also to see that those districts which have a boundary with those districts inhabited by *Shifra* are safeguarded, so that the lives of the people can be protected.

With these few words, Mr. Speaker, I beg to support.

The Assistant Minister for Home Affairs (Mr. Nyagah): Mr. Speaker, Sir, I wish to stand and support the Motion before the House and say that I am surprised to hear today that the word "nothing" means "not enough". I should have thought, Mr. Speaker, that "not enough" means "less". Someone earlier on spoke of nothing being done by the Government, and I would like to mention just a few of the things which have been done by the Government.

Forms V and VI from next year will have free education. There has been some free medicine. Preparation has been made in the field of agriculture. Just the other day my colleague, the Assistant Minister for Agriculture went to receive a high-grade bull to serve the needs of agricultural development in this country. Recently we have had one of the most expensive water boring rigs to help the areas which are dry in the Northern Frontier. We have just received a seed selector of a very high order in the Ministry of Agriculture. The Kakamega headquarters for the Western Province has been started and is in the course of being built. The Mombasa road construction is going on. This very building we are in, Mr. Speaker, has been built during the life of this Government. This Government has negotiated with the Government of a friendly country known as Russia for a hospital going up in Kitumu. Mr. Speaker, if we were out, we would fear the Kenya Air Force practising, which is an innovation by this Government. There are the Kenya Army, the Navy, and so on. Africanization of the statutory boards and the Civil Service has continued during the life of this Government. There has been expansion of higher education, the law school, the proposed medical school and many other things which are going on.

Mr. Speaker, I would finish my time if I went on talking about what has been done, including Kenyatta College, the Kenya Youth Service—men and women—and also, Mr. Speaker, an insurance device, which is manned by my hon. colleague, Mr. Okelo-Odongo, and which gives special insurance for the hon. Members here.

[The Assistant Minister for Labour and Social Services]

Having said that, Mr. Speaker, I would tell my hon. friends here that credit should be given where it is due. We should not say that nothing has been done by this Government, what we should say is that we want some more. There is nothing wrong in asking for more. I would like to ask for more, Mr. Speaker, and the more I am going to ask for is this. During this long recess, the Ministers who are charged with Ministries which have anything to do with development plans—like Commerce and Industry, Health, Education, Economic Planning and Development, Agriculture—must tour the country more intensively, this time than they have done in the past.

Now, Mr. Speaker, I would like to speak about famine relief. We must say thank you to all those people who have contributed towards this, both from inside and from outside. The United States of America has given nearly a million towards this. The United Nations is going to give gifts worth half-a-million towards this. This morning, Mr. Speaker, we received the first consignment sent from Israel—in the form of tinmed chicken—towards this.

We have problems, Mr. Speaker. People talk of the price of maize going up, instead of talking about the price of maize going down until we have finished with the time of famine. A gift, Mr. Speaker, of a bag of maize costs nothing. When people talk of maize from Western Province or other places being given a rise, it means that we are only perpetuating the famine in areas where maize does not grow. Mr. Speaker, Sir, hon. Members should realize that we have problems with the famine. We have areas where people refuse to take the food they are given. They say the maize is yellow and therefore it is no good, but a hungry stomach knows no kind of food. We have no time to choose what we want. We have areas where soup kitchens have been set up, but because of religious reasons people will not take the soup; they do not know whether it was prepared in the Muslim way or the chicken was slaughtered in the Muslim way, and so on. The Government has problems, Mr. Speaker, and I support the Motion before the House.

The Assistant Minister for Labour and Social Services (Mr. Odero-Jowi): Mr. Speaker, Sir, I would like to support the Motion.

I think, this being the end of the sitting and almost the end of the year, it is wise to look back at the achievements of the Government

during the past year. It has already been mentioned that this Government has given the country the needed political stability. Most of us who sit here perhaps might not realize that this is a vital thing. We read of countries being in trouble, we read of governments being toppled, but our Government is stable, the Government is popular, the Ministers tour the country and meet the people in the rural areas, and so on. I think this is a credit. Mr. Speaker, Sir, there is not any country where the Ministers are so close to the people as they are in this country.

Mr. Speaker, Sir, this Government has given the country a very constructive foreign policy. Kenya is truly non-aligned and I think there is no doubt about this. Mr. Speaker, Sir, just at the time when confusion was beginning to reign over what ideas and ideologies this country should embrace, this Government gave the country the Sessional Paper No. 10, and I think that this is now supported; it is logical and it suits the needs of this country. I feel this is something that only Kenya has done; I do not believe there is any other country in Africa which has done the same thing.

An hon. Member: What achievements do we get out of this Paper?

The Assistant Minister for Labour and Social Services (Mr. Odero-Jowi): The achievement we get out of this Paper, first of all, is to reduce the confusion which has been permeating this country and which has been spread, Mr. Speaker, by so many Members of this House.

Mr. Speaker, Sir, this Government has given the country a development plan which I am glad is going to help to meet the needs of this country. We have unemployment in the country—there is no doubt about it—and we know that unless unemployment is dealt with quickly and swiftly, it is going to cause a lot of social problems, but, fortunately, we have a development plan which is geared to combat unemployment. This same development plan is geared to promote maximum rural and agricultural development. These are the things the country needs.

Mr. Speaker, Sir, our nation is awake. This is due, largely, to the dynamic leadership of the President of the country. He has united this country, he has reduced all the tendencies inherent in our political situation to one thing and he has focused the attention of every leader and he has focused the attention of every leader in the country on this: namely, serving the best interests of the nation. I think we should thank him for his very wise and enlightened leadership.

[Mr. Kase]

we have our duty to do and that duty is to criticise the Government where it is wrong and support it where it is right. I say this with all my heart, Mr. Speaker, that if I think this Government is wrong I should say so, whether here or in my constituency. I am not going to look like somebody's rubber stamp. If I am not satisfied with a particular thing, I should be free to say so. For example—I will give this example—since 1963 we have been suffering from the *Shifita* problem, and there were people killed as recently as the 20th October. Do people genuinely think that I will go ahead and tell my constituents that I am satisfied with the measures taken when I am not? When I have advised the Government how to do the best thing, and have advised them on the methods to use, they have refused. Does this Government think that I will go and support them in my constituency after that?

If I speak the truth like that, they will say I am undermining this Government. OK. If that is what undermining means, then that is for somebody to decide.

Now, Mr. Speaker, in English they say that the man who criticises you really loves you because he does not want you to make mistakes. Let this Government learn from now on that criticisms made in this House by Parliamentarians are really an advantage to them, and they should make use of them. If they do not value these criticisms, and they think we are undermining one another, than let this House be aware, let the country know, let us be told that Members should not criticise and then let us go and ask our voters whether this is why they sent us here, just to come and listen to some stuff which is not worth listening to.

Now, Sir, I would like to draw the attention of the hon. Members to one simple thing. If this Government can put off appointing chiefs for eighteen months, do you believe, Mr. Speaker, that I, as a sensible man in this country, will support those civil servants who are delaying the appointment of chiefs? When the President has made it clear that the one who has the majority of votes becomes chief, where is the problem in delaying for eighteen months?

Now when we mention these things, we are told "we are being critical. Yes, then I must be critical. Let these civil servants be told what they should do."

Now, Sir, we, as in other countries, have Ministerial committees and it is the duty of this House to devise a method whereby these Ministers must call these committees so that we are told what is happening in these Ministries. It is useless, for example, for some Members here to be members

of the committee on External Affairs, and then when they go overseas and are asked, "Why do you do this, what is your policy?" they are in darkness. Some Members here are on the Finance Committee and when they are questioned, "How many shillings has Kenya borrowed", they just do not know. What use is it?

The Government, while Parliament is in recess, must find it fit to call these Ministerial committees. Otherwise you have a problem with these committees like we had yesterday. We adjourned this House because of the problem of Rhodesia, and it was because the Members on the Foreign Affairs Committee did not know what was happening about Rhodesia. If these Members had been informed, we would not have had this bother here. Now if we are going to be left without Ministerial committees meeting, so that hon. Members are informed of what is happening in these committees or these Ministries, they will find that we Members are always going in the opposite direction. These Ministers will find that we are going in opposite directions. We are ignorant and we must find things out. Maybe the Ministers will adjourn this House for the rest of their lives, and we will have dictators.

Now, Sir, someone might say, "Go back and preach the policy of this Government." Which policy?

The Speaker (Mr. Slade): That is the end of your time, Mr. Kase.

Mr. G. G. Kariuki: Mr. Speaker, Sir, thank you very much for giving me this opportunity to speak.

Sir, in the last few months, we have had members of the Cabinet preaching to the public that there are people, a group of politicians, who intend to undermine this popularly elected Government, but the question is this, Sir. If the Government is popular and if it is supported by the people of this country and if the majority of the Members of Parliament support this Government, what is the use of reasonable Ministers, responsible Ministers, preaching these awkward statements telling people that there is an enemy among the people. Who are the enemy? They have failed—

The Speaker (Mr. Slade): Mr. Kariuki, you know we are in the middle of a debate on that very subject. I cannot allow the adjournment debate, much scope that it does give to hon. Members, to be used to continue a debate which is going to be continued another day. You can talk about something else other than this particular subject.

Mr. G. G. Kariuki: On a point of order, Mr. Speaker, in view of the fact that this debate allows us to say whatever we want, and in view of the fact that we did not get time to speak in the other debate—

The Speaker (Mr. Slade): You are allowed to say almost anything you want to say in a debate on the adjournment of the House, but not quite. Certain rules still hold good, such as you cannot discuss matters which are *sub judice*, you cannot anticipate a debate on a particular subject which is just coming on, and you cannot reopen a subject which has just been decided by the House. All those rules still hold good, and this particular rule about not anticipating a debate of another day applies to this debate.

So I am afraid you must talk about something else.

Mr. G. G. Kariuki: Mr. Speaker, I am bound to accept your ruling, very reluctantly. I had a point to make on this issue, but, of course, I am out of time to make.

The Speaker (Mr. Slade): You will have to sit until the debate is resumed on that issue.

Mr. G. G. Kariuki: Mr. Speaker, Sir, there is something which this Government has failed to understand, something very simple and elementary, that in a political Government, in a political society, political ganging-up is always acceptable. If people are ganging up, if a group of politicians sit together and decide to manoeuvre and take over the Government peacefully, is it a crime? Mr. Speaker, we all know that political freedom in a democratic society must be allowed, and if people—for example, now we do not have a two-party system, only a one-party system. Now in a one-party system, the people who probably want to come into power, whether they want to come to power peacefully or any other way, then gang up and try to convince the public, try to seek the mandate of the public. If the public support them, why do we fear? It is the duty of this Government to give the people what they promised during the election. It is the duty of the Government to fulfil all promises they have made to the public. It is no use trying to confuse the country and telling the people that something has happened. What has happened?

Mr. Speaker, Sir, I just want to leave that point and say that people in this country are politically mature and they know that actions speak louder than words. If Government do their duty without wasting time, ridiculing themselves in the public eye by saying that something is happening—I see my time is up, Mr. Speaker.

Mr. Ngala: Mr. Speaker, Sir—

An hon. Member: Maiden speech!

Mr. Ngala: Mr. Speaker, Sir, having been away so long I feel as if I am making a maiden speech, but still I do not mind interruptions because I am not new to the House.

Sir, I have just come back from overseas and during my tour visited many countries. I have gathered the impression all over that Kenya has a good name overseas. It has a good name because it has achieved political stability and it also has a good, basic economic pattern.

Mr. Speaker, when these people were speaking, I did not interrupt them. Why are they afraid of me? They know that they do not have the same knowledge. But I will stop there.

Mr. Speaker, Sir, I would like to know one point. In Kenya we have one political party, and I think the Members here will have to learn how single political parties can work in a country and how they can work in a government, because if a person like the Vice-President of our country visits my constituency and attacks me personally and we belong to the same party, then he is asking for big trouble. I can hit back very badly. Therefore, I think it is high time that the Vice-President himself learns how the one-party system works in such a country as this. This does not apply to the Vice-President alone, it applies to many Members of Parliament. Also, the country-side has to be taught the sense of getting together in the *Harabee* spirit if the one-party system is going to work.

Mr. Speaker, Sir, I do not think that we can work a one-party system when Ministers or Assistant Ministers of Government—the Government which we have placed in authority—talk, and even before we hear their views, we shout at them. The standard of debate in this House is going down terribly, Mr. Speaker. I am quite sure that the onlookers outside look at us like small school children. This is the highest authority in this country, so people must give time to each other, to be able to hear their views; then they get up in their turn and reply if they have any ideas in their minds. It is no use shouting to a Minister even before he finishes his speech; it is no use shouting.

Mr. Obok: Are you speaking for the Ministers?

Mr. Ngala: Mr. Speaker, Sir, I am not speaking for any Minister, I am speaking for myself.

The other point, Mr. Speaker, Sir, I want to make is on the question of education. I think the Government should make sure that the system of

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, in seconding this Motion for the adjournment of the House, I would like to emphasize a few points which the Mover of the Motion has already mentioned.

The Speaker (Mr. Slade): Your interruptions are too continuous, Mr. Masinde and Mr. Oduya.

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, it is only fair for us, in this House, after a long continuation of sittings, to see, all of us here, that our deliberations for the year 1965 have ended so peacefully and that the country has been moving so smoothly and that a lot of development has taken place here and there. Mr. Speaker, Sir, it is the first anniversary of gaining our republican status in this year, 1965, and I think, Mr. Speaker, Sir, that it is only fitting for us here to pay tribute to our Government on the achievement which our Government has so far achieved in this year. It is true, Mr. Speaker, Sir, as the hon. Mover of the Motion said that Rome was not built in a day, and that the hon. Members in this House should appreciate the fact that, although the Government is being pressed from all the corners of the country to hasten up development, there are a lot of handicaps which the Government is still facing, and, Mr. Speaker, Sir, the hon. Members in this House are quite aware of all the handicaps and I think it rests upon them, after the adjournment of this House, to go to the countryside and explain the policy, and the achievements of the Government so far in the year 1965. When we come back in 1966, Mr. Speaker, we shall come back with fresh minds, fresh ideas and experiences which we have gathered from the country and which our voters have given us to come and explain in this hon. House.

Several hon. Members: We want food.

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, some hon. Members are interjecting and saying that they want food, and, of course, Mr. Speaker, Sir, this is quite understandable. It is true that the country has been experiencing a lot of difficulties, especially in 1965, and we hope that in 1966 and by the time we come back to this House, a lot of famine will have been reduced, for I know in certain areas of the country people will now be harvesting their beans and other crops, which will be ripe, and already some Members are saying that the Government has announced the increment in the prices of the maize. This is one of the requests which the hon. Members have put forward to the Government, and I am glad that the Government has already met some of these demands.

Mr. Speaker, Sir, after the adjournment, I am sure that all of us will go back to our constituencies and there we shall have time to help, with our voters, exchange the experiences of the difficulties which are pressing people in the countryside, and as I said earlier, Mr. Speaker, when we come back here early next year, we shall come with fresh minds and new ideas, and this is necessary, Mr. Speaker, especially when a developing nation like ours, has been undergoing such heavy and difficult times as we have this year. I am sure that everybody will be happy that this year has passed, and that when we come back here in the new year, we shall bring with us new ideas, and we shall really have fresh deliberations in this House.

With these few words, Mr. Speaker, Sir, I beg to support the Motion.

(Question proposed)

Mr. Nyagah: Thank you very much, Mr. Speaker.

Mr. Speaker, Sir, the point I would like to raise in this House is about education, especially, I would like to deal with a specific case. The fact is this, Mr. Speaker, Sir, that last time, as the hon. Members in this House know, we said that we would give priority to those areas which were forgotten and left behind during the colonial time. It was in 1964 that the Magadi County School, which is in Meru District, was completely forgotten, and is still being forgotten. For the information, Mr. Speaker, Sir, it is a girls' school, where we have to promote the educational board.

Now, Sir, in 1964, this school was approved as a secondary school for girls, which would be opened in 1966. The provincial education officer knew everything about this school, and also knew about the minutes which were passed in Embu on an educational basis, that the school was to open in 1966, and this is stated in the confidential minutes of the committee, which I know. They are the minutes of the education committee in the Eastern Province for the year 1964/67 programme. Now, Sir, when it was promised that the school was to be opened in January 1966, it came to the point that the Government had no money, and therefore, the people of that area put up something in the hope that the Government would come and help them. All right, Mr. Speaker, Sir, the people are asked to come to the *mitua* of *Harambee*, therefore the people of that area have to contribute money. The first thing these people did, and mark you hon. gentlemen that this is going on in the whole of Kenya, not only in this particular place, which I am talking about, was to buy the site where the school was to be built.

[Mr. Nyagah]

After which, they started contributing money, and after contributing this money they put up four classrooms, a kitchen, one dormitory, a bathroom, one lavatory, and laid a water pipe which was one mile long. All this time the provincial education officer was visiting the area time after time.

The Speaker (Mr. Slade): Mr. Nyagah, I must warn you that you have very little time left. I am warning you.

Mr. Nyagah: Now, Sir, he was all the time visiting this area and telling the people to go ahead, that the Government would come and help them. But, Sir, after that time and they had done all this work, then it was in May this year when the provincial education officer came to that very area, but previously he had written a letter to the committee of that school telling them that the school would not be open in 1966. The public had contributed more than Sh. 4,000 for the building of that school, and some of the parents had to leave their children and not take them to school, because they had contributed towards the building of this school.

The Speaker (Mr. Slade): That is the end of your time, Mr. Nyaga. I am afraid.

Mr. Nyagah: Therefore, Mr. Speaker, Sir, —

The Speaker (Mr. Slade): That is the end of your time, Mr. Nyaga.

Mr. arap Bii: Mr. Speaker, Sir, I beg to say a few words as far as this short time will allow.

Mr. Speaker, Sir, we are now told to go back home and see our constituents and interpret the Government policy, tell them what the Government has done and tell them also what the Government is prepared to do. Mr. Speaker, Sir, it is very unfortunate that up to this very moment nothing has been done for various areas, particularly those in the Kalenjin District. Mr. Speaker, Sir, we are completely forgotten and I must say that the present Government of Kenya is completely confining itself, and its activities to some few areas from where Ministers and Assistant Ministers come. Mr. Speaker, Sir, even though I am being questioned here by the hon. Assistant Minister for Education who has not been and never visited some other parts of this country, who only knows, in his country, about the Yatta and nowhere else.

The Assistant Minister for Education (Mr. Mutiso): On a point of order, Mr. Speaker, Sir, could the hon. Speaker substantiate that I only know the Yatta and no other places in Kenya?

The Speaker (Mr. Slade): No, he cannot substantiate what is obviously an expression of opinion.

Mr. arap Bii: Thank you very much. The Assistant Minister has already taken up some of my time, but I beg to go on.

The reason, Sir, why I said that some of our areas are completely forgotten is that, when I speak specifically about education, I must say honestly that my own district, my own constituency, Buret, has never been given anything whatsoever since this Government came to power. During the colonial regime our district was given quite a lot of what I might call development, but not now that our Government is in power. I have already said that we are asking the Government to consider this and do something about it.

Sir, Kabanga is not enough to serve the whole of Kipsigis, which contains over 500,000 people. Kabanga is not enough, we want more than that. The question of secondary education which has come up every now and then, is completely ignored. May I ask the hon. Assistant Minister for Education to tell us this probably when he comes to reply, if he has any time to do so today, before the House is adjourned until next year?

Mr. Speaker, another point that I wanted to make very clear is the question of exactly where we stand. We have to know exactly whether we are of any importance in this House or not because whatever we say here, Sir, is always taken as a joke. This Government is never prepared to implement whatever we put through as, let us say, Motions and the rest. This is a very disappointing state of affairs and we are asking our own Government to think about it.

The hon. Assistant Minister for Communications and Power is talking about the hon. Mr. Okelo-Okongo. What is wrong with that? Is he not an Assistant Minister in this Government? Well, he has visited us but we want more of them to visit our district. It is not a question of saying that Mr. Okelo-Okongo used to go there a lot; we want more and more. Will you please come during Christmas and probably you might receive more in the way of hospitality than was given to the hon. Mr. Okelo-Okongo.

Mr. Speaker, Sir, I beg to support the adjournment.

Mr. Kase: Mr. Speaker, Sir, I would like quickly to mention a few things. We have in this House, during this Motion and in the debate on the President's speech and elsewhere, heard about the undermining of Government but we must realize, as Parliamentarians of this country, that

**[The Assistant Minister for Agriculture and Animal Husbandry]**

We do not want to be accused of hanging people. We want people to agree to hang themselves by giving them longer ropes.

So, Mr. Speaker, with these few remarks, I think the Government has been reasonable in this and I thank the hon. Mr. Shikuku—the Member for Butere—for having moved this amendment. The Government only amends by deleting that word “immediately”.

With these remarks, Mr. Speaker, I beg to move the amendment.

The Speaker (Mr. Slade): I should explain that it is premature actually for Mr. Osogo to move this amendment because at present the question before the House is simply that certain words be left out of the question. Obviously Mr. Osogo and Government agree that those words should be left out of the question. When that has been carried by the House, I then have to propose the insertion of the words which Mr. Shikuku suggested, and it would be at that point, actually, that Mr. Osogo's amendment comes in, after we have decided to leave out certain words and come to consider what words should be inserted. But, the House will take a note that if there is agreement to leave out these words then Mr. Osogo will move amendment of the words proposed by Mr. Shikuku to be inserted. Or, other hon. Members may have other amendments to propose of what words are to be inserted.

It is time now for a Minister to move the adjournment of the House.

Hon. Members: There is no Minister here.

The Speaker (Mr. Slade): Would you do this, Mr. Osogo?

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): On a point of order, Mr. Speaker, since in our Standing Orders the word “Minister” is defined to include Assistant Ministers, would I be in order to move the adjournment of the House?

The Speaker (Mr. Slade): Yes.

**MOTION FOR THE ADJOURNMENT**

ADJOURNMENT TO A DAY OTHER THAN THE NEXT NORMAL SITTING DAY

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): Therefore, Mr. Speaker, I beg to move that the House do now adjourn.

The Speaker (Mr. Slade): It is a little more than that, I am afraid.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): Until the 25th January 1966.

The Speaker (Mr. Slade): Who seconds this?

The Assistant Minister for Education (Mr. Mutiso) seconds.

The Speaker (Mr. Slade): Do you want to speak on the Motion, Mr. Osogo?

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, the House is adjourning at the end of the year 1965, a year which has seen this country go through several changes, both economic, social and otherwise, in which this Government has announced free medical treatment for our people, a year in which our Government has announced free education for the higher school pupils.

Mr. Gichoya: On a point of order, Mr. Speaker, I want your guidance on this. Yesterday we did adjourn this House, or the proceedings of this House, in order to get a statement from the Government in connexion with Rhodesia. Now, when we embark on this Motion of adjournment of the House how shall we be in a position, Mr. Speaker, to get the statement of the Government of this House before the date which has been proposed here? What can we do so as to get a statement and then think of adjourning the House up to the 26th?

The Speaker (Mr. Slade): If hon. Members felt that the House should not be adjourned beyond the next normal sitting day without some more definite statement from the Government on the Rhodesian situation it would, of course, be open to the House to oppose this Motion and resolve against it.

I understand though, in fact, the Cabinet are sitting now on a statement which will be made later this morning to this House, and if that statement is made I imagine that by the time we come to putting the question on this Motion the House will be satisfied to adjourn.

It will be open, also, if a statement is made by Government, for hon. Members to inquire when it is intended by Government that the House will have an opportunity of debating the statement, and there might be some assurance then from Government that the House should be convened before the 25th of January; I do not know.

**[The Speaker]**

I think you had better wait and see what statement, if any, comes forward from Government. If there is no statement before the question on this Motion is put, hon. Members will have to decide whether or not they are happy that the House should be adjourned.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, I was reminding the House of the activities that have taken place during the year 1965, the year which is ending in a few days from today.

In addition to what I have mentioned, Mr. Speaker, we have also passed through difficulties. The year is the first in which our country has been put into difficulties of the shortage of food caused by the shortage of rain in this country.

Hon. Members: No.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): The shortage of rain, as I have said, Mr. Speaker, is not something hidden, it is something that the voters in this country have seen. There was no rain, so there is no question of hon. Members saying “No”.

Mr. Speaker, we have also seen some troubles in our neighbouring countries, particularly in Rhodesia. So this year has been coupled with a lot of difficulties and social changes, both in this country and in our brethren countries neighbouring us.

We are going to enter, Mr. Speaker, into another year which this Government hopes is going to be another year of progress, another year in which we hope that hon. Members of this House, whom His Excellency the President calls the elders of this country, are going to think of other ways of assisting this Government and of assisting this country in developing; a year in which I hope that statements that have been made—and years change and as we grow older our ways of thinking also grow older—we hope, Sir, that in the coming year of 1966 we might devise a method of assisting or criticising this Government constructively, so that we could learn by past mistakes, so that we are not kept on our toes all the time, racing in such a way that we might break our legs and then not be able to run further.

In saying this, Mr. Speaker, I am appealing to the House that if anybody breaks a foot and does not run further, and if the Government breaks because it is forced to break, it would mean that the whole nation would be broken. I am appealing to the hon. Members of this House that, when

we adjourn and go to our constituencies, we should try to explain to our people the difficulties our Government is undergoing; the financial difficulties, Mr. Speaker. The Member for Teso says there are no difficulties; the hon. Members in this House know that we have difficulties because we do not have enough finances to fulfil our promises to this country. Mr. Speaker, these things do not come without money. Many things have to come with money. If we are told in this House that there is a granary of money somewhere—

Hon. Members: Well, isn't there?

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): These are interjections, Mr. Speaker, which are comparing our Government to other governments, and which I will not accept, because—

Mr. Khasakhala: On a point of order, Mr. Speaker, I wonder whether as the Assistant Minister is moving the adjournment it is in order for hon. Members to interrupt and so stop us from hearing what the Assistant Minister has to say?

The Speaker (Mr. Slade): Yes, hon. Members are being too noisy in their interruptions.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): I think, Mr. Speaker, earlier in this debate when I was introducing this Motion I appealed to hon. Members to at least have a mature way of thinking in this House. We cannot be compared to a leader of another nation in this country, it would—I think—be an abuse to any hon. Member if I compared his home to another man's home. So, I think it is an abuse to a Government like ours to be compared with others, because So-and-so has done this to get money; how he gets money is the business of that nation.

Sir, I think I will end, because I only have five minutes, by appealing to the hon. gentlemen and appealing to the country to realize that we are growing, and as we grow there are bound to be changes in the growth. If you grow bent, you will grow bent, and if we are being forced as a Government to grow as a bent tree it will be very difficult to straighten us when we are already difficult to straighten us when we are already difficult. We should have been asked, as a Government, to grow in the way that our people want and not that we should be harassed and forced to grow otherwise.

Mr. Speaker, Sir, I beg to move.

The Speaker (Mr. Slade): You second, Mr. Mutiso. Do you wish to speak now?



Mr. Kamau: Mr. Speaker, Sir, I will speak very briefly on this amendment and before I come to supporting it, Mr. Speaker, Sir, I would just warn the Members of this House that experience is most important; if anyone has to tackle a problem, he should learn from experience.

I was detained for nine years, and I was detained on allegations. Mr. Speaker, Sir, it would be very dangerous for this House to think that we have inherited the colonial mentality with which the true nationalists of this country shall not have freedom in their own Government. Again, Mr. Speaker, Sir, I would say that the Leader of our Government, the Head of our State, the hon. Mzee Jomo Kenyatta, is a person who could not associate with people who, just to show off say that we will detain anybody without trial in a court of law, for the simple reason that he has suffered the consequence of these allegations.

We know what happens all over the world. When people want to come to power, they organize their groups to promote them. Then what they usually do is to come under a political cover and they can do great damage to the country. In this respect, Mr. Speaker, Sir, I want to warn my beloved Government that, at this stage, any speeches at meetings which can be called subversive must be very carefully weighed, because most of the people who are making speeches in these public meetings are the former nationalists who fought for the independence of this country, and most of those people who arrange that these people are giving subversive speeches are the people—and I must say it here—who have been supporting the colonial mentality.

Mr. Speaker, Sir, I want to quote one example which has not been revealed here. The other day here I alleged that I was prevented from having a meeting in my constituency. Now, Mr. Speaker, Sir, the same thing has happened in my district. I am the Secretary of Kanu, Kiambu District, and I have been stopped by the licensing officer who says that I cannot hold Kanu public meetings because there are some Kanu officials who are supposed to make subversive speeches in these meetings.

The Speaker (Mr. Slade): Mr. Kamau, I cannot see how that is relevant to the amendment we are discussing now. We are discussing the amendment of this Motion by leaving out certain words. Keep to that.

Mr. Kamau: Mr. Speaker, Sir, I am only bringing this forward to demonstrate what is happening today in this country.

The Speaker (Mr. Slade): But you will need another Motion to do so; you cannot do it now. Mr. Kamau: Right, Mr. Speaker.

To confine myself to the actual amendment, I would say that it is high time that our Government should not be afraid of taking to a court of law anybody who is supposed to be subversive, but to say that a person will be detained because Mr. X thought that if hon. Gatungu, for example, makes speeches of this nature, he is going to be very famous in the Kikuyu constituency and he is going back to Parliament next time, therefore I must undermine him by putting him into detention, I would say this is very, very wrong, Mr. Speaker. Anybody, who has made inflammatory speeches in a public meeting, should be brought to a court of law.

Today, Mr. Speaker, Sir, the whole world is looking at Kenya and people are saying that this is the first African Government to be led well by the hon. Mzee Jomo Kenyatta. We do not want some individuals to use the coverage of President Jomo Kenyatta while carrying out their secret activities. What we want, Mr. Speaker, is that if anybody is thought to give subversive speeches, he should be taken to a court of law, so that the world will know that so-and-so has been tried by his own Government, has been convicted and sentenced to a certain term of imprisonment, otherwise he has been detained. That would be better than just creating propaganda, because to name people publicly will create confusion in the whole country, as we will never know who is speaking the truth, unless we are given directions in writing as to what to tell our constituencies and the public, which will mean that we will not then have freedom of speech to the public.

To this effect, Mr. Speaker, Sir, I feel it is high time we should agree unanimously in this House that anybody thought to be subversive should be brought before a court of law so as to be tried, and the world will know that the Kenya Government is a government for the welfare of society and the just government of men.

With these few remarks, Mr. Speaker, Sir, I support the amendment.

The Speaker (Mr. Slade): Mr. Osogo: You are speaking for the Government?

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): Yes, Sir.

The Speaker (Mr. Slade): So you have twenty minutes if you want, but you only have ten minutes today before we come to the adjournment of the House.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, I am pleased to reply to this Motion on behalf of the Government, and I thank the hon. Members of this House for having taken a keen interest in this Motion.

I note, Sir, that the hon. Mover of the original Motion has given an indication in the Motion that the House is aware that these elements exist. It is a pity, Sir, that statements made in public by some people in this country, including hon. Members of this House, have given an indication to this country and to the world at large that we are divided in this country. This is a pity for a growing nation such as ours, because, Sir, we have not, if we are sincere with ourselves, heard from brethren of ours who have come from colonial yokes—some of them a little earlier than ourselves; others later than ourselves—what goes on in those countries. The citizens of those countries have seen that their Governments need time to shake off themselves the firebrand of the colonial yoke, to recollect themselves to build the nation which they desire.

Here in Kenya we push the Government as if it has been a Government which has been existing for over fifty years, while it is a Government which has been in existence for only two years, Sir. If hon. Members are sincere with themselves, there is a saying, Sir, that Rome was not built in one day. Here our Government is being asked to build this country in one day. The voters who voted this Government, including the hon. Members of this House, to this Parliament, the voters who are now in the galleries and in the countryside, know very well that Government needs time to plan itself to the satisfaction of the people. Indeed, Sir, I would appeal to the public to take note of the speeches that are being given by these elements so that they know, they have the power to judge because they judged us fit to come to this Parliament. They gave their own votes in judging that we were capable of leading them in this country, so that this judgment, that ability they had in judging that we should be elected to this Parliament, they still have in judging what kind of speeches are given merely to blackmail what is happening. Mr. Speaker, they have the ability, also, to judge what the Government is trying to do; they have the ability to note that with all due respect to whatever speeches are given, some of them are designed in such a way as to make the Government's work almost impossible, for the Government to be able to develop this country. Let us not

pretend here that these people are fools, Mr. Speaker. These people are more clever and wiser than ourselves because they chose us to be here.

The Speaker (Mr. Slade): Mr. Osogo, may I remind you that we are discussing the amendment actually now. I have allowed you to speak a little bit to the Motion as a whole because you are answering for Government, but we must come strictly to the amendment now, whether these words be left out.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): Thank you, Sir.

Mr. Speaker, the Government is sympathizing with the Motion, accepting the amendment of the Motion, with a small amendment on this amendment. Sir, it is only fair that when these elements have been found out to the justification of proving to the courts of law in this country beyond reasonable doubt that they have been engaged in subversive actions against the popularly elected Government, they should be brought to the court of law. I have said "beyond reasonable doubt", and this takes time, Mr. Speaker. Speeches or political agitation—it should be remembered, Mr. Speaker, that freedom of speech is enhanced in our Constitution, and we cannot deny it.

Mr. Ngala-Abok: Where is it?

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, if it is enhanced in our Constitution, and the hon. Member says "no", I think it is only right for him to refer to his book on the Constitution, and to find that this is given there.

Now, if we have freedom of speech, it is up to us as responsible people, to use this freedom of speech reasonably. Sir, political agitation is common in many countries, but if political agitation goes subversive it becomes very difficult for a Government to prove to the courts that this is happening; it takes time, Mr. Speaker. So, I would ask the House to delete Speaker. So, I would ask the House to delete the word "immediately" in the amendment so that the Motion would read, Sir, after the words "urges the Government to bring those concerned before the court of law". I am only deleting before the court of law. I am only deleting the word "immediately". Mr. Speaker, so that the Government is given time so that those making investigations into these cases are given reasonable time to prove to the courts. We do not want to bring cases to court which would not be proved beyond reasonable doubt. We do not want, Mr. Speaker, to hang anybody—by hanging I mean giving one a rope on which to hang himself—we do not want to give a short rope so that one does not hang himself.



[Mr. Shikuku]

Mr. Speaker, Sir, I do not want to waste any more words. Things are very obvious, they were all mentioned by the hon. Mover and, therefore, Mr. Speaker, with these few remarks, I move the amendment.

Mr. Ngala-Abok: Mr. Speaker, Sir, if the hon. Member, who has moved this amendment, thought that I was going to contradict what he said, he must rest assured that I am wholly with him.

I must, first of all, thank the Government for having created peaceful and very prosperous conditions in this country. We see businessmen pouring into our country and we see that we are very popular indeed. In some of these places and even with the position in which we were yesterday, we are assured that our Government is trying to take some wise steps to judge things according to their merits; that is why our Government is not an irritated and a very worried one like other Governments. So, I think, while we are concerned with peace, prosperity and progress of this country, we would like to make use of our courts. We have wonderful and very nice buildings here, put up by British experts during the colonial days, and we should make use of these courts fully. It is in these courts where the country can understand exactly how a person has been undermining Government. This is where documents will show publicly, how a person has participated in an undermining activity. This is the place where the people will know that somebody is taking action, not basing it on foreign ideologies, personality cult or ambition for power, but a person or a Government is taking action, basing it on justice. This is why I support this amendment very fully.

I am opposed very much, Sir, to the original Motion, because it was vague, and probably to give room for the people to talk all the rot they have in their brains without mentioning something specific. We know that in every country there are elements of opposition, there are elements of undermining, there are people who would not like to see others leading and there are people who are ambitious all the time to lead: They would not like to see any other person in front of them. This we know; but all the same, we do not want to mislead the President. Neither do we want him to mislead the country. We are not interested in the President. We are interested in the people of this country being peaceful and taking part in economic activities and nation building. This is what is important. But in order to create the conditions where the people of the country will follow the Government and participate in nation

building, our President or our Government must see to it that they do not create a situation in the countryside of suspense, confusion, and suspicion. We want the Government with its experts, with the Criminal Investigation Department, Special Branch, to come out clearly with a statement that is absolutely true and that can be proved in the court of law. I think this would be more helpful. I must, however, remind members of one thing which is going on among Members of Parliament, among Cabinet Members and in the countryside within certain circles. This is the question of personality cult and who will lead in future. This is what is bringing such Motions. It is clearly stated—and we know it—that there are people who are working for the downfall of others, and this is what creates confusion in the countryside. If this is the sort of politics we are carrying out, then let us not introduce such Motions to the House, because if it is merely a political manoeuvre to overthrow certain individuals, then do it in the political field and do it cleverly. Say that So-and-so is undermining the Government, is doing this and that. Then go round to the people, tell them, let the people hate him, and let his political activities fail. This is the political way of killing an opponent, by telling people clearly that So-and-so is doing this and we want you to cut him, we want you to forget him. This is a thing which can succeed, but if you make vague statements—

An hon. Member: We want you to kill him.

Mr. Ngala-Abok: Yes. Even if you advocate killing, the court will see to it that you make either statements which will warrant prosecution or not; it is up to you. Declare frankly that we do not want So-and-so to the people of the country, and let the people follow you. But if you are not careful in declaring that, you may also find that you fail.

Mr. Speaker, we do not believe in the Congo sort of affairs in this country, where this leader arrests So-and-so, tomorrow he is also arrested, another day somebody else is overthrown; we do not like this. We like our President because he is a steady leader and I am sure, after the President, we really doubt whether these few fellows who are now making *kelele* for political reasons will succeed in leading this country. Mr. Speaker, ours is a very mature country. Kenya has been brought up to a political maturity which, I think, is continent-wide, and I believe very much in Kenya politics, because, much as we have tough politicians, they are also interested in seeing that justice in the end will prevail. But while looking at this justice, we do not want speeches which

[Mr. Motion—

[Mr. Ngala-Abok] are meaningless, aimless and probably just for personal reasons; we want people to be sent to court.

However, I must give a warning on one thing. At no time shall I be dictated to as to what I have to say to my constituents. If I find that there is no proper wages policy for the people, I will say so; if free primary education was promised and cannot be implemented, I will say it to my audiences; if prices for commodities, cash crops, and so on, are not well organized and there is no proper marketing system, I will say so and I will criticize the Government very seriously; if there are no proper loan facilities and land consolidation cannot be rapidly carried out, I will say so; if tribalization or Africanization cannot be carried out—because there is too much tribalism within our Government services—I will have the guts to say so and let anybody send me to court merely through jealousy or for tribal reasons, I will not care.

There is imbalance in economic power with the Asians here possessing everything. Now that our people are earning more, they buy, for example blankets from Asians and this gives them more economic power. If Government is doing nothing, I will not stand that position, I will criticize the Government. If anybody says that statement will undermine the Government, then I do not know what politics means. Politics means fighting for the people's benefit. If your opponent does not want you because he feels that you are fighting for the right thing, let him take political steps to get you out of the political field, and if anybody is organizing groups to undermine the Government or to preach the theory of China, the theory of America, the theory of Ronald Ngala, the theory of any other person in this country, then, again, he is the person we must get rid of.

So, in ending, Mr. Speaker, I must repeat what I said. This country is being led very, very reasonably; it is difficult to foresee any leader who will lead this country like President Kenyatta. Let us not cause chaos in this Parliament by talking about rumours and introducing Motions which may create a situation which we may not even arrest in the countryside. Let us see justice, let us see that we represent our people properly, and let us not care who will come to power. If we find a person suitable in future, we shall install him in power, and it is respect which will keep him there. Mere ambition, mere tribalistic organizations will never keep anybody in power.

President Kenyatta is trying to lead all tribes properly, but I would like to ask for this Motion to be adopted on the basis of this amendment, so that whenever anybody makes a mistake, the court will deal with him; justice will be seen to be working. The people in the countryside will see documents alleging that the person has taken such actions which are not for the good of the people. Then let us run our Government properly. But if we go to the Corner Bar and adopt resolutions which we are now trying to implement, this is very dangerous. This resolution—I have it in a paper—which was to work out for the downfall of the Vice-President, Mr. Odinga, and to install Ronald Ngala: In power cannot come. This is in a document which was well worked out, and if such Motions are meant to let down the Vice-President or Cabinet Ministers, these also must not be accepted, because we do not want Motions which are aimed at destroying an individual Cabinet Minister; this is not politics. Parliament is to represent justice: for the welfare of society and the just government of men. This is what this Parliament is doing. If anybody wants to destroy Ngala-Abok or the Vice-President or President Kenyatta, let him go to the people, because they are the voters. But if he comes around here, he feeds Members with a lot of rubbish, then he is failing in his duties. Let us not adopt resolutions which are secretly devised, planned and mapped, let us just work on the hard facts of the day. Let us see a person's mistakes, let our courts take action. We shall always be behind such a Government, but if the Government takes action for political reasons, politics have no end. To-day you are in power and tomorrow you are nobody.

Therefore, let us not bury our brains in politics alone, let us tell our country how free education will be given, how their marketing system will be organized, how Asians will leave business for Africans peacefully and how we shall balance our economic manpower.

That is all, Mr. Speaker. I wish to support the amendment very strongly.

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

The Speaker (Mr. Slide): This means that if any hon. Member has other words that he thinks should be inserted, he would still agree with these words being left out. I think in this case it is better to confine the debate to the amendment, which really focuses attention on the main point.

[Mr. Oduya]

if they change the statement to say that Oduya is instigating people, or injecting this and that, and telling people to be against the Government, then that is very wrong. If such officers are found, they should be kicked out, and we will employ some young men and they will do some work. We are here to go with the popular opinion of our people: we are not here to govern and just sing about an individual or a group of individuals just because they are in high positions. No. We are here to check on what the popular masses think. If the popular masses are against a certain individual, we will tell that individual to go away, even if he is as powerful as hell, because hell actually is powerful.

Now, Sir, because of this we are now tired and we demand that our President, when we pass this Motion, will make it very, very clear to the country that if he is not going to name these people he should tell the country that what has been going on was completely out of the question, and that all the rumours were misleading. But if he knows that what he has been saying and what the other Ministers have been saying is true, then we would like to see peace, and peace can only be brought about when these people have been brought to court. Also we do not want a man just to be arrested and put in detention, we want the court to take the final decision.

Mr. Speaker, with these few remarks, I beg to support.

The Speaker (Mr. Slade): I will propose the question. I think there is one small grammatical error in the first line, it should read, I think, "That this House being aware that . . .", not "aware of".

(Question proposed)

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): On a point of order, Mr. Speaker, may I know why you have had to indicate to us this small amendment, whether the error came from the printer or the Mover?

The Speaker (Mr. Slade): I do not know, but obviously grammatical mistakes must be corrected, for the sake of everybody.

Mr. Shikuku: Mr. Speaker, Sir, I must thank you, first of all, for having given me the chance to speak on this Motion, because I am one of the people who are not interested in this kind of rumour and statement which has been made in the Press, radio and television, which has no substance.

I rise to speak on this Motion with four points in mind. First, Sir, as a Kenya citizen, and as someone who believes in Kenya, a place which is my home, I would like to take this opportunity to make it known to the Government that they must take this thing seriously. Unfortunately, the Government big guns are not here, but nevertheless I can see three people who are all Assistant Ministers, and I hope they will take this down.

The Motion as it stands is quite forthright and straightforward and I support it entirely. But I would like to make an amendment in the course of my speech. One thing, Mr. Speaker, which is bringing confusion in the country, is the very Cabinet of the country. These members of the Cabinet are the people who make big speeches at public meetings, which are reported in full over the radio and television, and also the people in the place where they are speaking listen to them. To make it worse, Sir, these are the people who are regarded by the country as the leaders of the country and, as such, whatever they say is taken seriously. The hon. Mover has quoted several instances where the Ministers, at these meetings, even including the Leader of the Nation, the hon. Jomo Kenyatta, have made statements to the effect that there are people or elements in this country who are undermining the Government, and they are all the time issuing warnings. We are getting quite fed up with these warnings.

We who are married know that if you always tell your wife about the same thing, the wife gets used to the thing and in the end she never listens. The point is that when you talk, you should say the thing once or twice, and then the third time the wife should get a kick and then she would realize that the husband is serious. But I am afraid to say, Mr. Speaker, that this Government of ours is continuing to warn and warn and warn, and people have become completely used to these warnings and have become fed up with them. So we all know now that if there is a public meeting, the same sentences will be printed, the same words will be said over the radio and on television, and nobody cares about it at all. If there are any people engaged in subversion, they are already used to the warnings and they are doing their job still.

So I beg the Government to tell us who these elements are; and not only that, but to go as far as getting these elements into a court of law so that everybody can know who these fellows are when they have been prosecuted in court. But we are not going to listen to rumours. The other day, Sir, I said that I opposed very strongly the statement by the Vice-President, who is a very responsible person in the Government and who is well

997 Motion—

[Mr. Shikuku]

known as a person in his constituency, when he said at Mombasa that the former Kadu fellows are the people who are engaged in this subversion. Mr. Speaker, when I challenged him to tell me who these people were, up to today he has not even replied to my challenge. In other words, the leaders of the Cabinet are the ones engaged in rumour-mongering which they cannot substantiate.

I would like to know what the Government is going to do about that because the hon. Oginga Odinga specifically mentioned that former Kadu supporters were engaged in subversion. I would like to know whether the Vice-President is going to be sent to court for this. If he is not going to be sent to court, what is the point of stopping people like Kingori and the others from saying whatever they want?

There is an attitude here, Mr. Speaker, which must be corrected. That is that if you are a Minister you can say whatever you like, and if you are not a Minister or an Assistant Minister and you say nothing, you are sent in. Even during the imperialist times we never had such a state of affairs, and I do not see why the Government promotes such an attitude in the country now that we have achieved independence.

The other issue, Mr. Speaker, is with regard to this question of those who are going to take over the Government and subvert it. Mr. Speaker, I belong to no group, I speak as a referee. This is coming about because some people in this Parliament consider themselves as being socialists though I do not know whether they know what they are talking about; and some people here consider themselves as being Kenyans or the people who support democracy, and I do not know whether they understand that either. Mr. Speaker, these rumours—I am refereeing—these rumours are based on a cold war which is going on in this House and, as a result of this, these rumours are circulating as to who is going to undermine whom. This is not in the interests of the people of Kenya because the ordinary people in Butere or in Kirinyaga or in Kikuyu are not interested in who is going to be what, but in what is going to be given to them to eat. They believe in nothing other than *Uhuru na Tumbo*, what they can eat and where they can find employment. That is all.

We are wasting our time here on rumours and, therefore, Sir, before I go further, I feel that the time has come when this Government, if it is worth the name of Government, should now not only tell us who is going to do what, but to send

that person, whom they suspect, to court, and then the people will know what is happening in this country. We do not want any more statements from Ministers on rumours.

Another thing I would like to warn the Government about is the question of someone being detained or restricted without being brought to a court of law, because if I became a Minister and I disagreed with an hon. Member here, I would one day detain him and no one would know why I was detaining him, it would probably be because he took a girl friend of mine. We want these people to be sent to a court of law so that the public and the world at large will know what—if it happens to be the Member for Homa Bay—such a man has done. Let him be sent to court and then the people of Homa Bay will know what it is that the hon. Mr. Ngala-Abok has done.

Therefore, Sir, I beg to move an amendment to this Motion. My amendment does not really alter very much the sense of the Motion but I would like to be very specific and very precise. So far, the Motion is not absolutely specific; it is only dealing with the question of naming people. We do not want merely to name them, but we want something to happen to them.

Therefore, Mr. Speaker, I beg to move that all the words after "urges the Government to", from the word "name" up to the end, be deleted and that there be inserted in place thereof the words "bring those concerned immediately before the court of justice so that they can be prosecuted". Mr. Speaker, I want to see these people in court immediately because the President has said, and the Cabinet Ministers have said, that there are people here who are subversive. We want those people who, according to the President and the Ministers, are undermining the Government, to be brought immediately before a court of law so that they can be prosecuted and the country and the world will know who is undermining the popularly elected Government. That is why I am moving this amendment, to make the Motion precise and to the point, so that we can inform this Government now that we are not interested in the Ministers' statements, we are not interested in the statements of the Leader of the Nation, the hon. Jomo Kenyatta, to the effect that somebody is undermining the Government; but we are interested in supporting the hon. Jomo Kenyatta sending somebody into a court of law and getting rid of that man and putting him into prison and so forth.

The whole country, Mr. Speaker, will be behind the President, including the Member for Butere, if they are sent to court and tried for undermining the Government.

[Mr. Mbogoh]

say, "I fought against them, what is wrong with that? I am in a top job today", Mr. Deputy Speaker, Sir, they also say, "I do not care if they speak about you or not, and I do not care if they fought or not, I only care that I am in a top job in the Kenya Government." Mr. Deputy Speaker, Sir, these people do not value our *Uhuru* today, because they still mistreat people as they used to mistreat them, and do not value the fact that we have our self-Government, because they never fought for it, but fought against those who were fighting for it, and yet they are still reaping the fruits of us who fought for it.

Mr. Speaker, Sir, this is all wrong, and I feel that this Government must go into the possibilities deeply of naming publicly those people who are undermining this Government, and even go as far as taking action against them, and not just saying that there are some people who are undermining the Government; that there are people who are not in favour of this Government. Mr. Deputy Speaker, Sir, this reminds me of the 12th December, this year, when we celebrate our first anniversary of this country becoming a Republic. Mr. Deputy Speaker, Sir, I think this is the right time for the Cabinet to make a very, very stern statement, telling the people of this country what action we are going to take from the 13th December, but not just to make a statement, but to show the people in this country that there is a need for action and not just for talking. Mr. Deputy Speaker, Sir, all the public of Kenya, except these citizens from 12th December, expect the Cabinet to be reshuffled so that it can advise the President properly, because if the President is misled intentionally or unintentionally, it is possible that they misled him, without his knowing, and they might be somebody pocketed by somebody else in Kenya and they misled the President, so that he makes these statements.

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

Mr. Oduya: Mr. Deputy Speaker, Sir, I rise to second the Motion. We have been expecting this Motion for a long time and I am very glad that it has come at this time, the right time, but unfortunately we do not see the President here, or even a representative of the President. We should actually put the answer we want to the House and to the nation.

Mr. Deputy Speaker, Sir, in very recent months, between the region of March and September, the public in Kenya was completely perturbed with the situation that existed, because everywhere a Minister went the main speech, which was given, was devoted entirely to talking about the

people who were undermining the Government. The President, at one stage, was brought up to join in these silly statements which were directed to disrupt the peace and stability of our economy in the country. The President has given very, very strong statements supporting certain Ministers who said, that in the country there are people, maybe inside or outside the Government, or even Members in this Parliament who are not holding any portfolio, who are out to undermine the Kenya Government. This was repeated every now and then all over the country, and some people, even in my own constituency, and many others all over the country, started asking questions, like, "Who are these people who cannot be named, but who are undermining the Government?" Eventually, Sir, it reached a stage whereby even Members themselves, even those who are seriously concerned and engaged in this game of going to the public and saying to the people that there are people who are trying to undermine Kenya's Government also found themselves in a very serious position, because when they went out they were asked by the people, "Who are these people that you are telling us about?" He was, then, not in a position to name them.

So, Sir, this Motion is just asking the Government of Kenya to name these people. If his name is Oduya, then he should be named Oduya, so that when I go to Teso, they will say, "All right, you will not be re-elected." They will then have their seat back, which will be right, because they are the ones who elected me to come here. If they are informed, and find out that I am undermining the Government and I am sent before a court of law to prove this, then definitely my people will keep me out of this country, and the country will remain peaceful. This, Sir, I feel is the only way to deal with a situation like this. But, Sir, it is no use going to the countryside and talking about people undermining the Government. Even an investor who visits the country every morning when he wakes up reads the paper, which only records the speeches made which tells the country that there are some people who are undermining the Kenya Government. This, Sir, is not the way we should run our Government.

Mr. Speaker, Sir, we are told that this Government is a popular Government. In fact, if I may say so, it is the President who is very popular as an individual, which follows therefore that his Government is very popular. He is popular and because of his popularity, his Government is popular. But, Sir, because there are some elements, who perhaps fear their position, these people, because they are afraid of what might happen after Mzee Jomo Kenyatta passes on, and therefore, these are probably the people who are

49 Motion—

[Mr. Oduya]

engaged in trying to disrupt the peace, in trying to inject into the Mzee's head that there are certain people around him, who perhaps may not even be dangerous, but who are probably sincere supporters of the Mzee, but they want them out of their places, but they want to move these people out of their places, and they want the Mzee to take this drastic action, and say to these men, "You are the people who are undermining my Government". But, Sir, if it is true that the President also believes, because of his speeches, for example on *Madaraka* Day where he hammered out, that there are these kind of people in the country, and therefore the country believed that there are these people existing in the country.

Mr. Speaker, Sir, at one stage I remember in the 5th Session we demanded, in this House, the Mzee to come out and name these people, take them to court, let them be prosecuted and kept out of the country, completely away from the people. But, Sir, to date, the President has not taken any action, and as a result of that even those who are fully engaged on the field reduced their campaign, and even the President himself reduced his campaign, because these days I never see apart from my speech in Nyeri where I asked every person in Kenya, every voter, to lead a delegation to his respective Member and see what type of food he is given to eat, and apart from that speech I do not think there is any other threatening speech which the Mzee has issued. So the issue here, Mr. Deputy Speaker, Sir, is that we do not want our Government, which is actually still a little popular since Mzee is still leading it—I say still a little popular—we do not want this Government to go down completely and become very unpopular. Even now there is a lot of frustration all over the country because of these speeches. Most of the Ministers have been caught in talking, campaigning to retain their positions, but they have not been serious enough in talking about what type of food we should have or where to get food for our people or how to increase production or what prices we should offer the grower or what type of wage structure we can offer our people, the workers, who voted this Government into power. All this has not been considered. What Ministers have been considering is campaigning.

Meanwhile the foreign powers, who are interested in controlling the political activities of Kenya and, at the same time, controlling the economic sector of Kenya, have also been very busy through those individual characters to see that trouble starts in Kenya. When there is trouble, they know very well that Kenya alone cannot control trouble here, but that the country

will look to them for assistance. For one thing, Kenya will run short of food and they will be in a position to supply food to Kenya and then say, "Look, we are giving you food." That will run us into debt and throw the country into chaos. Secondly, they will say, "All right, we will offer you arms and troops to cool the rebellion of the masses."

This has been a campaign and this campaign is directed possibly from outside or by people who may have been kicked out of this country and now they are annoyed because they are not enjoying the political and administrative power they used to enjoy before.

[The Deputy Speaker (Dr. De Souza) left the Chair]

[The Speaker (Mr. Stade) resumed the Chair]

Now there was talk about the take-over of Kanu head office which became another issue whereby the Government, and even the Attorney-General, made it very clear that there was some mastermind behind all the arrangements, and they promised that these people would be brought to justice. The country is still waiting to see when these people will be brought to justice. We do not want people to take our Government so lightly and thinking that the Government is only talking through the Press without taking action. We do not want the names of certain personalities in the Government, or within the political circle of Kenya, to be spoiled, with people saying, just in the form of rumours, "Oh, they suspect So and So, they are suspecting Ngala-Abok, they are suspecting Masinde" and so on. This is no good.

I hear that the Government has a very accurate Criminal Investigation Department, that Kenya's Department is possibly the leading one in the world, because it has been indicated that Kenya has highly trained Criminal Investigation Department. But if these people are so good, they should be submitting reports, proper reports, to the Government, to show how these people are undermining the Government, and who they are. It is the duty of the Government to bring these people to justice immediately, without waiting and letting them give out statements which are damaging.

Secondly, it may be that the Criminal Investigation Department is only interested in reporting what people like me say, when I tell my people, when they ask about prices, "Well the price, for example, of maize has been agreed, but the Government is not implementing it." There I am not committing any crime, but really expressing what has been decided by the National Assembly of the people. That is not undermining anything. But

[Mr. Oduya]

if they change the statement to say that Oduya is instigating people, or injecting this and that, and telling people to be against the Government, then that is very wrong. If such officers are found, they should be kicked out, and we will employ some young men and they will do some work. We are here to go with the popular opinion of our people; we are not here to govern and just sing about an individual or a group of individuals just because they are in high positions. No, we are here to check on what the popular masses think. If the popular masses are against a certain individual, we will tell that individual to go away, even if he is as powerful as hell, because hell actually is powerful.

Now, Sir, because of this we are now tired and we demand that our President, when we pass this Motion, will make it very, very clear to the country that if he is not going to name these people he should tell the country that what has been going on was completely out of the question, and that all the rumours were misleading. But if he knows that what he has been saying and what the other Ministers have been saying is true, then we would like to see peace, and peace can only be brought about when these people have been brought to court. Also we do not want a man just to be arrested and put in detention, we want the court to take the final decision.

Mr. Speaker, with these few remarks, I beg to support.

The Speaker (Mr. Slade): I will propose the question. I think there is one small grammatical error in the first line, it should read, I think, "That this House being aware that . . .", not "aware of".

(Question proposed)

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogol): On a point of order, Mr. Speaker, may I know why you have had to indicate to us this small amendment, whether the error came from the printer or the Mover?

The Speaker (Mr. Slade): I do not know, but obviously grammatical mistakes must be corrected, for the sake of everybody.

Mr. Shikuku: Mr. Speaker, Sir, I must thank you, first of all, for having given me the chance to speak on this Motion, because I am one of the people who are not interested in this kind of rumour and statement which has been made in the Press, radio and television, which has no substance.

I rise to speak on this Motion with four points in mind. First, Sir, as a Kenya citizen, and as someone who believes in Kenya, a place which is my home, I would like to take this opportunity to make it known to the Government that they must take this thing seriously. Unfortunately, the Government big guns are not here, but nevertheless I can see three people who are all Assistant Ministers, and I hope they will take this down.

The Motion as it stands is quite forthright and straightforward and I support it entirely. But I would like to make an amendment in the course of my speech. One thing, Mr. Speaker, which is bringing confusion in the country, is the very Cabinet of the country. These members of the Cabinet are the people who make big speeches at public meetings, which are reported in full over the radio and television, and also the people in the place where they are speaking listen to them. To make it worse, Sir, these are the people who are regarded by the country as the leaders of the country and, as such, whatever they say is taken seriously. The hon. Mover has quoted several instances where the Ministers, at these meetings, even including the Leader of the Nation, the hon. Jomo Kenyatta, have made statements to the effect that there are people or elements in this country who are undermining the Government, and they are all the time issuing warnings. We are getting quite fed up with these warnings.

We who are married know that if you always tell your wife about the same thing, the wife gets used to the thing and in the end she never listens. The point is that when you talk, you should say the thing once or twice, and then the third time the wife should get a kick and then she would realize that the husband is serious. But I am afraid to say, Mr. Speaker, that this Government of ours is continuing to warn and warn and warn, and people have become completely used to these warnings and have become fed up with them. So we all know now that if there is a public meeting, the same sentences will be printed, the same words will be said over the radio and on television, and nobody cares about it at all. If there are any people engaged in subversion, they are already used to the warnings, and they are doing their job still.

So I beg the Government to tell us who these elements are; and not only that, but to go as far as getting these elements into a court of law so that everybody can know who these fellows are when they have been prosecuted in court. But we are not going to listen to rumours. The other day, Sir, I said that I opposed very strongly the statement by the Vice-President, who is a very responsible person in the Government and who is well

997 Motion—

[Mr. Shikuku]

known as a person in his constituency, when he said at Mombasa that the former Kadu fellows are the people who are engaged in this subversion. Mr. Speaker, when I challenged him to tell me who these people were, up to today he has not even replied to my challenge. In other words, the leaders of the Cabinet are the ones engaged in rumour-mongering which they cannot substantiate.

I would like to know what the Government is going to do about that because the hon. Oginga Odinga specifically mentioned that former Kadu supporters were engaged in subversion. I would like to know whether the Vice-President is going to be sent to court for this. If he is not going to be sent to court, what is the point of stopping people like Kingori and the others from saying whatever they want?

There is an attitude here, Mr. Speaker, which must be corrected. That is that if you are a Minister you can say whatever you like, and if you are not a Minister or an Assistant Minister and you say nothing, you are sent in. Even during the imperialist times we never had such a state of affairs, and I do not see why the Government promotes such an attitude in the country now that we have achieved independence.

The other issue, Mr. Speaker, is with regard to this question of those who are going to take over the Government and subvert it, Mr. Speaker, I belong to no group, I speak as a referee. This is coming about because some people in this Parliament consider themselves as being socialists though I do not know whether they know what they are talking about; and some people here consider themselves as being Kenyans or the people who support democracy, and I do not know whether they understand that either, Mr. Speaker, these rumours—I am refereeing—these rumours are based on a cold war which is going on in this House and, as a result of this, these rumours are circulating as to who is going to undermine whom. This is not in the interests of the people of Kenya because the ordinary people in Butere or in Kirinyaga or in Kikuyu are not interested in who is going to be what, but in what is going to be given to them to eat. They believe in nothing other than *Uhuru na Tumbo*, what they can eat and where they can find employment. That is all.

We are wasting our time here on rumours and, therefore, Sir, before I go further, I feel that the time has come when this Government, if it is worth the name of Government, should now not only tell us who is going to do what, but to send

that person, whom they suspect, to court, and then the people will know what is happening in this country. We do not want any more statements from Ministers on rumours.

Another thing I would like to warn the Government about is the question of someone being detained or restricted without being brought to a court of law, because if I became a Minister and I disagreed with an hon. Member here, I would one day detain him and no one would know why I was detaining him, it would probably be because he took a girl friend of mine. We want these people to be sent to a court of law so that the public and the world at large will know what—if it happens to be the Member for Homa Bay—such a man has done. Let him be sent to court and then people of Homa Bay will know what it is that the hon. Mr. Ngala-Abok has done.

Therefore, Sir, I beg to move an amendment to this Motion. My amendment does not really alter very much the sense of the Motion but I would like to be very specific and very precise. So far, the Motion is not absolutely specific; it is only dealing with the question of naming people. We do not want merely to name them, but we want something to happen to them.

Therefore, Mr. Speaker, I beg to move that all the words after "urges the Government to", from the word "name" up to the end, be deleted and that there be inserted in place thereof the words "bring those concerned immediately before the court of justice so that they can be prosecuted". Mr. Speaker, I want to see these people in court immediately because the President has said, and the Cabinet Ministers have said, that there are people here who are subversive. We want those people who, according to the President and the Ministers, are undermining the Government, to be brought immediately before a court of law so that they can be prosecuted and the country and the world will know who is undermining the popularly elected Government. That is why I am moving this amendment, to make the Motion precise and to the point, so that we can inform this Government now that we are not interested in the Ministers' statements, we are not interested in the statements of the Leader of the Nation, the hon. Jomo Kenyatta, to the effect that somebody is undermining the Government; but we are interested in supporting the hon. Jomo Kenyatta sending somebody into a court of law and getting rid of that man and putting him into prison and so forth.

The whole country, Mr. Speaker, will be behind the President, including the Member for Butere, if they are sent to court and tried for undermining the Government.

[Mr. Mbogob]

say, "I fought against them, what is wrong with that? I am in a top job today". Mr. Deputy Speaker, Sir, they also say, "I do not care if they speak about you or not, and I do not care if they fought or not, I only care that I am in a top job in the Kenya Government." Mr. Deputy Speaker, Sir, these people do not value our *Uhuru* today, because they still mistreat people as they used to mistreat them, and do not value the fact that we have our self-Government, because they never fought for it, but fought against those who were fighting for it, and yet they are still reaping the fruits of us who fought for it.

Mr. Speaker, Sir, this is all wrong, and I feel that this Government must go into the possibilities deeply of naming publicly those people who are undermining this Government, and even go as far as taking action against them, and not just saying that there are some people who are undermining the Government; that there are people who are not in favour of this Government. Mr. Deputy Speaker, Sir, this reminds me of the 12th December, this year, when we celebrate our first anniversary of this country becoming a Republic. Mr. Deputy Speaker, Sir, I think this is the right time for the Cabinet to make a very, very stern statement, telling the people of this country what action we are going to take from the 13th December, but not just to make a statement, but to show the people in this country that there is a need for action and not just for talking. Mr. Deputy Speaker, Sir, all the public of Kenya, except these citizens from 12th December, expect the Cabinet to be reshuffled so that it can advise the President properly, because if the President is misled intentionally or unintentionally, it is possible that they misled him, without his knowing, and they might be somebody pocketed by somebody else in Kenya and they misled the President, so that he makes these statements.

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

Mr. Oduya: Mr. Deputy Speaker, Sir, I rise to second the Motion. We have been expecting this Motion for a long time and I am very glad that it has come at this time, the right time, but unfortunately we do not see the President here, or even a representative of the President. We should actually put the answer we want to the House and to the nation.

Mr. Deputy Speaker, Sir, in very recent months, between the region of March and September, the public in Kenya was completely perturbed with the situation that existed, because everywhere a Minister went the main speech, which was given, was devoted entirely to talking about the

people who were undermining the Government. The President, at one stage, was brought up to join in these silly statements which were directed to disrupt the peace and stability of our economy in the country. The President has given very, very strong statements supporting certain Ministers who said, that in the country there are people, maybe inside or outside the Government, or even Members in this Parliament who are not holding any portfolio, who are out to undermine the Kenya Government. This was repeated every now and then all over the country, and some people, even in my own constituency, and many others all over the country, started asking questions, like, "Who are these people who cannot be named, but who are undermining the Government?" Eventually, Sir, it reached a stage whereby even Members themselves, even those who are seriously concerned and engaged in this game of going to the public and saying to the people that there are people who are trying to undermine Kenya's Government also found themselves in a very serious position, because when they went out they were asked by the people, "Who are these people that you are telling us about?" He was, then, not in a position to name them.

So, Sir, this Motion is just asking the Government of Kenya to name these people. If his name is Oduya, then he should be named Oduya, so that when I go to Teso, they will say, "All right, you will not be re-elected." They will then have their seat back, which will be right, because they are the ones who elected me to come here. If they are informed, and find out that I am undermining the Government and I am sent before a court of law to prove this, then definitely my people will keep me out of this country, and the country will remain peaceful. This, Sir, I feel is the only way to deal with a situation like this. But, Sir, it is no use going to the countryside and talking about people undermining the Government. Even an investor who visits the country every morning when he wakes up reads the paper, which only records the speeches made which tells the country that there are some people who are undermining the Kenya Government. This, Sir, is not the way we should run our Government.

Mr. Speaker, Sir, we are told that this Government is a popular Government. In fact, if I may say so, it is the President who is very popular as an individual, which follows therefore that his Government is very popular. He is popular and because of his popularity, his Government is popular. But, Sir, because there are some elements, who perhaps fear their position, these people, because they are afraid of what might happen after Mzee Jomo Kenyatta passes on, and therefore, these are probably the people who are

91 Motion—

[Mr. Oduya]

engaged in trying to disrupt the peace, in trying to inject into the Mzee's head that there are certain people around him, who perhaps may not even be dangerous, but who are probably sincere supporters of the Mzee, but they want them out of their places, but they want to move these people out of their places, and they want the Mzee to take this drastic action, and say to these men, "You are the people, who are undermining my Government". But, Sir, if it is true that the President also believes, because of his speeches, for example on *Madaraka* Day where he hammered out, that there are these kind of people in the country, and therefore the country believed that there are these people existing in the country.

Mr. Speaker, Sir, at one stage I remember in the last Session we demanded, in this House, the Mzee to come out and name these people, take them to court, let them be prosecuted and kept out of the country, completely away from the people. But, Sir, to date, the President has not taken any action, and as a result of that even those who are fully engaged on the field reduced their campaign, and even the President himself reduced his campaign, because these days I never see apart from my speech in Nyeri where I asked every person in Kenya, every voter, to lead a delegation to his respective Member and see what type of food he is given to eat, and apart from that speech I do not think there is any other threatening speech which the Mzee has issued. So the issue here, Mr. Deputy Speaker, Sir, is that we do not want our Government, which is actually still a little popular since Mzee is still leading it—I say still a little popular—we do not want this Government to go down completely and become very unpopular. Even now there is a lot of frustration all over the country because of these speeches. Most of the Ministers have been engaged in talking, campaigning to retain their positions, but they have not been serious enough in talking about what type of food we should have or where to get food for our people or how to increase production or what prices we should offer the grower or what type of wage structure we can offer our people, the workers, who voted this Government into power. All this has not been considered. What Ministers have been considering is campaigning.

Meanwhile the foreign powers, who are interested in controlling the political activities of Kenya and, at the same time, controlling the economic sector of Kenya, have also been very busy through those individual characters to see that trouble starts in Kenya. When there is trouble, they know very well that Kenya alone cannot control trouble here, but that the country

will look to them for assistance. For one thing, Kenya will run short of food and they will be in a position to supply food to Kenya and then say, "Look, we are giving you food." That will run us into debt and throw the country into chaos. Secondly, they will say, "All right, we will offer you arms and troops to cool the rebellion of these masses."

This has been a campaign and this campaign is directed possibly from outside or by people who may have been kicked out of this country and now they are annoyed because they are not enjoying the political and administrative power they used to enjoy before.

[The Deputy Speaker (Dr. De Souza) left the Chair]

[The Speaker (Mr. Stale) resumed the Chair]

Now there was talk about the take-over of Kanu head office which became another issue whereby the Government, and even the Attorney-General, made it very clear that there was some mastermind behind all the arrangements, and they promised that these people would be brought to justice. The country is still waiting to see when these people will be brought to justice. We do not want people to take our Government so lightly and thinking that the Government is only talking through the Press without taking action. We do not want the names of certain personalities in the Government, or within the political circle of Kenya, to be spoiled, with people saying, just in the form of rumours, "Oh, they suspect So and So, they are suspecting Ngala-Abok, they are suspecting Masinde" and so on. This is no good.

I hear that the Government has a very accurate Criminal Investigation Department, that Kenya's Department is possibly the leading one in the world, because it has been indicated that Kenya has highly trained Criminal Investigation Department. But if these people are so good, they should be submitting reports, proper reports, to the Government, to show how these people are undermining the Government, and who they are. It is the duty of the Government to bring these people to justice immediately, without waiting and letting them give out statements which are damaging.

Secondly, it may be that the Criminal Investigation Department is only interested in reporting what people like me say, when I tell my people, what they ask about prices, "Well the price, for example, of maize has been agreed, but the Government is not implementing it." There I am not committing any crime, but really expressing what has been decided by the National Assembly of the people. That is not undermining anything. But



[Mr. arap Soi]

Mr. Speaker, I also want to know what sort of railway development this Government of ours—the African Government—has carried out in the country since the coming of independence. All the railway lines were built by the Colonial Government, and they knew very well that in Solai or Kaptagat, where there so many branches of railway lines, there were roads, and these were even tarmac roads, but they knew that the development of the railway lines would increase the wealth of the country and would bring a lot of money to the people. But now our Government are simply forgetting. They are going on borrowing a lot of money from overseas and they are only using it in some places.

An hon. Member: In Rift Valley

Mr. arap Soi: Not in Rift Valley. They are using this money in some other provinces. Probably some of it is being used in Rift Valley, but I would like some of this money to be used for railway development. I do not see why the Mover of the amendment should go out when he is really concerned. It shows that the Government is neglecting the development of the country. I sympathize with the Minister for Communications who was simply moved into this amendment and just given something, and they are not responsible as far as the department is concerned. They are failing to develop railway lines in the country. I want the Government to show what they have done.

In 1964/65 the Government were given Sh. 9,470,784 in the form of grants. Having received such grants, what did they do as far as railway development is concerned, even in any other area apart from Sotik?

Mr. Speaker, again, it is well known that railways are a permanent asset and a very important asset, as far as agriculture is concerned. I am sure the Members who supported the amendment only come from South Nyanza. Probably, there is an intention of simply turning the money and building a railway line from Homa Bay to Kisumu and neglecting this one. Mr. Speaker, Sir, the Minister, Mr. Mboya, comes from South Nyanza. The second one is another Homa Bay man, and Mr. Odero-Jowi is also a South Nyanza man. They blinded the House, the House did not realize this. There was a very important thing behind this; they are going to arrange—moreover, the Minister is the Planning Minister—this and to plan this and use the money for something else. I am sure this is, possibly, behind the whole thing.

Now, the Government—especially this Ministry—must be very careful. If we see that a railway line is built somewhere else, if this one is not built first, and we do not get a report in this House on the investigation of it, then we shall accuse you, we shall put you in court. We shall accuse the Government, Mr. Speaker, Sir. I am only very sorry that none of the Members did realize the whole thing and did not speak.

Before I sit down, Mr. Speaker, I would like to thank all the Members who spoke in support of my Motion as it was. I think this was very sound because the investigation has taken place, the committees have been appointed and all this is well known, and very new development of the area—agriculturally, in population, in everything—has taken place. It was only a question of the Government going to the people concerned. You cannot arrange things before you look into them. When you are arranging something, it means you are looking into it, but this question of just "looking into" is excluding the arrangements, which means the railway is not going to be built. This is very serious, and I was very surprised at these Members from South Nyanza who really opposed this. I am sure the people in the country where they were elected will really know this matter. I am only thanking Mr. Omolo Agar who sees the troubles of the people or what the people want, but others were only rushing to support the Minister. I do not know what they were after—whether they want jobs or what they want—but one of the Members from the same area—

The Speaker (Mr. Slade): Order! We have a rule in the House that hon. Members will not impute bad motives to other Members for what they say or do in this House. Please observe it. Mr. arap Soi.

Mr. arap Soi: All right. Mr. Speaker, Sir, I hope my point is very clear, but I would only like to put on record that I shall demand the report of the investigation, and I want this to take place very quickly.

So, Mr. Speaker, I beg to oppose the amendment.

The Speaker (Mr. Slade): Well, you are actually moving the Motion. It has already been amended.

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

Resolved accordingly:

THAT in view of the former development in Sotik, Kisii District and Homa Bay, this House urges the Government to look into the possibility of building a railway line from Kedowa through Sotik, Kisii to Homa Bay to cater for the farmers and traders along the route.

The Speaker (Mr. Slade): Mr. Mboogh. I think before you start, Mr. Mboogh, I should remind the House that the adjournment of the House to a day other than the normal next sitting day is to be moved not later than 11 a.m. today.

## MOTION

### NAMES OF SUBVERSIVE PEOPLE TO BE MADE PUBLIC

Mr. Mboogh: Mr. Speaker, Sir, I beg to move the following Motion:—

THAT this House being aware of numerous elements are working to undermine the authority of our popularly elected Government, as stated by His Excellency the President during his speeches, urges the Government to name these people publicly so that people of this country may beware of their activities and refuse to deal with them in every way.

Mr. Speaker, this Government has many times expressed the view that the newspaper reports are not necessarily accurate reports of Government activities, but many times you find that you cannot base your arguments on anything else because no statements come officially to this House, the only statements you can get are from the papers as the papers follow the very important persons of this Government wherever they go, wherever they attend meetings the newspapers are there, when they go for parties the newspapers are there and, in this case, Mr. Speaker, it is easy to base my argument on newspaper reports which have appeared in this country.

Mr. Speaker, if I quote all the occasions it will take too long, so what I will do is to quote the dates and the headlines of the newspapers as happened during that time. Sir, on the 12th of April this year the President warned on revolutionists, and he told them that he would fight them as he had fought during the imperialists' time.

Again, Mr. Speaker, on the 6th May the President stated that he would check all the statements made by everybody, by all the Members and anybody who spoke at public meetings. Again, on the same day, the Attorney-General said that he would invoke the law to see that the rumour-mongers were silent. Again, on the 16th of May the Minister for Internal Security and Defence attacked rumour-mongers and stated the policy of non-alignment in this country. Again, on the 2nd June there were reports in the newspaper about the President attacking all the rumour-mongers and those

people who wanted to undermine the authority of the Government; that statement was made on Madaraka Day.

Mr. Speaker, on 17th September, again the President warned against subversion in this country and on the 12th June there was a statement concerning the inflow of red cash to this country. Again, on the 8th July, there was a statement concerning the threatened coup d'état and it was stated that the master mind of the coup was still to be hunted; I have never heard whether this master mind was arrested and I have never seen him brought to court.

Mr. Speaker, again on the 27th of last month, the President warned those people again in Nyeri, and the Vice-President spoke about ex-Kadu going against the Government in Mombasa and he said that Arabs would be beaten up and would be expelled, like those who were expelled in Zanzibar.

Mr. Speaker, these statements are doing a great deal of harm to the investors of this country. I have always heard the Government stating that the policy of the Government is to attract investors to come and invest in this country. What kind of an investor would like to come and invest in a country where there is a Government which is going to be smashed tomorrow morning? He is not sure of any stability in that country. Mr. Speaker, then it is true that the Government itself is willing all its efforts, stating today that it wants investors, and then threatening them again tomorrow; I think this is very wrong.

Here, Sir, after putting these statements, I would like to speak on the law of this country. I have heard the Attorney-General speaking about these things. Are there two laws in this country? I have seen people from Nyeri being sentenced to gaol, because they were speaking against the Government, but is there a law that should be used for Kimori and that which should be used for Odingas? We had, just this week, a Motion here concerning somebody in Nyeri being stopped and some people being beaten because of making some subversive statements. But what other subversion do we expect from high-standing people of this country who are citizens of Kenya, that they must be beaten up and they would be thrown out of Kenya?

An hon. Member: A revolution.

Mr. Mboogh: That is a proper revolution, and the proper way of destroying the efforts of the Government. If a man is in a high position, as the Vice-President of this country, can say that, what can stop a Kimori from saying so?

**[The Minister for Economic Planning and Development]**

communications programme in the area. And, as I have indicated, already steps have been taken and the programme is going on to create a network of all-weather, tarmac-ed roads for this complex. We believe that this is, in fact, the best approach to the programme of development in the area.

I am surprised to hear that the hon. Member from Majoge-Bassi does not want a road service in the area. In every modern economy today, road development programmes are taking over from railway development programmes.

Consequently, Mr. Speaker, I would like to suggest the following amendment to the Motion so as to make it a practical Motion, one that can be implemented. And that is the deletion of the words "arrange for the building of the" and the substitution thereof of the words "look into the possibility of building a". So that it would read "... to look into the possibility of building a railway line from Kedowa through Solik, Kisii to Homa Bay to cater for the farmers and traders along the route."

Mr. Speaker, that would enable the Government to carry through its programme, it would also make it feasible for us and practical to discuss it within the context of the railway development programme. A railway line built in this area, as the Assistant Minister has already stated previously, would amount to a deficit of nearly £2 million. It would require discussion with other partners in the building of the railway; and therefore the most we can promise the House is to look into it and see what can be done. We cannot promise to start doing it because we will be accused later on of not implementing the Motions passed by this House.

Mr. Speaker, I beg to move.

**The Speaker (Mr. Slade):** Who seconds the amendment?

Mr. Ngala-Abok: Mr. Speaker, I have very little to say except to say that I am seconding the amendment because the language used here in the amendment is more practical than that of the original which was vague.

Mr. Anyieni: Stooqe!

**The Speaker (Mr. Slade):** Mr. Anyieni, you have been told so many times that I will not have that word in this House addressed to any hon. Member. You will leave the precincts of the Assembly for the rest of the day.

Mr. Anyieni: Mr. Speaker—

**The Speaker (Mr. Slade):** You will leave the precincts immediately without raising any point of order.

*(Mr. Anyieni withdrew from the Chamber)*

Mr. Ngala-Abok: Mr. Speaker, before the Member leaves the House, I would like to tell him that—

**The Speaker (Mr. Slade):** No! Order! Call Mr. Anyieni back to bow to the House, please.

Mr. Anyieni, I think you forgot to bow to the House before you left.

Mr. Anyieni: I must bow to the House!

**The Speaker (Mr. Slade):** Yes.

*(Mr. Anyieni bowed to the House and withdrew from the Chamber)*

Mr. Ngala-Abok: Mr. Speaker, I had just said that there was not much I was going to say except to tell the people of Mr. Anyieni's school of thought that the words which were used by the Member, Mr. Soi, were vague words, saying "arrange for the building of the railway", whereas it should be "to look into it", to enable the Government to arrange for the building. So I think that the Government, in promising to look into the matter, will not just sit back and say that they are looking into the matter, and then years will pass by without Parliament receiving a report on this. I take it, Sir, that by looking into the possibility, the Government will have a period of time in which to report to this House, and to say what possibilities exist. This is exactly what the House is expecting, I think. But for the Government to agree that they will arrange for the building of the railway line would mean that the Government had already looked into the matter. If the Government has not looked into the possibilities, then it must be given time now to look into them.

Mr. Speaker, I am very surprised to see that one or two people, who are even more stubborn than the one or two who are making a noise here, are trying to call me a stooge. I wonder whether any Member will be responsible for dictating to me what I should say whenever I decided to speak in this House, and to tell me whether or not I should support a particular Motion. Before I came to Parliament here, Mr. Speaker, I was in Homa Bay, and the Homa Bay people elected me; so I do not care whether other people want me to be here or not.

So, Mr. Speaker, this is a simple and clear amendment, and there is no point in wasting more time. So I support the amendment.

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

**The Speaker (Mr. Slade):** I think we can combine debate on the amendment and on the main question, in the little time we have left.

**The Assistant Minister for Labour and Social Services (Mr. Odoro-Jowi):** Mr. Speaker, Sir, I am in favour of the Motion as amended. We realize that a transport system in any part of the country is vital to the economic development of that particular part, but, Sir, before any system of transport is decided on, we must investigate and find out which system is going to be the most effective, and which is going to be the most economic.

Mr. Speaker, South Nyanza District and Kericho are in question here, and it could be that a railway system linking the three districts would help to spur on economic development here. It could be also that a well worked-out network of roads could be the most effective way of developing the area. Take South Nyanza, for example. I personally believe that a good network of roads, backed up with an improved steamer service, would be the cheapest and most effective way of tapping every part of that district. And so, rather than rush and suggest that a railway system is the best thing, I would rather give the Government a chance to carry out a proper investigation into the most effective possibility. This is why, Sir, I did not agree with the original Motion. The Motion as amended has this merit, that it opens up all these avenues of investigation to the Government. I think that rather than rush and pass a Motion, which will never be carried out, let us give the Government a chance to investigate the situation and investigate various alternatives open, and make up its mind on the basis of which of the alternatives has more merit.

Mr. Speaker, Sir, I think all Members of Kisii, Kericho and South Nyanza District who would like to see the system of transport and communications in this district improved must support the amended Motion and then help to urge the Government to carry it out.

Thank you, Mr. Speaker.

**The Speaker (Mr. Slade):** It is now just time for the Mover to reply, so I must put the question of the amendment.

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

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

**The Speaker (Mr. Slade):** There being no time for further debate, I will put the question.

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

*(Question of the Motion as amended proposed)*

**The Speaker (Mr. Slade):** It is now time for the Mover to reply.

Mr. arap Soi: Mr. Speaker, Sir, I am glad to reply to this, although it has been spoiled.

Most of the Members who supported the amendment thought that when I used the words "to arrange for the building of the railway" I was vague. This was not true. Mr. Speaker, because in the past many investigations for this line have been carried out by past Governments. This Government has realized that most of the production has increased in the area, but I want to reply to Mr. Mboya when he says that tea is based on road development. I wonder whether he thinks that tea will not require a tractor to plough the ground first. How can you transport tea leaves before you plough the land? So I think it is not true, Mr. Speaker, to say that tea could only be developed by road development. It can be done, but it is very expensive.

Mr. Speaker, Sir, I want to show my main reasons for saying that the production has doubled and that this agricultural production would pay for the railway. For example, Mr. Speaker, taking the tea industry in the two areas—Kericho and Kisii—for the year 1964/65, the tea industry produced 3,539,733 pounds; this was up to June, this year. I wonder whether this production bringing such a lot of money into the area will not be able to pay for the development of the railway line. The money that came to these of areas was £84,953. This is a good amount of money, taking into account that the African tea growers have only just begun and are now going on.

Mr. Speaker, I want to know when this question of looking into the possibility is going to take place. The Government have just said that they are going to look into the possibility; they said that on another Motion which I brought to this House concerning the Kenya Co-operative Creameries in Solik, but they have not done it. I am sure this is only a promise for the support of this House. The Members were going to support this Motion and it would have gone through.





The Speaker (Mr. Slade): Order! I must remind Dr. De Souza of the amendment of Standing Orders yesterday!

Mr. Kase: Now, Sir, it is very clear that this matter is urgent; and this House is throwing out a challenge to the Cabinet for it to make a decision. This House should adjourn now, in fact. I beg to second.

(Question proposed)

Mr. Kull: Mr. Speaker, Sir, I will be very brief, and I have only three very important points to make in support of the Motion.

Firstly, it is known that the Organization for African Unity has passed a resolution to which Kenya is bound as one of the countries represented there, but now the Assistant Minister stands up, jockeying about, as usual. Now it is also known that the Parliament is the final authority in this country. If the Cabinet makes a decision without the backing of this House, that decision would be nullified by this House.

My third point is that we are adjourning tomorrow and we do not know when we will meet again. This may bring about confusion, and I would point out that a certain amount of confusion has already been started by the statement of the President of Zambia. He had a representative in Addis Ababa, but he comes out with a statement which contradicts the decision of the Organization for African Unity.

Now this is the sort of confusion we are trying to prevent. We want Kenya to be united on this, not to leave the matter for the Cabinet and the Assistant Minister here to mess up the whole issue.

Now another point, Sir, is that we want the Cabinet—

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): On a point of order, Mr. Speaker, if I heard rightly, the hon. Member for Nairobi East referred to my having messed up the whole issue. Is the Member in order to challenge my view of Government policy?

The Speaker (Mr. Slade): No, the hon. Member cannot question whether a Minister answering questions is representing Government in doing so. He cannot question that. Also, it is

not Parliamentary language to refer to an hon. Member as "messaging something up". Otherwise in order, I think.

Mr. Kull: Mr. Speaker, what I meant was that a straightforward question was put by an hon. Member, as to whether the Kenya Government concurred with the resolution passed by the Organization for African Unity, and the Assistant Minister avoided answering either yes or no. That is what I meant, in fact; I did not mean to insult him or, rather, to doubt his being the Government spokesman, something/which we had yesterday.

Now, Sir, I will repeat again that we are only concerned with the dignity and respect which this country has outside, in the eyes of the world. We want to come out in our true colours. We want to maintain our hard-earned respect in the eyes of the world.

Mr. Speaker, Sir, we also—and in this I appeal to the Government—we as Back-benchers—

Mr. Mwamzandi: On a point of order, Mr. Speaker, in view of the fact that we decided to give the Cabinet time to consider this problem and bring their decision to this House tomorrow, may I move that the question be now put?

The Speaker (Mr. Slade): Order! Since the simple question is whether or not the House does adjourn in order to enable the Cabinet to meet, and there cannot be very much said on either side there, and since I think all hon. Members have already made up their minds one way or another, I will invite the House to consider the closure.

(Question that the Mover be called on to reply, put and agreed to)

Mr. Anyieni: Mr. Speaker, Sir, I do not want to say very much. All I do want to say is that the House should adjourn now so that the Cabinet will be able to come out with a decision and Kenya will be able to say, "We are going to adhere to the resolution" or "We are not going to adhere to the resolution".

With those few words I beg to move.

(Question put and agreed to)

#### ADJOURNMENT

The Speaker (Mr. Slade): The House is now adjourned until tomorrow, Friday, 10th December, at 9 a.m.

The House rose at Four o'clock.

Friday, 10th December 1965

The House met at Nine o'clock.

(The Speaker (Mr. Slade) in the Chair)

#### PRAYERS

#### ADMINISTRATION OF OATH

The Oath of Allegiance was administered to the following Member:—

Ronald Gideon Ngala.

The Speaker (Mr. Slade): Was there a Ministerial Statement to be made, Mr. Mboya?

The Minister for Economic Planning and Development (Mr. Mboya): Not at this stage, Sir, in the morning, Sir.

The Speaker (Mr. Slade): This is the usual case for a Ministerial Statement.

The Minister for Economic Planning and Development (Mr. Mboya): We are not ready to make one at the moment.

The Speaker (Mr. Slade): Possibly at the time of moving the adjournment of the House?

The Minister for Economic Planning and Development (Mr. Mboya): Possibly, Sir.

#### MOTION

##### RAILWAY FROM KEDOWA TO HOMA BAY

That in view of the former development in Sotik, Kisii District and Homa Bay, this House urges the Government to arrange for the building of the railway line from Kedowa through Sotik, Kisii to Homa Bay to cater for the farmers and traders along the route.

(Mr. arap Moi on 3rd December 1965)

(Resumption of debate interrupted on 3rd December 1965)

The Speaker (Mr. Slade): Before we resume this debate, I would remind hon. Members that we have already had fifty-two minutes, so that there's thirty-eight minutes still to go. I will call on the Mover to reply after twenty-eight minutes.

Mr. Bomett was speaking but he is not here to continue.

Mr. Omweri: Mr. Speaker, Sir, I wish to join my hon. friends who spoke on this Motion and express the desire for and the reasons why we want this particular line to be developed from Kedowa, Kericho, Sotik, Kisii and Homa Bay. When the hon. Assistant Minister was replying he gave figures which were not convincing because they seemed to vary from what the actual reports said. The reports have indicated possibilities of repayment and only the Government has taken

the decision to develop this line. The reports from the surveys which have been carried out in the past indicate that if this line was developed it would take only a few years to get the actual investment returned to Government and, thereafter, work on profit.

Mr. Speaker, the main reason for wanting this particular line is that the railways at the moment have cheaper transport charges than the roads and we would like that the prices of both merchandise from these areas and merchandise to these areas should be reduced by paying cheaper transportation through the introduction of a railway line of this kind.

It is quite ridiculous to see that even goods going to Kericho have to come from Kisumu, after travelling a longer distance, and then they come back again. In this case we feel that if we have a direct line via Kericho, this distance would be shortened. It is the same with Kisii, Mr. Speaker, where we find that merchandise going to Kisii would have travelled a shorter distance and, therefore, would be paid for in a cheaper way than via Kisumu, and for this reason, we want a direct railway line which would enable our people to get goods at a cheaper rate than at the moment. This would also be the same with the produce leaving this area.

Sometimes the Government does not take into consideration the productivity of these areas and what is produced there, and how it would be transported from these areas if the railway was introduced. The quantity is much more compared to the places where we already have railway lines, and to give only an example, I do not know how the railway to Kericho, Kisii and Homa Bay is considered uneconomical, when we have a branch to Solai, which I do not think has more potentiality than these areas where we want a railway now. There is not only that one, we have other lines, for example, the branch line to Kitale and this area was given a line just because there were settlers here. I do not think that there is any potentiality bigger than the tea producing area of Kericho or the maize, or coffee or pyrethrum which has been mentioned in the past and which would be transported from these particular areas. In this case, we would like the Government to take into consideration that when we want the railway line from Kedowa to Homa Bay, we ask this after we have already seen and investigated that there is a possibility of repayment and, also, a possibility of allowing more of our goods to travel in a cheaper way.

One other point, Mr. Speaker, Sir, is that at the moment the Ministry of Commerce and Industry cannot develop that area industrially,

### NOTICE OF MOTION FOR THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION BY PRIVATE NOTICE: KENYA GOVERNMENT STAND ON O.A.U. DECISIONS TOWARDS RHODESIA

Mr. Khalif: On a point of order, Mr. Speaker, unless, the hon. Member who raised this matter is prepared to raise it on adjournment, I would like to do so.

The Speaker (Mr. Slade): Mr. Masinde, I take it that you do not want to raise this on adjournment?

Mr. Masinde: Yes, it is all right.

The Speaker (Mr. Slade): It will be in order for you to raise it on adjournment, Mr. Khalif, though I think it may be out of date by the time you get an opportunity to do so.

### POINT OF ORDER

RULING ON MOTIONS FOR THE ADJOURNMENT UNDER S.O. 14

Mr. Anyieni: In view of the fact, Mr. Speaker, that this is a matter of very great importance, and in view of the fact that Kenya may be thought to be a stooge of the British, would it not be in order for us to raise this matter as a matter of national importance, even today, so that the House may express their feelings to the Cabinet which may meet later on?

The Speaker (Mr. Slade): I anticipated that some hon. Member might seek to raise this matter again under Standing Order 14, in the course of this week, but, after careful consideration, I decided that it could not be so raised. My reason is that a matter to be covered by that Standing Order has to be a definite matter of urgent public importance. Now urgency is, of course, a matter of degree, but usually it has to be something which has arisen very, very lately.

Now this particular question of the relationship between our country and Rhodesia has already been raised twice under Standing Order 14 within one month, the last time only a week ago. I cannot regard it as of continuing urgency so that every new step raises urgency again, justifying debate under Standing Order 14. That Standing Order, as I see it, is really applicable to a matter which is argued once and for all, and then we have done with it.

So I rule that we cannot have this again today under that Standing Order.

Mr. Oduya: On a point of order, Mr. Speaker, Sir, in view of the fact that this question, when it was raised, did, by way of reply, refer us to some future decisions in Addis Ababa, and in view of the fact of the recent report, that is, yesterday's, in the Press that the beloved leader of the people of Zimbabwe is very sick, and we do not know his condition; and in view of the fact also that the Members of this House desire one hundred per cent that this matter be settled, is it not in order therefore for the Chair to allow this question to be raised so that the Cabinet should meet tonight, or, if not, Members tomorrow might table a Motion of no confidence in the whole Government?

The Speaker (Mr. Slade): I have ruled on that, and I say again. "No." No more points of order on that.

Mr. Anyieni: All right, we are speaking to you, Mr. Speaker, to persuade you. Are we not in order to do that?

### POINT OF ORDER

RULING ON WHEN HOUSE CONSIDERS SPEAKER'S RULING TO BE WRONG

The Speaker (Mr. Slade): Order! When I have ruled on things of this kind, particularly when I have ruled after the most serious consideration, we do not pursue the matter any further.

Mr. Masinde: On a point of order, Mr. Speaker, Sir, I am seeking your guidance on this. What happens in such an affair where the House feels that the Speaker has made a wrong ruling? What happens?

The Speaker (Mr. Slade): Order! The Speaker's ruling is final. There is no appeal. If the House is too frequently dissatisfied with the Speaker's ruling, they have the remedy that by resolution of three-quarters of the House they remove him from office. That is their remedy.

Mr. Kase: Point of order, Mr. Speaker. In fact, I have two. In view of the fact that this matter—

The Speaker (Mr. Slade): Mr. Kase, are you trying to pursue the same question still?

Mr. Kase: No.

The Speaker (Mr. Slade): Something else entirely, is it?

Mr. Kase: Yes, Sir, I would like to know what method is open to this House whereby we could ask the President of this country to come himself and speak to us. Two—

The Speaker (Mr. Slade): No, when you have points of order, we deal with them one at a time. The answer is that you can, in the process of supplementary questions or in debate or on any other proper occasion, indicate your desire that the President should be here. You cannot force him to be here. You cannot actually raise it as a point of order that he should be here.

### POINT OF ORDER

MEMBER MAY MOVE ADJOURNMENT ANY TIME

Mr. Kase: May I raise my second point, Mr. Speaker? In view of the Assistant Minister's saying that this requires a Cabinet decision, is a Member in order to move the suspension of the business of this House, adjourn it completely, to give time to the Cabinet to decide?

The Speaker (Mr. Slade): Yes, it is open to any hon. Member at any time to move the adjournment of the House, which means that we adjourn until the next day, if it is carried.

### MOTION FOR THE ADJOURNMENT

ADJOURNMENT OF THE HOUSE (UNDER 31 (b)): TO AWAIT CABINET DECISION ON RHODESIA

Mr. Anyieni: Mr. Speaker, Sir, on a point of order, I move that the House do adjourn in order to give the Cabinet the chance and the time between now and tomorrow to go and sit down so that they can decide on this issue. I am raising this, Mr. Speaker, because tomorrow is our last Sitting Day, and after that we are going to adjourn for two months. Whatever decision our Government will take, Mr. Speaker, it will be extremely difficult for the Members elected by the people of Kenya to be able to air their views in connexion with Southern Rhodesia.

Even though my brothers, Sir, seem to think that it is not very important for the House to express their views, I am saying this because Kenya's stature will be very much diminished and will become very small in the eyes of the world if, for example, for any reason or other, Kenya did not adhere to the resolution passed by the Organization for African Unity. I say it is of very great importance because we have heard from countries which are great friends of Britain, like Nigeria, and Nigeria is going to break—

The Speaker (Mr. Slade): Order! When an hon. Member moves a substantive Motion that the House adjourns, he must only argue on the desirability of the adjournment, and not on everything else to be discussed during the adjournment or on other matters.

Mr. Anyieni: Mr. Speaker, I was trying to give the reason why.

Now, Sir, I feel that if we were to go away tomorrow for the next two months, it would be a bad thing, because I think it is our responsibility. If the President decides that Kenya should break off diplomatic relations with Britain, this needs the full backing of the Members of Parliament; and I think that today or tomorrow would be the most appropriate day for the Members of this House to express their views on what they believe our Government should be doing in connexion with Southern Rhodesia.

With those few remarks, Sir, without saying much, I wish to move that the House do adjourn and give the Cabinet a chance to go and decide the issue.

Mr. Tano: On a point of order, Mr. Speaker, would I be in order just to move that this come in the form of a Motion rather than a question?

The Speaker (Mr. Slade): Order! This is a substantive Motion, I am now asking for a seconder, and then I will propose the question.

Mr. Kase: Mr. Speaker, Sir, I second this Motion for one simple reason. The Assistant Minister for Internal Security and Defence replying on behalf of the Government, clearly indicated that the Cabinet needed time to decide whether to accept all the decisions or resolutions passed by the Organization for African Unity Conference. Now, the hon. Member who has moved the Motion has indicated that we are adjourning tomorrow and this is well known. We will not return for many weeks, and if this House does not give the Cabinet time to go and meet today, so that we can learn their decision tomorrow, we will leave them the excuse of saying that they were busy. We want to give them all these hours. We do not want lame excuses, Mr. Speaker. If they have not found time to meet, let them go and meet now.

Mr. Speaker, Sir, I hear several hon. Members saying, "Question." There is no question about it. Sir, we want to know, Mr. Speaker, it has already been said that there are so many implications involving our Government, and we want to know whether all the O.A.U. resolutions will be accepted or not.

Mr. Speaker, I hope these other Members will wait for me to sit down and then they can make their speeches.

No, I have not finished. I wish these hon. Members to behave like hon. Members. It is no use playing about in the House.

[Mr. Masinde]

he is not now telling us what we were expecting as a result of the Organization for African Unity meeting? Apart from studying the decisions, we would like to know what stand the Kenya Government has taken now.

Mr. Argywings-Kodhek: I have already said, Mr. Speaker—and I said it standing—that these matters require a decision. The hon. Minister for External Affairs is just back and a decision will soon be made. The Government is going to make a decision soon on whatever is to be done; the President is due to make some very important speeches in the near future and any decision will be made known to the country.

Mr. Malsori-Itumbo: Mr. Speaker, Sir, the questioner wanted to know, in accordance with the decision taken by the Organization for African Unity, here and now the steps which Kenya has already taken on this particular question: we do not want to hear a story, Mr. Speaker.

Mr. Argywings-Kodhek: Mr. Speaker, Sir, the hon. Member for Kuria seems to forget that Kenya is an independent, sovereign State and, as such, must decide in the light of prevailing circumstances, and must not be rushed into a decision by anybody.

Mr. Anyleni: Mr. Speaker, Sir, in accordance with the agreement which was reached at the Organization for African Unity meeting in Addis Ababa—that African States who are members of the Organization for African Unity would sever diplomatic relations with Britain—and in view of the fact that other countries which are also members have already started taking action on this decision, what will the stand of the Kenya Government be? In addition, the British Petroleum Company is currently selling fuel in Kenya and has refused to boycott any trade with Southern Rhodesia. What is the Kenya Government doing to boycott that company in Kenya?

Mr. Argywings-Kodhek: Mr. Speaker, I do not want to speak for my friend, the Minister for Commerce and Industry, on British Petroleum petrol, but I wish to say that there was a meeting, of course, in Addis Ababa, not of Heads of State but of Ministers, and the Kenya Government has to sit down with the President as Chairman, to decide.

Mr. Kall: On a point of order, Mr. Speaker, I excuse the hon. Member for Homa Bay for trying to be rude but not succeeding in irritating me, I would say this. I have certainly not wasted the time of this House. I have told you what the Government position is, what Government obligations are and what Government is going

The Speaker (Mr. Slade): I think, Mr. Kall is quite entitled to make that point, that the view of Government as a whole on anything arising out of the resolutions of the Security Council is a matter which we are expecting the Minister to answer, even if he says he does not want to answer it.

Mr. Argywings-Kodhek: Mr. Speaker, apart from the fact that, of course, as we have read in the papers, Zambia needs oil, I wish to say this. Kenya, of course, is also a member of the United Nations Organization, but the Cabinet has to meet first to make a final decision. So I am asking the Members' indulgence for only a little while longer. The President, if there is any decision made, will let you know.

Mr. Ngala-Abok: Mr. Speaker, Sir, is the Assistant Minister aware that he indicated to the Speaker yesterday that he was capable of answering this question, according to how it was put to the House? Is he aware that he has not answered anything whatsoever and that he has wasted Members' time? If a decision was due to be made by the Cabinet, he could have told the Speaker that he would answer it on another day. Is he aware that he has done nothing this afternoon?

Mr. Anyleni: On a point of order, Mr. Speaker, is this not a point of order that the hon. Member has raised, not a question?

The Speaker (Mr. Slade): No, it is a straight question.

Mr. Argywings-Kodhek: What did you ask?

Mr. Ngala-Abok: Mr. Speaker, Sir, this is what I asked.

Yesterday, the Speaker undertook to ask if Government was going to answer this question today and the Assistant Minister, now answering on behalf of Government, said that the Government was capable of answering this question today, but then, when we come to this House this afternoon, we find that the Assistant Minister is not armed with any material, he has just said that the Cabinet has not sat to decide anything. Is he aware that he has wasted Members' time? He should have told the Speaker he would answer on another day.

Mr. Argywings-Kodhek: Mr. Speaker, while I excuse the hon. Member for Homa Bay for trying to be rude but not succeeding in irritating me, I would say this. I have certainly not wasted the time of this House. I have told you what the Government position is, what Government obligations are and what Government is going

[Mr. Argywings-Kodhek]

to do, but you cannot—and you will not—force the Republic of Kenya into action without thorough discussion.

Mr. Kall: On a point of order, Mr. Speaker, a view of the seriousness of this question or questions of this nature, would it be possible for a Cabinet Minister to be responsible for answering these questions instead of an Assistant Minister?

The Speaker (Mr. Slade): No, that is not a valid point of order. It always rests with Government to decide whether a Minister or Assistant Minister—and which Minister or Assistant Minister—answers questions. Hon. Members can register their protest by way of supplementary question, but not as a point of order.

Mr. Kamau: Mr. Speaker, Sir, we know the Rhodesian issue is a very serious one and no person of any intelligence does not know that it is—

The Speaker (Mr. Slade): Order! Order! Mr. Kamau, we cannot have a speech, just a question, please.

Mr. Kamau: Mr. Speaker, Sir, could the Assistant Minister tell us—and I say he is evading answering this question for Members of this Parliament—whether we were represented at the Organization for African Unity Conference where a resolution was passed that we are going to break off diplomatic relations with the British Government if the Smith Government is still in existence? Could the Assistant Minister tell this House whether Kenya was represented when this resolution was passed?

Mr. Argywings-Kodhek: Not only at that conference, Mr. Speaker, but Kenya was very strongly represented at the Summit in Accra, too. I have heard hon. Members here trying to be very noisy about a serious matter. They will not be noisy when they are asked to go and fight.

An hon. Member: Mr. Speaker, Sir, the Government appears to have joined hands with Smith!

The Speaker (Mr. Slade): Could hon. Members retain a little self-control?

Mr. Argywings-Kodhek: Mr. Speaker, an hon. Member without self-control has suggested that the Kenya Government has joined hands with Smith. I deprecate this suggestion and I wish to add that anybody who wants to go and fight Smith is at liberty to do so, but he will not—

The Speaker (Mr. Slade): Order! I warn hon. Members that if you want to continue with any further supplementary questions, you will have to exercise more self-control, otherwise we shall just go on to the next Order.

Mr. Masinde: On a point of order, Mr. Speaker, we would like your guidance on this issue, particularly from you, Sir, as Speaker of this House, who have control of the House. Is it in order for the Assistant Minister, instead of answering on behalf of the Government and referring to matters to do with the Government, to say that Members who would like to fight Smith should go?

The Speaker (Mr. Slade): Order! Quite often in answering a question, a Minister elaborates what he believes to be Government's point of view. The Assistant Minister is not out of order so far, though I think he might become irrelevant if he went much longer on that tack.

Mr. Argywings-Kodhek: Mr. Speaker, if I may continue with what I was saying, apart from the fact that anyone is entitled to be a mercenary and fight the Smith régime, no one will force the Kenya Government, without the authority of the President and his Cabinet, to send troops down there.

Mr. Kaggin: Mr. Speaker, Sir, arising from one of the Assistant Minister's replies, and in view of the fact that he has admitted that Kenya was represented at this conference, will the Assistant Minister at least have the courage to tell this House whether the Kenya Government has accepted the resolution of the Organization for African Unity?

Mr. Argywings-Kodhek: Mr. Speaker, the only thing I can tell the hon. Member is that Kenya voted for the resolution.

Mr. Balala: Mr. Speaker, Sir, in accordance with the resolution of the Organization for African Unity, some African States are already preparing to sever relations with Britain, amongst which Tanzania has already instructed its Ambassador in Britain to pack up and return to Tanzania. Has our Government given instructions to our Ambassador in Britain?

Mr. Argywings-Kodhek: Mr. Speaker, Sir, this House should know that the Kenya Government will not just follow blindly any decision taken by any other Government. But I did ask the hon. Members to await a decision which is going to be made shortly by the Government.

The Speaker (Mr. Slade): In view of the persistent lack of control we shall proceed to the next Order.

[Mr. Masinde]

he is not now telling us what we were expecting as a result of the Organization for African Unity meeting? Apart from studying the decisions, we would like to know what stand the Kenya Government has taken now.

Mr. Argwings-Kodhek: I have already said, Mr. Speaker—and I said it standing—that these matters require a decision. The hon. Minister for External Affairs is just back and a decision will soon be made. The Government is going to make a decision soon on whatever is to be done. The President is due to make some very important speeches in the near future and any decision will be made known to the country.

Mr. Masinde-Inumbi: Mr. Speaker, Sir, the questioner wanted to know in accordance with the decision taken by the Organization for African Unity here and now the steps which Kenya has already taken on the particular question we do not want to hear a story, Mr. Speaker.

Mr. Argwings-Kodhek: Mr. Speaker, Sir, the hon. Member for Kuria seems to forget that Kenya is an independent sovereign State and, as such, must decide in the light of prevailing circumstances and must not be rushed into a decision by anybody.

Mr. Anyieni: Mr. Speaker, Sir, in accordance with the agreement which was reached at the Organization for African Unity meeting in Addis Ababa—that African States who are members of the Organization for African Unity would sever diplomatic relations with Britain—and in view of the fact that other countries which are also members have already started taking action on this decision, what will the stand of the Kenya Government be? In addition, the British Petroleum Company is currently selling fuel in Kenya and has refused to boycott any trade with Southern Rhodesia. What is the Kenya Government doing to boycott that company in Kenya?

Mr. Argwings-Kodhek: Mr. Speaker, I do not want to speak for my friend, the Minister for Commerce and Industry, on British Petroleum petrol, but I wish to say that there was a meeting of course in Addis Ababa, not of Heads of State but of Ministers, and the Kenya Government has to sit down with the President as Chairman to decide.

Mr. Kari: On a point of order, Mr. Speaker, the Assistant Minister stands up to tell the House that he is not going to talk on behalf of the Minister for Commerce and Industry and yet this is not a question of one Ministry, it is a question concerning the whole Government; it is a decision of the Cabinet.

The Speaker (Mr. Slade): I think, Mr. Kari is quite entitled to make that point, that the view of Government as a whole on anything being taken out of the resolutions of the Security Council is a matter which we are expecting the Minister to answer, even if he says he does not want to answer it.

Mr. Argwings-Kodhek: Mr. Speaker, apart from the fact that, of course, as we have read in the papers, Zambia needs oil, I wish to say that Kenya, of course, is also a member of the United Nations Organization, but the Cabinet has to meet first to make a final decision. So I am asking the Members' indulgence for only a few while longer. The President, if there is any decision made, will let you know.

Mr. Ngũgĩ-Abok: Mr. Speaker, Sir, is the Assistant Minister aware that he is indicated to the Speaker yesterday that he was capable of answering this question, according to how it was put to the House? Is he aware that he has not answered anything whatsoever and that he has wasted Members' time? If a decision was due to be made by the Cabinet, he could have told the Speaker that he would answer it on another day. Is he aware that he has done nothing this afternoon?

Mr. Anyieni: On a point of order, Mr. Speaker, is this not a point of order that the hon. Member has raised, not a question?

The Speaker (Mr. Slade): No, it is a straight question.

Mr. Argwings-Kodhek: What did you ask?

Mr. Ngũgĩ-Abok: Mr. Speaker, Sir, this is what I asked.

Yesterday, the Speaker undertook to ask if Government was going to answer this question to-day and the Assistant Minister, now answering on behalf of Government, said that the Government was capable of answering this question today, but then when we come to this House this afternoon we find that the Assistant Minister is not armed with any material, he has just said that the Cabinet has not met to decide anything. Is he aware that he has wasted Members' time? He should have told the Speaker he would answer on another day.

Mr. Argwings-Kodhek: Mr. Speaker, will I excuse the hon. Member for Hon. Bay for trying to be rude but not succeeding in imitating me. I would say this. I have certainly not wasted the time of this House. I have told you what the Government position is, what Government obligations are and what Government is going

[Mr. Argwings-Kodhek]

to do, but you cannot—and you will not—force the Republic of Kenya into action, without thorough discussion.

Mr. Kari: On a point of order, Mr. Speaker, in view of the seriousness of this question or questions of this nature, would it be possible for a Cabinet Minister to be responsible for answering these questions instead of an Assistant Minister?

The Speaker (Mr. Slade): No, that is not a valid point of order. It always rests with Government to decide whether a Minister or Assistant Minister—and which Minister or Assistant Minister—answers questions. Hon. Members can register their protest by way of supplementary question, but not as a point of order.

Mr. Kamau: Mr. Speaker, Sir, we know the Rhodesian issue is a very serious one and no person of any intelligence does not know that it is—

The Speaker (Mr. Slade): Order! Order! Mr. Kamau, we cannot have a speech, just a question, please.

Mr. Kamau: Mr. Speaker, Sir, could the Assistant Minister tell us—and I say he is evading answering this question for Members of this Parliament—whether we were represented at the Organization for African Unity Conference where a resolution was passed that we are going to break off diplomatic relations with the British Government if the Smith Government is still in existence? Could the Assistant Minister tell this House whether Kenya was represented when this resolution was passed?

Mr. Argwings-Kodhek: Not only at that conference, Mr. Speaker, but Kenya was very strongly represented at the Summit in Accra, too. I have heard hon. Members here trying to be very noisy about a serious matter. They will not be noisy when they are asked to go and fight.

An hon. Member: Mr. Speaker, Sir, the Government appears to have joined hands with Smith!

The Speaker (Mr. Slade): Could hon. Members retain a little self-control?

Mr. Argwings-Kodhek: Mr. Speaker, an hon. Member without self-control has suggested that the Kenya Government has joined hands with Smith. I deprecate this suggestion and I wish to add that anybody who wants to go and fight Smith is at liberty to do so, but he will not—

The Speaker (Mr. Slade): Order! I warn hon. Members that if you want to continue with any further supplementary questions, you will have to exercise more self-control, otherwise we shall just go on to the next Order.

Mr. Masinde: On a point of order, Mr. Speaker, we would like your guidance on this issue, particularly from you, Sir, as Speaker of this House, who have control of the House. Is it in order for the Assistant Minister, instead of answering on behalf of the Government and referring to matters to do with the Government, to say that Members who would like to fight Smith should go?

The Speaker (Mr. Slade): Order! Quite often in answering a question, a Minister elaborates what he believes to be Government's point of view. The Assistant Minister is not out of order so far, though I think he might become irrelevant if he went much longer on that tack.

Mr. Argwings-Kodhek: Mr. Speaker, if I may continue with what I was saying, apart from the fact that anyone is entitled to be a mercenary and fight the Smith régime, no one will force the Kenya Government, without the authority of the President and his Cabinet, to send troops down there.

Mr. Kaggia: Mr. Speaker, Sir, arising from one of the Assistant Minister's replies, and in view of the fact that he has admitted that Kenya was represented at this conference, will the Assistant Minister at least have the courage to tell this House whether the Kenya Government has accepted the resolution of the Organization for African Unity?

Mr. Argwings-Kodhek: Mr. Speaker, the only thing I can tell the hon. Member is that Kenya voted for the resolution.

Mr. Bahala: Mr. Speaker, Sir, in accordance with the resolution of the Organization for African Unity, some African States are already preparing to sever relations with Britain, amongst which Tanzania has already instructed its Ambassador in Britain to pack up and return to Tanzania. Has our Government given instructions to our Ambassador in Britain?

Mr. Argwings-Kodhek: Mr. Speaker, Sir, this House should know that the Kenya Government will not just follow blindly any decision taken by any other Government. But I did ask the hon. Members to await a decision which is going to be made shortly by the Government.

The Speaker (Mr. Slade): In view of the persistent lack of control we shall proceed to the next Order.

Mr. Ngala-Abok: Mr. Speaker, Sir, will the Assistant Minister agree with me that the recent recruitment into some jobs which appeared in the National Assembly did not go to the Public Service Commission, and that there was also no Pokot man who came here to seek employment?

Dr. Walyaki: I have not investigated, Mr. Speaker, whether or not this was the case. I presume that the hon. Member is talking about jobs relevant to ..... (Inaudible) or that kind of thing. If that is the case I would have liked to see a Pokot man here, but if there are none who applied, it could not have been helped and that is why they were not taken.

The Speaker (Mr. Slade): Order! Mr. Ekitella, you may not be aware of our new Standing Order under which front benches are reserved exclusively for Ministers. Will you please sit in one of the other benches.

Mr. Tuwei: Mr. Speaker, Sir, will the Assistant Minister agree with me that there are two Pokots in the National Assembly, one is a Senator and one is a Member of this House of Representatives?

Mr. Khalif: Mr. Speaker, Sir, would the Assistant Minister agree with me that for these jobs, like orderlies, cooks and so on, the candidates were not interviewed by the Public Service Commission, and that the Pokot could have been discriminated against?

Dr. Walyaki: I would not agree, Mr. Speaker, because it was open for the Member for the area to introduce anybody he knew, to seek a job here in the National Assembly at the appropriate time.

#### Question No. 117

##### FENCING BY EUROPEAN FARMERS IN TRANS-NZOIA

Mr. Lorema asked the Minister for Agriculture and Animal Husbandry whether he was aware that some of the European settlers in Trans-Nzoia had not fenced their farms.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, I beg to reply. Yes, Sir, and this includes also the places where the hon. Member comes from.

Mr. Lorema: Mr. Speaker, Sir, arising from that very brief reply, is the Assistant Minister aware that this question of not fencing farms in Trans-Nzoia results in so-called trespass in the area?

Mr. Osogo: Mr. Speaker, Sir, this is not true. If it does result in it, then my Ministry takes a view that that farm is mismanaged and we immediately serve it with a management order.

Mr. Kerich: Mr. Speaker, Sir, may we know from the Assistant Minister whether these unfenced farms have been served with management orders?

Mr. Osogo: It is not necessary, Sir, that all the unfenced farms should be served with management orders if they are properly run. But, we have already served management orders on thirteen farms in that area.

Mr. Rurumbani: Mr. Speaker, could the Assistant Minister tell the House what are the signs that could show the Pokot people that the boundary of these farms is here or there?

Mr. Osogo: Mr. Speaker, Sir, I thought that every individual who had his own farm knew where the boundary of his farm was; otherwise, Sir, he would not know that where he was digging was on his farm or not. But, if I had a farm, I should know where my farm ended, Sir.

Mr. Ekitella: Mr. Speaker, Sir, arising from one of the Minister's replies, this is an offensive reply, and could we get the correct answer?

Mr. Osogo: Mr. Speaker, Sir, it was more of a defensive reply than an offensive one.

Mr. Aremam: Mr. Speaker, Sir, I think the Assistant Minister is aware that the Pokot people, think, when they see a fenced farm, that it is perhaps a Pokot *shamba* and then they walk there, they squat, and then they are prosecuted in Kiinte for trespass.

The Speaker (Mr. Slade): So what is your question, Mr. Aremam?

Mr. Aremam: Is he aware of that?

The Speaker (Mr. Slade): You said you thought he was aware of it. You are asking him if he is aware now?

Mr. Aremam: Yes, Sir.

Mr. Osogo: Yes, Sir, I am aware that there are a lot of trespass cases, but I am also aware that every Pokot man should know where the limit of his farm is.

Mr. Shikuku: Arising from the Assistant Minister's reply, Mr. Speaker, can he tell this House whether all the Pokot men, in the whole of Pokot area, Mr. Speaker, can be able to know the boundaries of a certain farm which is not fenced. Does he not agree with me that every farmer should fence his farm so that the Pokot can know where the end of that farm is?

Mr. Osogo: Even the Pokot people should fence their farms, so that they do not go outside these farms, Mr. Speaker.

Mr. amp Sol: Mr. Speaker, Sir, would the Assistant Minister tell the House whether some of the Pokot people and some of their animals have been trespassing on the farms and have been taken to court?

Mr. Osogo: Mr. Speaker, Sir, I have failed to understand what the hon. Members are trying to get at. I have said repeatedly that all people who are farmers in this country should fence their farms—this we agree—be they Europeans, be they Pokot or be they any other tribe. They should fence their farms, if they have money to do so, but if they have not fenced their farms and their animals trespass in other areas, they may be trespassing in the game reserves, Mr. Speaker, and this will be illegal, so they will be prosecuted for trespassing on land which is not theirs.

The Speaker (Mr. Slade): We must go on now.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION NO. 117: FENCING BY EUROPEAN FARMERS IN TRANS NZOIA

Mr. Lorema: Mr. Speaker, Sir, in view of the very unsatisfactory reply from the Assistant Minister for Agriculture, I wish to raise this matter on adjournment.

Mr. Khalif: I am sincerely seeking your guidance here, Sir. If there is a question like this on which many Members indicate their disappointment at the answer, can we raise it under section 14 of our Standing Orders as a matter of national importance?

The Speaker (Mr. Slade): No. Order! No, it is quite clearly not the type of matter to which we can apply that Standing Order.

#### QUESTION BY PRIVATE NOTICE

##### KENYA GOVERNMENT STAND ON O.A.U. RESOLUTIONS ON RHODESIA

The Speaker (Mr. Slade): You have a question by private notice, Mr. Masinde?

Mr. Masinde: Mr. Speaker, Sir, I would like to ask a question by private notice, which reads:—

In view of the fact that the Assistant Minister for External Affairs could not give a definite reply to this House last week as to what stand the Kenya Government had taken towards the Rhodesian affair, on the ground that the Kenya Government was waiting for the results of the

Security Council of the O.A.U. which was meeting in Addis Ababa, and in view of the fact that the said Security Council has now announced its decision, could the Government now declare the stand in relation to that announcement?

The Minister for Internal Security and Defence (Mr. Argwings-Kodhek): On behalf of His Excellency the President, Sir, I wish to reply, and I would like hon. Members to take heed.

It is known to the country that Kenya is a member of the Organization for African Unity and, as such, Kenya is committed to the total liberation of Africa, according to the Constitution of the Organization for African Unity. It is the belief of the Government of the Republic of Kenya that the time for mere resolutions and declarations of support is over. The East African Heads of State and Governments meeting in Nairobi agreed on a line of action on the Rhodesian issue. The hon. Members are requested to appreciate that the danger and, indeed, the crisis are not only in Rhodesia, but our brotherly State of Zambia is in a very vulnerable position, too, as you know.

In considering this matter, Sir, therefore, hon. Members should give serious thought to the security of the whole of Africa. The Organization for African Unity Council of Ministers in Addis Ababa passed resolutions which cover political, economic, diplomatic and financial matters between African countries and the United Kingdom Government and Southern Rhodesia. Take note now. The decisions made are far-reaching and require study and decision by our Government first. The question of liberating Southern Rhodesia from the racist minority, illegal authority of Ian Smith calls for military strategy, planning and co-ordination. This is a matter which cannot be discussed, for obvious reasons, in public.

With regard to the resolutions passed and the stand taken by the Organization for African Unity Sixth Extraordinary Session, the Government of Kenya fully supports these resolutions which are currently being studied by the Government, in order to decide on the timing and the best method of implementation. In the meantime, Sir, the Government of Kenya has severed all trade relations with Southern Rhodesia and has also appealed to our brothers, Zanu and Zapu, in Rhodesia, to unite and face the common enemy.

Mr. Masinde: Arising from the Assistant Minister's reply, Mr. Speaker, is the Assistant Minister aware that, in view of last week's reply from the Assistant Minister for External Affairs,

Mr. Ngei: Mr. Speaker, Sir, the question of good agricultural husbandry does not fall within my portfolio; I think that is the work of the Ministry of Agriculture.

The Speaker (Mr. Slade): Order! The Minister is quite right. This question is concerned with markets and not production.

Mr. Omweri: Mr. Speaker, Sir, arising from the Minister's reply, would the Minister tell us what he is doing to raise the price of copra, so that the farmers can take more interest in producing more copra, so that there is enough to export?

Mr. Ngei: Mr. Speaker, since I have just said the amount of copra produced in Kenya does not qualify for export in overseas markets, the price of copra is, therefore, not determined by the world market but the local market. As soon as there is sufficient demand for consumption of copra internally or externally, the Ministry will be very prepared to consider the price

Question No. 75 (a)

BOUNDARY COMMITTEE FOR WESTERN NYANZA PROVINCES

Mr. Shikuku asked the Minister for Home Affairs:—

(a) Could the Minister tell the House how far the Boundary Committee of twenty-four men, which had been appointed last year to look into the Western and Nyanza Provinces disputed areas, had gone.

(b) Would the Minister also tell the House when he expected the committee to complete its work.

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): Mr. Speaker, Sir, on behalf of the President, I beg to reply. No, Sir.

It is assumed Mr. Speaker, that the committee to which the hon. Member is referring is the one appointed by the Provincial Commissioners for Nyanza and Western Provinces to look into the ways and means of bringing about closer co-operation between the peoples of their respective provinces living along the disputed Nyanza/Western Provincial boundary. This is a conciliatory committee of leaders in the areas. The Government is not expecting this committee to submit a report. However, if the provincial commissioners feel that there are matters which should be referred to the Government for policy decision, they will certainly do so.

No time limit is set for the committee to complete the work. It is hoped that through the co-operation of the local people, including the hon. Member for Butere, the committee should complete its task as soon as possible.

Mr. Kamuren: On a point of order, Mr. Speaker, since the answer from the Assistant Minister was "no", is it not then in order for the House to be told how the hon. questioner knows about the work of this committee?

The Speaker (Mr. Slade): No. Mr. Kamuren, you do this too often. You rise on a point of order to ask a supplementary question; you cannot do it. If you do it like that, even if you are not sent out of the Chamber, you will not get any more supplementary questions.

Mr. Shikuku: Mr. Speaker, Sir, arising from the Assistant Minister's reply, no, to my question (a), and also to question (b), where he mentions the committee set up to bring close co-operation, is he aware that this committee was set up as a result of the dispute between the Luos—of which he is a member—and the Baluhyas in that area, because the Abaluhya people in Central Nyanza want to come back to Western Province?

Mr. Argwings-Kodhek: Mr. Speaker, Sir, I only know that the committee set up was not that the Baluhyas should have back land from anybody because they have no land in any area and they have no claim to any land whatsoever. The committee was a conciliatory committee set up by the provincial administration.

Mr. Tanui: Mr. Speaker, Sir, can the Assistant Minister agree with me that allowing such questions to be raised in this House arouses nothing but tribalism, and that they should be rejected and should never have been raised at all?

Mr. Argwings-Kodhek: I certainly congratulate that hon. Member, Mr. Speaker.

Mr. Masinde: Mr. Speaker, Sir, arising from one of the Assistant Minister's replies, in view of the fact that there are tribes in Kenya—nobody can dispute this—could he assure this House that at present there is not any dispute between Nyanza and Western Province along the boundary?

Mr. Argwings-Kodhek: The only appearance of a dispute is usually raised by certain hon. Members who meet on a tribal basis at the Mayfair Hotel at night.

Mr. Shikuku: On a point of order, Mr. Speaker, the Assistant Minister has just stated quite clearly in this House that the tribal feelings are promoted by certain hon. Members who meet at the Mayfair Hotel. Could he substantiate that?

Mr. Argwings-Kodhek: I will certainly do this, because last night, Mr. Speaker, Sir, the hon. Member was at a tribal party at the Mayfair Hotel organized by .....

(Inaudible.)

Mr. Shikuku: On a point of order, Mr. Speaker, I seek your guidance on this because it is very important and very vexing too, Sir. What can an hon. Member do when another Member states quite wrongly that I was there, and I was never in any meeting? What can I do? Abuse him or fight or circumcize him?

The Speaker (Mr. Slade): Order! Order! Points of order will be taken in silence please.

On half a dozen occasions I have told hon. Members what they can do if they challenge the truth of what a Minister says in answer to a question. They prove to him, outside the House, that he has not spoken the truth and require him to come and apologize to the House and to the Member concerned. If he refuses to do that, and the Speaker is satisfied that there has been an untruth, he will require the Minister to do so.

Mr. Masinde: Mr. Speaker, Sir, arising from the Assistant Minister's reply, could the Assistant Minister agree with me that along the border between Nyanza and Western from where the Assistant Minister also comes there has been this dispute and it is caused mainly by the Assistant Minister himself who has an interest because most of his constituency are Baluhya and they do not want to be in Nyanza Province?

Mr. Argwings-Kodhek: I first of all object to that, Mr. Speaker, and I know the people in my constituency are opposed strongly to having anything to do with the so-called Western Province.

Mr. Anyleni: On a point of order, Mr. Speaker, in this particular respect, when the Assistant Minister is informed of a particular problem, would it be in order, Sir, for such an Assistant Minister—when replying to a question like that—to declare his interest, so that we would not have the possibility of a Minister replying on behalf of his constituency when we thought he was replying for Government?

The Speaker (Mr. Slade): Ministers or Assistant Ministers replying to questions must be taken to reply for Government with the authority of Government. Their other interest as a Member for a constituency is so obvious, or should be so well known to Members, as not to require declaration.

Mr. Shikuku: On a point of order, Mr. Speaker, the Assistant Minister did state quite clearly again; he referred to the Western Region,

which is a constitutionally constituted area, as "so-called" when he knows it is constitutionally there?

The Speaker (Mr. Slade): Though it is quite incorrect to do so I would not say that it was out of order?

NOTICE OF MOTION FOR THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION NO. 75 (a): BOUNDARY COMMITTEE, WESTERN/ NYANZA PROVINCES

Mr. Shikuku: On a point of order, Mr. Speaker, in view of the arrogant and—

The Speaker (Mr. Slade): All right. We do not need any of that. You want to raise it on the adjournment, do you?

Mr. Shikuku: Yes, Sir.

ORAL ANSWERS TO QUESTIONS

Question No. 116

NO POKOTS EMPLOYED BY THE NATIONAL ASSEMBLY

Mr. Lorema asked the Vice-President to tell the House why there was no Pokot man working in the National Assembly.

The Assistant Minister, Vice-President's Office (Dr. Walyaki): Mr. Speaker, Sir, I beg to reply: It has been stated in the House, time and again, that the only operative basis on which recruitment into the Public Service is conducted, is by approved qualifications and relevant experience. If there is no Pokot man working in the National Assembly, it can only be attributed to the unavailability of properly qualified Pokot people. Whenever vacancies are advertised, as is done regularly, the Member could assist by inviting and encouraging Pokot people with the stipulated qualifications to apply, and the Public Service Commission will then make their selection in the usual way.

Mr. Lorema: Mr. Speaker, Sir, is the Assistant Minister aware that these advertisements do not reach the Pokot area at all, in view of the fact that the area is so far away, and would he take a note that, next time, he sends special information to the district commissioner or to the Member for the area?

Dr. Walyaki: Mr. Speaker, Sir, I was not aware that the Pokot people did not read newspapers. If they do not, then I suggest that the hon. Member takes trouble to introduce people from his area who might want to get into certain positions in Government which are advertised in the Kenya Gazette.

[Mr. Khliff]

of his Ministry for that matter, to open a labour exchange in the North-Eastern Province, so as to register those who are unemployed?

Mr. Odeero-Jowi: Mr. Speaker, Sir, it is true that we do not have a labour in the North-Eastern Province. It is also true, unfortunately, that this is an area where there is very little employment opportunities.

Mr. Ngala-Abok: Mr. Speaker, Sir, is the Assistant Minister aware that since independence, and since this Tripartite Agreement necessitated registration, whenever those registered seek jobs, and jobs are available, they are told to go to such important people as Assistant Ministers and Members of Parliament, to give them a bit before they can be employed? What is the Ministry going to do so that a person is just employed according to merit, ability and registration cards, rather than running around looking for Members of Parliament and other important people?

The Speaker (Mr. Slade): Order! Mr. Ngala-Abok, that is too far away from this question; it is more related to another one we have had already. I think.

Next question.

#### Question No. 109

##### INFORMATION OFFICER FOR MERU

Mr. Mate asked the Minister for Information, Broadcasting and Tourism why the Government did not have an information officer permanently stationed at Meru.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, Sir, I beg to reply. The Government fully realizes the importance of providing adequate information coverage for all main towns. The desirability of having permanent information officers in each town is fully realized, but the lack of sufficient financial resources makes this impossible. Meru is adequately covered from my Ministry's Embu office. The road connexion between the two towns is good, and whenever any event of importance in Meru is made known to the Embu office, every effort is made to cover it.

However, Mr. Speaker, as soon as funds permit, consideration will be given to the establishment of an office, not only at Meru but in other deserving places, such as Kisii and Lamu.

Mr. Mate: Mr. Speaker, Sir, arising out of the latter part of the Minister's reply, do the Government realize that I am concerned not only about

Meru Town but about the whole district, and the potential, the tourist traffic, information coming into Meru and publicity about Meru area which is a part of Kenya? Would the Government therefore urgently consider giving us an office, because we form half of the Eastern Province?

Mr. Achieng-Oneko: Mr. Speaker, Sir, I realize that the hon. Member was not referring to Meru Town only, but to the Meru area; and I have already said that, as soon as funds are made available, we will give consideration to Meru.

Mr. Khliff: Mr. Speaker, Sir, is the Minister aware that it is not enough just to say that Meru is adequately covered from Embu, when the same excuse was given in respect of Wajir, when the Ministry of Information stated that Wajir is adequately covered from Garissa, which is really not the case?

The Speaker (Mr. Slade): That is another question. This one deals with Meru.

Mr. Mbogoh: Mr. Speaker, Sir, arising from the Minister's reply, is he aware that though there is an Information Office at Embu, which he says covers Meru adequately, even Embu is not covered adequately by that office.

Mr. Achieng-Oneko: Mr. Speaker, I am not aware.

The Speaker (Mr. Slade): Next question.

#### Question No. 134

##### TOURISTS FOR KAIMOSI, KAKAMEGA, ETC.

Mr. Godla asked the Minister for information, Broadcasting and Tourism if he would tell the House what he was doing to attract tourists to visit Kaimosi, Kakamega, Malava, etc. Forests.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, Sir, I beg to reply. I have recently been asked a similar question in regard to an attractive location at the Coast. I have been asked what steps I am taking to attract tourists to that particular place.

I wish to assure the hon. Member that one of the main functions of my Ministry is to do everything possible to bring more tourists to the country. My Ministry endeavours to take rather indirect steps which act as an inducement so that these tourists may be spread as widely as possible in the country. In the Development Plan, each area of Kenya will receive due consideration.

#### [The Minister for Information, Broadcasting and Tourism]

The areas to which the hon. Member refers, namely, Kaimosi, Kakamega and Malava, have attracted the attention of my Ministry and everything possible will be done to interest tourists in these places.

Mr. Godla: Mr. Speaker, Sir, will the Minister simplify his answer? I want to know what he means by "everything possible". Let him explain what he is planning to do, particularly in the Western Province, to attract more tourists to come there.

Mr. Achieng-Oneko: Mr. Speaker, Sir, I think this is common knowledge and the hon. Member knows that we cannot induce tourists to visit Western Region unless there is accommodation for them there, and unless there is something to see in the area; and more particularly, something to see in Kaimosi, Kakamega and Malava, which the hon. Member is referring to.

Mr. Shikuku: Arising out of the last reply by the Minister, Sir, does he mean to tell the House that whatever he has told the House is not going to happen? Because he said that everything possible would be done, and now he has given the excuse that there are no hotels. What is he doing to put up the hotels so as to attract people to this place and have a nice time?

Mr. Achieng-Oneko: Mr. Speaker, Sir, that is a negative question. I was asked by one hon. Member to give an example, and I said that a hotel is an example. Hon. Members will remember that about a month ago, when I introduced the Tourist Development Corporation Bill, I undertook that, when the board began functioning, my Ministry would go into details and see how it could map out where to build hotels.

Mr. Masinde: Mr. Speaker, Sir, arising from the Minister's reply, could the Minister assure this House that there is a possibility, according to his new corporation, of setting up hotels which will be a primary attraction for tourists in this part of the country?

Mr. Achieng-Oneko: The policy is to extend the present hotels and increase their number of beds, and also to build new hotels.

Mr. arap Bly: Mr. Speaker, Sir, could the Minister tell us what qualifies an area to be a tourist centre?

Mr. Achieng-Oneko: Tea-growing also can qualify!

Mr. Kall: Mr. Speaker, Sir, important as hotels are, can the Minister agree with me that publicity also is important in attracting tourists?

By that, I mean having colour films shown in Europe and America to attract tourists, without mentioning Kaimosi or Kakamega, but covering the whole country?

Mr. Achieng-Oneko: I do entirely agree with the hon. Member.

Mr. Lorema: Mr. Speaker, Sir, does the Minister imply that beds attract one more than the nature which exists in the very place?

Mr. Achieng-Oneko: Mr. Speaker, would the hon. Member repeat his question?

Mr. Lorema: Mr. Speaker, with your permission, I will repeat my question. Does the Minister imply that beds in hotels attract tourists more than the natural surroundings which exist in a given place.

Mr. Achieng-Oneko: Mr. Speaker, this is also a very interesting question. One must realize that almost half of one's life is spent in bed. Even if there are other attractions like seeing wild game or good scenery, you need at least a good bed to sleep in. Therefore, this, also, is an attraction.

#### Question No. 68

##### OVERSEAS MARKETS FOR COCONUTS AND COPRA

Mr. Omar asked the Minister for Co-operatives and Marketing if he would tell the House the reasons why he could not find overseas markets for the coconuts and copra produced in the Coast Province.

The Minister for Co-operatives and Marketing (Mr. Ngel): Mr. Speaker, Sir, I beg to reply. The production of copra in Kenya is not sufficient to meet local requirements and imports are made from Tanzania. The question of export does not, therefore, arise.

With regard to the export of fresh coconuts, the Kenya Agricultural Produce Marketing Board is currently investigating the industry, with a view to marketing abroad. When the result is known, producers in the Coast Province will be informed accordingly.

Mr. Komora: Mr. Speaker, what is the Minister doing to promote the production of copra, so that it qualifies to be marketed overseas?

Mr. Ngel: Mr. Speaker, Sir, the Ministry is planning to bring together the copra producers in the Coast into a co-operative society and also to practise the usual agricultural husbandry.

Mr. Jahazi: Mr. Speaker, Sir, would the Minister tell this House how bringing together the producers into a co-operative will increase production if the acreage is the same?



**The Speaker (Mr. Slade):** Mr. Somo, I think you are unaware of the amendment of Standing Orders that was passed yesterday. Please leave the front bench.

**Mr. Odero-Jowi:** Mr. Speaker, Sir, since 1st June 1963, the National Assembly was brought within the jurisdiction of the Public Service Commission. Now, this means that all senior posts in the National Assembly are filled through the Public Service Commission of Kenya and junior posts are filled through the administrative head of the department, namely, of the National Assembly.

**Mr. Komoru:** On a point of order, Mr. Speaker, Sir, the hon. Member for Lamu is causing an inconvenience, because the seats here provided for only two Members.

**The Speaker (Mr. Slade):** I cannot compel hon. Members to choose exactly where they sit in the back benches, but I would suggest with so much space available each Member takes complete seat to himself and does not impinge on others.

**Mr. Mbogoh:** Mr. Speaker, Sir, does the Assistant Minister know that the Members of this House have been caused quite a lot of embarrassment by somebody who announced that there was some employment in the Parliament Buildings and the Members of Parliament are therefore to commend those people who are going to be employed?

**Mr. Odero-Jowi:** Mr. Speaker, Sir, I am not aware of that.

**Mr. Omar:** Mr. Speaker, Sir, will the Assistant Minister give an assurance in the House that the recruitment will have no discrimination on a racial or tribal basis?

**Mr. Odero-Jowi:** Mr. Speaker, Sir, it is the policy of the Government to encourage employment on non-racial, non-tribal and no other consideration. As a matter of fact, Sir, we subscribe to the International Labour Organization convention on this and so the Government agrees that there should be no discrimination.

**Mr. Shikuku:** Arising from the Assistant Minister's denial that there is no tribal feeling, is he aware that at the moment labourers are asked for by the employers from their Ministers or Assistant Ministers that these people commend their tribal people to be employed?

**Mr. Odero-Jowi:** Mr. Speaker, Sir, I am aware of this, and as a matter of fact, it is a practice encouraged by all the Members of the House, without any exception.

**Mr. Speaker, Sir,** what we are doing is tightening up the regulations governing the Employment Service and we will insist that all employment, all work seekers are taken through the Employment Service.

**Mr. Mbogoh:** Mr. Speaker, Sir, arising from that reply, what will the Ministry do to correct the imbalance caused by the employment in this Parliament Building where you find that most of the employees come from the two tribes in Kenya?

**Mr. Odero-Jowi:** Mr. Speaker, Sir, I am unaware of the imbalance and I am glad the Member has drawn our notice to this. We will investigate it and take action later.

**Mr. Kamuren:** Mr. Speaker, Sir, arising from the Assistant Minister's reply where he says he is not aware of this, could he tell this House when he is going to set to and find out if the two tribes, as suggested by the Member, have been employed in this House when they have supposed to be reinstated?

**Mr. Odero-Jowi:** Mr. Speaker, Sir, we are not going to interfere unduly with the process of employment just because certain accidents occur, but as this matter has been raised in this House, we are going to investigate it and if we find that there is no proper ground for the type of intake that has taken place here, we will act.

#### Question No. 115

##### EMPLOYMENT THROUGH EMBU LABOUR OFFICE

**Mr. Mbogoh** asked the Minister for Labour and Social Services to tell this House how many people had been employed through the Labour Office at Embu. Also to tell the House, firstly, how many of these people were in Administration, secondly, how many were in the Embu Hospital, and thirdly, what their respective districts of origin were.

**The Assistant Minister for Labour and Social Services (Mr. Odero-Jowi):** Mr. Speaker, Sir, I beg to reply. The answer to the main part of the question is 262. The answer to the first part of the question is 64; the answer to the second part of the question is zero, and the answer to the third part of the question is that they are all Kenya citizens.

**Mr. Mbogoh:** Mr. Speaker, Sir, can the Assistant Minister tell this House why it is found necessary to have those officers at Embu if they are employing Luos in the manual jobs which should be taken by the Embu people who are not employed?

**Mr. Odero-Jowi:** Mr. Speaker, Sir, again, this is an allegation I am not aware of and therefore, I cannot comment upon it.

**Mr. Mbogoh:** Mr. Speaker, Sir, is the Assistant Minister aware of my letter which I wrote to the Ministry and I received a reply to the effect that the Ministry is taking action and now he says that he is not aware of this?

**Mr. Odero-Jowi:** Mr. Speaker, I am not aware.

**Mr. Kerich:** Mr. Speaker, Sir, would the Assistant Minister tell the House among those employed, may I know the number of the women employed and the number of men employed?

**Mr. Odero-Jowi:** Mr. Speaker, Sir, the records I have do not give the figures of the women and men. I only have the figures of the people employed through the Embu Employment Exchange, during 1964/65.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

**Mr. Mbogoh:** Mr. Speaker, Sir, on a point of order, I wish to raise this matter on a Motion for the Adjournment.

#### ORAL ANSWERS TO QUESTIONS

##### Question No. 122

##### REGISTRATION OF UNEMPLOYED

**Mr. Godia** asked the Minister for Labour and Social Services to tell the House if the Minister for Labour and Social Services would begin registering all the people who were unemployed in the country so that work could start on how and in what occupations such unemployed persons could be usefully employed.

**The Assistant Minister for Labour and Social Services (Mr. Odero-Jowi):** Mr. Speaker, Sir, I beg to reply. The Ministry of Labour and Social Services does not consider it necessary to carry out a special survey and enumeration of unemployed people in the country. Mr. Speaker, Sir, the employment and manpower situation in the country is consistently reviewed by the statistical department of the Ministry of Economic Planning and Development, and quarterly reports on this subject are issued by that Ministry.

It is not really necessary, that this exercise be carried out in order that the Government may launch an employment relief project, as these are already included in the Development Plan.

**Mr. Godia:** Mr. Speaker, Sir, arising out of the Assistant Minister's reply, how does he expect the Government not to know the number of

unemployed persons if the Ministry of Economic Planning and Development is to plan for these unemployed people effectively?

**Mr. Odero-Jowi:** Mr. Speaker, Sir, annual enumeration of employed people is carried out by the Ministry of Economic Planning and the Ministry of Labour and Social Services has an Employment Service which keeps track of job seekers. The two put together gives us a very clear picture of the employment situation.

**Mr. Anyieni:** Mr. Speaker, Sir, the Assistant Minister said that it is not the policy of the Government to go out and enumerate the people. Is this compatible with their move which they took in 1963 when they asked the Members to register and if the answer is yes, would the Assistant Minister still answer the question as to how the Government knows those people are jobless without them coming from home to register here in Nairobi?

**Mr. Odero-Jowi:** Mr. Speaker, Sir, it is unnecessary for the Government to go out to register people who are unemployed. People who are unemployed go out to look for jobs and they are registered through the Employment Exchange.

**Mr. Speaker:** Sir, I also said that it is not actually necessary to register these people in order to find out what must be done to reduce unemployment. The Government is aware that there is unemployment in the country and we know this through the records of the statistical department. Already plans to relieve unemployment are built into the Five-year Development Plan.

**Mr. Masinde:** Mr. Speaker, Sir, the Assistant Minister has just told us that those people who look for employment go out to be registered, and what is the Ministry doing to see that those who are already registered get employment instead of waiting, as a number of them have been waiting for as long as ten years in Nairobi here?

**Mr. Odero-Jowi:** Mr. Speaker, Sir, the Employment Service does not register only job seekers. We also register jobs that exist and when we find that there are right jobs for the registered job seekers, we pass them on to the employers that want them.

**Mr. Khalif:** Mr. Speaker, Sir, the Assistant Minister has said in one of his replies that the labour exchange does the work of registering those unemployed people. Is the Assistant Minister aware that there are places like the North-Eastern Province where there is no branch of the labour exchange, and if the answer is in the affirmative, what is the Assistant Minister doing,

Thursday, 9th December 1965

The House met at thirty minutes past Two o'clock.

*(The Speaker (Mr. Slade) in the Chair)*

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No. 120

ASSAULT OF KENYA STUDENT IN THE U.S.A.

Mr. Obok asked the Minister for External Affairs—

(i) What the Government was doing to ensure that adequate compensation for damages was secured for Mr. Ralph Oduor, the Kenya student who was brutally assaulted by unruly police gangsters in the United States on 30th October.

(ii) What steps the Government was contemplating to ensure that, in future, our students, not only in the United States, but wherever they were studying, were accorded proper treatment and did not become the victims of racial animosity, as had been established in the Oduor case.

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): Mr. Speaker, Sir, on behalf of my friend and colleague, the Minister for External Affairs, I beg to reply.

(i) The Kenya Government takes a very serious view of the assault incident that has happened to Mr. Oduor in the United States. Immediately the incident occurred, the Kenya Students' Adviser in the United States proceeded to Nashville, Tennessee to investigate the matter on the spot. Subsequently, our Ambassador in the United States has taken up the matter with the appropriate authorities who have now instituted an FBI investigation. Upon the receipt and on the basis of the FBI report, the Justice Department (Civil Rights Section) would decide whether to prosecute the police and pay the damages involved. However, should there be no satisfactory action resulting out of this effort the Kenya Government is going to insist that the Justice Department find a lawyer who would help Mr. Oduor get the adequate compensation he deserves. Meantime a letter of protest from this Government has been sent to the Secretary of State, Mr. Dean Rusk.

(ii) To ensure that the welfare of the students in countries where they are studying is looked after, the Government of Kenya has appointed student advisers who are attached to our Embassies. These student advisers deal with all kinds of student problems, one of which is to see that our students are accorded proper treatment and do not become victims of racial animosity, as has been established in the Oduor case.

Question No. 84

CHAI IRRIGATION SCHEME

Mr. Ndile asked the Minister for Agriculture and Animal Husbandry to tell the House what immediate plans he had for developing Chai Irrigation Scheme at Kibwezi.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, I beg to reply. A Bill is going through its Committee stage in this House, introducing the National Irrigation Board, and this board will be charged with looking into the possibilities of developing irrigation all over the country. The Chai Irrigation Scheme will be considered, with others, with a view to establishing which should, and which should not, be designated national irrigation schemes.

Mr. Ndile: Mr. Speaker, Sir, would the Assistant tell me what has happened to the money—about Sh. 15,000—which was allotted for this purpose, for the Chai Irrigation Scheme last year? This is not a new case to wait for the new Bill.

Mr. Osogo: Mr. Speaker, Sir, the hon. Member will know that the Chai Irrigation Scheme is going on, it has 96 plots and this money is being used in that place.

CONSIDERED RULING

SEATING ON THE FRONT BENCHES

The Speaker (Mr. Slade): Before proceeding with questions, I would draw the attention of hon. Members to an amendment to Standing Orders which was passed by this House yesterday, reserving the front benches exclusively for Ministers. I would ask Mr. Kamuren, Mr. rap Soi, Mr. Ochwada and Mr. Gataguta to please leave the front benches.

Mr. Kamuren: On a point of order, Mr. Speaker, may I seek your guidance? Supposing that Ministers and Assistant Ministers are not there—

The Speaker (Mr. Slade): Order! They are still reserved exclusively for Ministers.

*(Resumption of debate on Question 84)*

Mr. Ndile: Mr. Speaker, Sir, would the Assistant Minister tell me what assistance the Ministry of Agriculture gives to the Chai Irrigation Scheme farmers to farm according to the best agricultural methods? Is the department helping those farmers?

Mr. Osogo: Yes, Sir, with advice.

ORAL ANSWERS TO QUESTIONS

Question No. 85

TRAINED TEACHERS FOR ADULT EDUCATION

Mr. Ndile asked the Minister for Education whether, in view of the great demand for adult education in Kenya, the Minister would consider the possibility of regular teachers teaching part-time during their holidays or out of school hours.

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, I beg to reply. I entirely agree that school teachers are the natural people to staff adult education work. They have the professional training, they are numerous, live in the areas where their services are required and have a respected position in the community. Every encouragement is given to teachers to engage in this voluntary work and considerable numbers of them are doing so after school hours and in school holidays.

Mr. Muliro: Mr. Speaker, Sir, arising out of the Minister's reply, would the Minister consider extending the teachers to the further scope of untrained intermediate pupils, or secondary school pupils, to assist in adult education?

Mr. Mutiso: Mr. Speaker, Sir, if we find the necessity for doing so, we certainly will.

Mr. Rurumbani: Mr. Speaker, Sir, arising out of the second reply, and in view of the fact that education of adults is a big problem in the country, will the Assistant Minister also assure the House that he will also ask help of the politicians, because there is not much time to raise the adult literacy rate in the whole of Samburu?

Mr. Mutiso: Mr. Speaker, Sir, this is not a question of one particular area of the country. As I said earlier, we have already instructed all the teachers, and all the provincial education officers have been notified of this, and if the teachers in Samburu appear to be reluctant about this we shall definitely take the action of informing them that this is a national issue and it should be done.

Mr. Mate: Mr. Speaker, Sir, in view of the first reply given by the Assistant Minister that the Government was considering favourably this

possibility, would the Government also consider giving teachers a bit of money for whatever they do, because they are poorly paid?

Mr. Mutiso: Mr. Speaker, Sir, I am sorry to say that I could hardly follow the question.

The Speaker (Mr. Slade): Mr. Mate, would you repeat your question.

Mr. Mate: Mr. Speaker, Sir, in view of the first favourable reply that the Assistant Minister gave, would he consider paying teachers for whatever they do because they are very poorly paid?

Mr. Mutiso: Mr. Speaker, Sir, as a matter of fact they are not giving their services free. They are paid for this, and the literacy campaign is organized in such a way that we ask the people who come forward to enrol to be educated under this campaign to pay a minimum amount of money in order to help those teachers who come forward, to subsidize their services.

Mr. Godia: Mr. Speaker, Sir, will the Assistant Minister tell the House what the minimum amount paid to teachers is so that we can know.

Mr. Mutiso: Mr. Speaker, Sir, yes, I could certainly do that.

Adult classes in the field are organized by community development officers. The usual pattern is for a local committee of local people to set up classes under the guidance of community development officers, or community development assistants and to look for a local teacher who may be a professional or a community development assistant or, simply, an educated person. Community development assistants taking such classes are not paid as the work is part of their salaried job. Others may, or may not, receive payment, according to their agreement with the committee. Any payment comes from fees paid by students. These fees are normally Sh. 5 per term for vernacular classes and Sh. 7 for English. Commonly, professional teachers get about Sh. 20 to Sh. 30 per month, depending largely on the size of their classes.

Question No. 114

RECRUITMENT OF PERSONNEL FOR THE NATIONAL ASSEMBLY

Mr. Mbogoh asked the Minister for Labour and Social Services what method was used for recruiting personnel in the National Assembly.

The Assistant Minister for Labour and Social Services (Mr. Odera-Jowi): Mr. Speaker, Sir, I beg to reply. The procedure for recruitment of personnel for the National Assembly is the same as in any Government Ministry. Since 1st June 1963, the National Assembly was brought within the jurisdiction of the Public Service Commission and this means—

**[The Vice-President]**

carrying the responsibility which is attached to that particular post, so long as you allow him to. He can only hold that privilege so long as you allow him. It is not that he has made a class for himself somewhere. He is, as a matter of fact, in that position because you have allowed him to be there.

So, Mr. Speaker, Sir, if Members will agree with me, I say that we should not make an issue of this Motion. I thank all hon. Members who have spoken on this Motion. However, I would like to say that since this afternoon we have wasted valuable time—discussing this very simple thing, something which does not call for spending or wasting the money of the taxpayers of this country. So, I beg to move that the amendment be adopted.

*(Question put and agreed to)*

*(A few hon. Members stood in their places)*

The Speaker (Mr. Slade): Order! Order! Under Standing Orders, there is a Division if the Speaker has any doubt as to the outcome of the Division, or if more than fifteen Members support the call for a Division. There were nothing like fifteen Members supporting the call. So, I say that the Ayes have it.

*(Some hon. Members stood in their places)*

The Speaker (Mr. Slade): The time for hon. Members to support the call for a Division is when it is first called for, and some hon. Members did stand up. We do not want to go over it all again.

**MOTION FOR THE ADJOURNMENT****KENYA GOVERNMENT SPOKESMAN**

The Speaker (Mr. Slade): I will now call on a Minister to move that the House do now adjourn.

The Minister for Economic Planning and Development (Mr. Mboya): Mr. Speaker, Sir, I beg to move that the House do now adjourn.

The Minister for Home Affairs (Mr. arap Moi) seconded.

*(Question proposed)*

Mr. Khalif: On a point of order, Mr. Speaker, will it be in order now for the Back-benchers to return to their places on the front benches today?

The Speaker (Mr. Slade): The time is so short that we will not lose any more time in asking hon. Members to shift their seats today. We will go straight on.

Mr. Mullro: Mr. Speaker, I gave notice of my intention to move this Motion on adjournment because of the very unsatisfactory reply which we received in this House on the issue of a Government spokesman.

Sir, we have heard a lot of contradiction, and when the Minister for Internal Security and Defence spoke in this House and defined who was a Government spokesman, he said, anybody could be a Government spokesman so long as he is appointed by the President. If the President appoints my wife, she can be a Government spokesman at any moment because she comes under the class of "anybody".

She is not incapable of being appointed. Mr. Speaker, Sir, we find that the confusion related to the question of the Government spokesman was again displayed recently when once the Government came out and stated very categorically that the Government of Kenya has rejected the Stamp Commission, and then the following day another statement came out, by the Government spokesman, which stated that the Government was considering the issue of the Stamp Committee. Now, Mr. Speaker, Sir, one thing must be understood, and that is which was the official Government view. Was it the one given by the Minister for Lands and Settlement or was it the one given by this mysterious person known as the Government spokesman? The confusion lies in the fact that the Government does not have a decisive policy, and therefore it contradicts itself from time to time.

Mr. Speaker, Sir, on one occasion I was the victim of this Government spokesman's statement. When I corrected my position, after having played a tape-recorded speech to the Government spokesman, I thought that he was the Government spokesman, but he never corrected the ridicule which had been directed against me as an individual, because I had given him the authentic statement which was my speech. From this, Sir, we would like to know who exactly the Government spokesman is, and how they arrive at these statements which are contradictory.

Mr. Speaker, Sir, with these few remarks, I beg to move. Mr. Luke Obok, who was the original questioner, will second me.

Mr. Obok: Thank you very much, Mr. Speaker. The intention in bringing this matter to the House was not a bad one, and it was brought to this House with good intention, and in fact, it is going to be very helpful to the Government. The Government spokesman could be anybody who the President nominates, and this we find is very misleading. Mr. Speaker, Sir. As I wish to be

**[Mr. Obok]**

brief, therefore allowing other hon. Members to speak on this important Motion and express the people's views on who the Government spokesman in Kenya is, I wish to make it very clear, Sir, that the Government spokesman could be anybody anywhere, and even at Kariokor, but this clearly demonstrates how lightly the Government of Kenya takes the question of public relations, and also our Government takes the question of informing the people very lightly. I cannot think of any single country in the Commonwealth, or anywhere else, where anybody can be the spokesman of the Government.

Mr. Speaker, Sir, when the Minister answered that question in the House a few weeks ago he clearly indicated that something was wrong, and even Cabinet Ministers themselves do not know who this gentleman is. The question before the House was, who is the spokesman of the Government, and in which Ministry does this man operate? In all democratic countries and, of course, Kenya is one, the Government's spokesman is always known, we should know where this man sits. The Members of this House would like to know who the Government spokesman is, and we feel that we cannot have a Government where, when we question them and ask them who the Government spokesman is, they tell us that it can be anybody.

Mr. Speaker, Sir, with these few remarks, I wish to give way to other hon. friends of mine who would like to express the people's views, because the people of this country want to know who this man is, whether he is a civil servant or what. We want to know.

Mr. Gichoya: Mr. Speaker, Sir, I am also put in a very awkward position in not knowing who is supposed to be the actual person: whether it is a civil servant or a politician, who has been appointed by His Excellency the President to be the spokesman of the Government, because, Mr. Speaker, Sir, if what the hon. Member for Trans Nzoia has stated, that the hon. Minister, and that is a fact, for Lands and Settlement stated that he was the Government spokesman, as he was representing the Government, and was speaking with the authority of the Government, he said that he was appointed on a special commission to go and negotiate for money for the Ministry of Lands and Settlement; and then he says that the Government has rejected the Stamp Commission Report. Now, Mr. Speaker, Sir, that went to everybody in Kenya, and even outside Kenya. It was said to be the exact official statement of the Government, but, Sir, if it was not the official statement

of the Government, then that Minister ought to have been dismissed forthwith, because the man who is supposed to be the spokesman for the State did not issue that statement.

Mr. Speaker, Sir, the other thing I would like to say is this. With all due respect to our Government, I would like to request that there should be a specified civil servant in any Ministry, for example, if there is a matter concerning the external affairs, then there should definitely be a spokesman for the Ministry of External Affairs. If we are told that every Minister must go to the Government spokesman for his statement to become official, then we shall be all right, so that we shall never take seriously whatever a Minister says, because he is not the Government spokesman.

Mr. Speaker, Sir, here we have a Minister who says that anybody, including the chief in my location, is a Government spokesman. Mr. Speaker, Sir, if we are going to flout the authority of the Government by investing chiefs and sub-chiefs with the authority of being spokesman, when Gichoya, the Member for that area, and this country having a one-party system, actually becomes the spokesman for the people as well as the spokesman of the Government, because I support the Government. Mr. Speaker, Sir, here the spokesman, as I understand it, could be a politician. He is a mysterious person who nobody knows, except perhaps for a few Ministers. Now, Sir, if we want to have things straightened up, then we think that the President should appoint one Minister, without portfolio, in the President's Office, then he will always be the spokesman of the State, or the Government spokesman. Or else, Mr. Speaker, Sir, let it be done in a different way. Whenever any statement is issued, it should be termed in this language: issued by the Minister under the instructions of His Excellency the President, so that there is no confusion. If one hears that he has been instructed by the President to do so, then it is all right, but if it does not appear to have been so done, then the public should be told not to respect these statements which are being issued. So, Mr. Speaker, Sir, we want to make our Government a respectable Government internally and externally. Consequently, we do not want contradiction, because if this contradiction continues, then we are going to be termed as people who try to learn the hard way about ruling themselves, although they claim that they were competent to rule themselves and conduct the affairs of their own Government properly.

With these few words, Mr. Speaker, Sir, I still question the fact that this spokesman should still be made one person.

Mr. Shkuku: On a point of order, Mr. Deputy Speaker, would it not be in order for you to call on the speaker to speak louder because some of us here can only hear him bubbling. Could he speak up, please?

The Deputy Speaker (Dr. De Souza): Order! Order! I think he is speaking loud enough, but, at the same time I think there is too much interruption in the House, as a result of which one cannot hear the hon. Member properly.

Mr. Mbogoh: Mr. Deputy Speaker, when I say that these seats will be for the Ministers and the Assistant Ministers, I mean that to start with—

Mr. amp Bly: On a point of order, Mr. Deputy Speaker, in view of the fact that hon. Members are already repeating themselves, may I call upon the Mover to reply?

The Deputy Speaker (Dr. De Souza): Order! Order! I am afraid I cannot allow that. Mr. Mbogoh has given notice of an amendment and he is entitled to move the amendment. We must have some debate on it, too.

Mr. Ngala-Abok: On a point of order, Mr. Speaker, the normal procedure is that the Member intending to amend a Motion has to give notice to the Speaker in writing. It appears to me, Sir, that he has not presented any notice to the Deputy Speaker.

The Deputy Speaker (Dr. De Souza): I have said that Mr. Mbogoh has given notice. Obviously he has given notice in writing.

Mr. Mbogoh: Mr. Deputy Speaker, in view of the fact that I would like to proceed, I will move my amendment now.

My amendment is this, "All seats in the front benches of the Chamber shall be reserved for the exclusive use of the Ministers." This should be numbered as (1). Then for (2) We should have, "All the back seats shall be reserved exclusively for Back-benchers."

Mr. Gichoya: On a point of order, Mr. Deputy Speaker—

The Deputy Speaker (Dr. De Souza): We are having a little too many fraudulent points of order, Mr. Gichoya. Are you sure you have a point of order?

Mr. Gichoya: Mr. Deputy Speaker, Sir, my point of order is this, and I need clarification here. The Motion as it shows exactly that there are two distinct classes of people: the front group—

The Deputy Speaker (Dr. De Souza): That is not a point of order. What you want to have clarified?

Mr. Gichoya: My question is this. Is it in order to put what has already been stipulated as an amendment?

The Deputy Speaker (Dr. De Souza): Well, Mr. Gichoya, the question of whether an amendment is in fact, reasonable or not is to be decided by the Speaker. The Speaker has given leave for this amendment to be moved, and I do not see any reason why you should stand up and sit whether in fact it is legitimate or not.

Mr. Mbogoh: Mr. Deputy Speaker will ensure that no Minister will go wandering about the seats that are reserved for Back-benchers. Well, the Back-benchers are not allowed to wander around the front benches, and the same should apply to the Ministers and Assistant Ministers. The Back-benchers will have the exclusive right to occupy the back benches while the Ministers and Assistant Ministers have the right to occupy the front benches.

We have noticed that the front seats have been labelled with the names of the Ministers and Assistant Ministers. When there are no Ministers or Assistant Ministers present in the House, their seats will be permanently empty, exactly like their car parks. I believe this will show to the Members what we are doing.

I beg to move the amendment.

[The Deputy Speaker (Dr. De Souza) left the Chair]

[The Speaker (Mr. Slade) resumed the Chair]

The Speaker (Mr. Slade): Is there any hon. Member who wishes to second the amendment?

Mr. Muliro: Mr. Speaker, Sir, I wish to second the amendment, but in view of the lack of time may I second the amendment tomorrow?

The Speaker (Mr. Slade): I think it would be better if you could speak now and then we actually propose the question of the amendment before coming on to the adjournment, if you do not want to speak for very long.

Mr. Muliro: I want to speak for a little while, Sir.

The Speaker (Mr. Slade): Five minutes, perhaps?

Mr. Muliro: Yes, Sir; even two minutes would be enough, I think.

The Speaker (Mr. Slade): We will carry on in that case.

Mr. Muliro: Mr. Speaker, I find it is most amusing that the names which have been inscribed on some of the seats have tickled the hon. Members of this House so much so that they are very agitated now because of these

[Mr. Muliro] names. If these names are there and they worry the hon. Members, they should be scratched off and we could leave the front benches as we used to leave the front benches of the other Chamber. We could leave the front bench as we left it in the other Chamber for the Ministers and Assistant Ministers.

My reasons, Sir, are as follows. When a Minister comes in, he carries a lot of confidential documents. Now, if he carries confidential documents, they are confidential, and he or the Assistant Minister are the only people who have access to those documents. Honestly, a responsible Minister would hate to see that his confidential documents are next to a person who has not been sworn in to keep the secrecy of these documents.

Therefore, in seconding this Motion I say that we should leave the front bench to them. Normally, the Ministers are not here. So, when they are not here, we can see that these people fail in their duty; we can watch them fade out of their positions.

With these few remarks, Sir, I beg to second the amendment.

[Question, that the words to be added be added, proposed]

The Speaker (Mr. Slade): The debate will continue, when we resume, on that amendment but I think it will be best to combine that with the main question.

It is now time for the interruption of business. There is a matter to be raised on the adjournment and I would, therefore, ask a Minister to move that the House do now adjourn.

The Minister for Economic Planning and Development (Mr. Mboya): Mr. Speaker, Sir, before I move that the House do now adjourn, is it possible to dispose of this Motion?

The Speaker (Mr. Slade): If Mr. Mboya would like to move the closure and the Mover is likely to be short in his reply after the success of that Motion—as he usually is—I think we might like the feeling of the House on that. It may be possible to have another 5 or 10 minutes on that.

Mr. Anyieni: On a point of order, Mr. Speaker, you stood up and said that we must now move on to the next Order. Why is it that now that a Minister stands up, and asks for something, you are prepared to go back?

In addition, an amendment has just been moved and we have not had any opportunity of discussing it. How can we now change the whole thing?

The Speaker (Mr. Slade): Order! Order! I have called on a Minister to move that the House do now adjourn but no Minister has yet responded. It is not too late for the House to consider this. If the House takes Mr. Anyieni's view, of course, it will not accept the closure.

So, Mr. Mboya, you are moving the closure?

The Minister for Economic Planning and Development (Mr. Mboya): Yes, Sir, I beg to move the closure, and that the question of the amendment be now put.

[Question, that the words to be added be added, put and agreed to]

[Question of the Motion as amended proposed]

[Question of the Motion as amended put and negatived]

The Speaker (Mr. Slade): The debate will therefore continue on the Motion as originally proposed, and I take it that someone will move the closure again.

[Resumption of debate on original Motion]

The Minister for Economic Planning and Development (Mr. Mboya): Mr. Speaker, Sir, I beg to move that the Mover be now called upon to reply.

[Question put and agreed to]

The Vice-President (Mr. Odunga): Mr. Speaker, Sir, I will not actually waste the time of the House because the Motion is self-explanatory. Many Members have expressed themselves, and I hope that even those who have not expressed their views will be reasonable enough to realize that there is no point in our going on and on with this Motion, leaving any other issue out.

The Standing Orders are subject to amendment at any time at the will of this House. There are not things which cannot be challenged, these are not things which will remain hard and fast. Therefore, if today we pass anything in relation to the Standing Orders, tomorrow that could come up for consideration and change.

Mr. Speaker, we are not trying to create classes. There is no question of creating classes. If you think that we are trying to create classes, then what about those people who are sitting up there? Are they not our electors? We should want them. Then, to come and sit down here because we do not want them to be in another class. We should not bring in things which do not matter, because in this Motion we are only considering respect of an office. This is something which is common to everybody. Anybody is capable of filling a post, and any person who occupies a certain post is

**[The Assistant Minister for Commerce and Industry]**

Not only that, Mr. Speaker, it would interest the public in the galleries to know how the Government system is run in this House. It would interest them to know that the front benches are occupied by the Ministers of the Government, and the back benches are occupied by Members of Parliament. Therefore, Mr. Speaker, I do not see any reason why Members rise and oppose this very clear Motion, which is for the benefit of the country and which is also to respect the Government of Kenya—

Mr. Speaker, I can see my friend shaking his head. When I was in the opposition, he was saying to me, "Come and join me.", and now they come again and say, "Look, we are about to create opposition." Where are you leading the country?

Mr. Speaker we must try to see that we give honour to those to whom honour is due. Honour is due to our Ministers, and we must give this respect. I am not saying this, Mr. Speaker, just because I am an Assistant Minister. I know tomorrow I might be a Back-bencher, but at the same time I must give respect to my friend, Anyieni. You do not know, tomorrow the Cabinet might be reshuffled and he will become an Assistant Minister. Mr. Speaker Sir, he is working very hard; every Member is working very hard to see that next time he becomes the top fellow here. Therefore, he should get his respect.

Mr. Speaker, Sir, I would like to give another example. I was amazed to note that Oduya said this does not arise—

Mr. Oduya: On a point of order—

The Assistant Minister for Commerce and Industry (Mr. ole Olotiitiip): The hon. Oduya, Mr. Speaker; I am sorry to have said that.

The Speaker (Mr. Slade): Yes, be careful, Mr. Olotiitiip.

The Assistant Minister for Commerce and Industry (Mr. ole Olotiitiip): Mr. Speaker, Sir, the hon. Members of Parliament here, when they go to their own constituencies—let us say they call a public meeting because they want to speak to their own people—obviously expect to be respected by their own constituents and they want to sit in respectable chairs, to look like hon. Members. If they are not honoured in their own constituencies, they would say, "These people do not like me." Here they come and tell us that they would like to intermingle. Not a single Member of Parliament here today when he calls a meeting would like to sit in the middle or at the back of the public, or the congregation.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Dr. De Souza) took the Chair]

Mr. Deputy Speaker, Sir, African socialism clearly defines that even today the hon. Anyieni is the senior member in his own home, he is respected by his children. Whenever he goes to his own home, Mr. Deputy Speaker, his wife and children stand up and give him a chair. It is the same thing here. It does not mean that—

Mr. Anyieni: On a point of order, Mr. Deputy Speaker, I think the hon. Member speaking is abusing this House. He is giving examples of when a man like me goes home, my wife and my children stand. Is he saying that the hon. Members here are like my children and my wife?

The Deputy Speaker (Dr. De Souza): Order! Order! I think a Member is allowed to give any analogies he wants; whether they are, in fact, appropriate or not, it is for the House to decide. I do not think I am called upon to rule on each occasion whether I think the particular hon. Member speaking is correct in his analogy or not; it is for him and the House to decide.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onyok): On a point of order, Mr. Deputy Speaker, since the Motion has been laboured enough, I would like to move that the Mover be now called upon to reply, so that we can indicate whether or-not we support it.

The Deputy Speaker (Dr. De Souza): I think we can put it, but at least I feel we should let Mr. Olotiitiip finish.

Mr. Anyieni: He has mentioned my name.

The Assistant Minister for Commerce and Industry (Mr. ole Olotiitiip): Mr. Deputy Speaker, Sir, it is not my intention to mention the hon. Member's name, but it is obviously not just me who mentions him; he is well known all over the country. Therefore, whether I mention his name here or not, still he is well known outside.

Mr. Deputy Speaker, the other point I was going to make was on the question of making this legal seating. It is quite true that everything we do should be done legally. If we do it illegally, then we commit an offence. Mr. Deputy Speaker, Sir, I feel that the Members should know that the front benches are for the Ministers—

Mr. Ngala-Abok: On a point of order, Mr. Deputy Speaker, would it not be in order if the Speaker explained to the House that the

[Mr. Ngala-Abok] I am not going to rule it out of order. I think the House will decide whether they consider the comparison fair or not.

Mr. Mbogoh: Mr. Deputy Speaker, Sir—

Mr. Khalif: On a point of order, Mr. Deputy Speaker, I would seem that the hon. Member is insinuating that either the Ministers are ladies, comparing them—

The Deputy Speaker (Dr. De Souza): No, that is not a point of order, I am afraid, Mr. Ngala-Abok.

The Assistant Minister for Commerce and Industry (Mr. ole Olotiitiip): Mr. Deputy Speaker, Sir, therefore, I feel that we should legalize the seating in this House, so that Ministers and Members should not be quarrelling, because I find sometimes, Mr. Deputy Speaker, that a Minister comes in, he has all the Government documents with him and he finds that all the front benches are filled by Members. So he goes and sits behind and if there is a question for him to reply to, that does not make sense. Mr. Deputy Speaker.

Therefore, I feel it is high time that when a Motion like this—which we all know is a straightforward one—comes to the House, we should not waste time. We have other Bills ahead of us, and we wanted to get all this spoken about. I feel that with such a clear Motion hon. Members should give way on it, rather than just speaking and wasting time for nothing, because I feel that we must have discipline in this country. Mr. Deputy Speaker, if we are to run this country, we must run it by discipline, and discipline must start from this House and spread all over the country.

With these few remarks, Mr. Deputy Speaker, I support the Motion.

Mr. Mbogoh: Mr. Deputy Speaker, Sir, while the Members have been speaking I have not heard any of them—especially those who are opposing this Motion—saying that there should be separate toilets for ladies and gentlemen. Mr. Deputy Speaker, when I go round this Parliament, I find that there are toilets for ladies and there are some for gentlemen—

Mr. Masinde: On a point of order, Mr. Deputy Speaker, in view of the fact that the hon. Member is speaking on a different point it is not in order for the Chair to decide whether it is relevant or not?

The Deputy Speaker (Dr. De Souza): I am afraid that I, myself, do not see the relevance of the fact of whether there are separate toilets for ladies and gentlemen outside, with the comparison of Ministers and Back-benchers here. But

I am not going to rule it out of order. I think the House will decide whether they consider the comparison fair or not.

Mr. Mbogoh: Mr. Deputy Speaker, Sir—

Mr. Khalif: On a point of order, Mr. Deputy Speaker, I would seem that the hon. Member is insinuating that either the Ministers are ladies, comparing them—

The Deputy Speaker (Dr. De Souza): No, no, Mr. Khalif. Please sit down. Order! I do not think there is any such insinuation. Please sit down.

Mr. Mbogoh: For the time being I am supporting that the Motion be as it is but later on I would like to amend it in order that the Members get a better understanding of how things should be.

Mr. Speaker, when we have the seats allocated we see, as at present, that the Ministers have the front bench, which are due to them, while the Back-benchers have the back benches. It is no use pretending here that because a Minister is elected and I am also elected, we are equals. We are not. When we were elected the President chose his group to come to the Cabinet.

Mr. Anyieni: On a point of order, Mr. Deputy Speaker, in view of the fact that there is no group now known as "Back-benchers" is it in order for the Member to refer to this group which does not now exist.

The Deputy Speaker (Dr. De Souza): It is perfectly in order for a Member to refer to Back-benchers even though there is no such group. I think we understand whom he means by that; he means persons who are not Ministers are normally referred to as Back-benchers.

Mr. Mbogoh: Mr. Deputy Speaker, whether a Back-bench Member pretends to be a Minister or not, he will not be a Minister, he will remain a Back-bencher; and a Back-bencher he is. However, he must be respected as a Back-bencher. Respect must be given to a person when it is due to them. In this case, Mr. Deputy Speaker, I feel that the Ministers having the privilege that is given to them, should occupy the place of honour; they must keep these, as far as I am concerned.

I, as a Back-bencher, feel very proud to be a Back-bencher; when I sit at the back I feel I am the right person to occupy the seats at the back. They are just right for me. Mr. Deputy Speaker, these seats allow for the survival of the fittest. Those who are fit will definitely sit on the front bench.

[Mr. Omweri]

Mr. Speaker, Sir, I am also wondering about this question of Front Benches. After-you had shown me what you meant by Front Benches, I counted about thirty-eight, and the number of Ministers is not that big. I wonder whether you are going to make another Standing Order allowing for the use of the balance by other Members who wish to use those empty seats, if all Ministers are present at one time.

The Speaker (Mr. Slade) I think it might help the House there—a pure question of counting, in fact—to point out that if you take all the Ministers and Assistant Ministers, they just overflow these Front Benches by two. There are more Ministers and Assistant Ministers than there are front seats.

Mr. Omweri: Mr. Speaker, Sir, I was going to bring another suggestion, that even if we had legislated the same number as the present number of Ministers, there would be a time when the Government might have more Ministers or less Ministers than at present. There is a possibility of increasing or decreasing the number of Ministers, and if we have such legislation whereby the Front Benches are reserved for Ministers, it will necessitate, when the number is increased, thinking where the balance is going to sit. I think this renders this particular Standing Order meaningless. Even if it were less, it would be the same, Mr. Speaker, and I feel that this particular reference makes the Standing Order completely out of order.

At the same time, Mr. Speaker, Sir, just a few minutes ago, we debated and legislated, providing for the possibility of having opposition parties or having group parties which might like to have their spokesmen in front. If we legislated against such a wish, Mr. Speaker, it would mean that all the Front Benches would be occupied by Government spokesmen, and the spokesmen for any Party would not be given a chance in the front seats. In this case, Mr. Speaker, I feel that this legislation does not go very far to allow possibilities of this practice which has always been in other Parliaments. I would like, Mr. Speaker, to refer to hon. Members who have said here it is customary for us to respect our seniors of our own free will, and we would rather have this done freely than legislate here. If we legislate, it is causing a precedent whereby other Members will feel that they are unnecessarily denied certain privileges or usage of any other thing in this House, which they would not have because legislation so forbids.

Mr. Speaker, Sir, I would request the Vice-President to withdraw this particular Motion—

Mr. G. G. Karuki: On a point of order, Mr. Speaker, we cannot hear because Mr. Mala is talking too much.

The Speaker (Mr. Slade): Hon. Members, please keep quiet here.

Mr. Omweri: Mr. Speaker, Sir, I have two suggestions. According to our traditions, the Ministers are responsible and are taken to be our leaders in the Government. I suggest that they should occupy the Back Benches, so that we have a different formula from that of the British. In this case, Mr. Speaker, Sir, it will give them a chance to view all Members present in this House because when they are in front, sometimes they do not listen properly when we are asking questions. I feel that the practice should be different from that of the British. We should have our Ministers occupying the Back Benches, so that they are capable of seeing and will be able to answer our questions properly.

Secondly, Mr. Speaker, Sir, I would suggest in that connexion that the names which have already been printed on these seats be removed. If we were elected to this House as equal representatives, and if names are to be used, then let each Member have his name printed on his seat, otherwise we should not have any name appearing on these seats. In fact, in practice at the moment this has proved to the contrary, because the seats are very wide. Probably the hon. Mr. Otiende will occupy one seat, but others do not! They share these seats. So, in practice, naming these seats is useless, and I would suggest that we do not have this naming of seats but leave them to be used freely, as we wish. If we feel that we can share two or three, we will sit as we wish, and if we find that one wants to use the whole seat, he can use it. You can now see, Mr. Speaker, that two Members are more or less sitting on one bench, and in this case, this legislation is going to be more or less impracticable. I would, therefore, suggest very strongly that the Vice-President withdraws this Motion, or else we will oppose it.

Mr. Omwar: Mr. Speaker, I also rise to oppose this Motion very strongly because, as the hon. Oduya has said, it is going to create classes of Members and Ministers in this Chamber.

I appreciate the importance of the Ministers sitting on different benches, but it should not be made a Standing Order that the Front Benches must be reserved for the Ministers. If the Ministers want identification, then I suggest that they make badges and put them on their right hand, so that anyone who is sitting in the Speaker's gallery or the public gallery can then know that someone is a Minister and someone else is not a

[Mr. Omar]

Minister. If they want identification, they should have armbands, so that they can be identified as Ministers, rather than keeping the Front Benches for them.

Mr. Speaker, Sir, already the Ministers are enjoying some privileges—

The Speaker (Mr. Slade): Order! Could we have less conversation on the benches, please, so that the Member can be heard.

Mr. Omar: We already have special car parking for the Ministers only. I think this is also wrong—

The Speaker (Mr. Slade): Order! That has nothing to do with this Motion.

Mr. Omar: I am sorry, Mr. Speaker, but I was going to mention examples of facilities which the Ministers are already enjoying, and they are expecting to get more facilities from us. I think if we allow this, Mr. Speaker, the Ministers will also come one day and say, "Oh, we want a special bar here catering for the Ministers." They will ask for a special dining room and other things for the Ministers. We do not want things to be specially reserved for Ministers. We are all Members here, we were all elected by majority, votes and we came into this Chamber to represent the interests of our constituents. Therefore, we are at liberty to sit on any bench, wherever one thinks it is suitable to sit, because as we are all elected Members, when we come into this House our work is to represent the interests of our constituents. So the question of sitting either at the back or the front is not important at all. In order not to create classes in the House here, which can probably extend to the countryside afterwards, we should regard ourselves as equal when we come into the House.

When the Ministers go to their Ministries, they have their own offices, and when they go to the Cabinet, they have special seats where they sit and nobody has a dispute over that, but when we come into the House here, the Ministers should feel, as they sometimes say, that they are sitting here in two capacities: one, as Members of their respective constituencies and, secondly, as Ministers. However, what is more important here is that they are sitting here, firstly as Members of Parliament, Members of their constituencies, not as Ministers, because they were appointed Ministers by the President and the President has the power also to say that today the hon. Mr. So-and-so is no longer a Minister. So I think it is important that we should all regard ourselves as equal when we come into this Parliament.

With these few words, Mr. Speaker, I oppose very strongly this amendment of the Standing Orders.

The Assistant Minister for Commerce and Industry (Mr. Ole Oloitipiti): Mr. Speaker, Sir, I am not going to speak as an Assistant Minister and support this case just because I am an Assistant Minister. Mr. Speaker, Sir, I am going to speak as an ordinary Member of Parliament and a man who has been popularly elected by his own people to come and speak here, but speak sense.

Mr. Speaker, Sir, this Motion is a very clear one. Before going further, Mr. Speaker, I would like to draw the attention of the hon. Members to this fact. When they were elected to this House, they promised the public that they would represent their interests, whether they get seats or they do not get seats; they will represent them, whether they sit or they stand. Mr. Speaker. So the question of an hon. Member coming to this House and saying, "I wanted to sit on the front," does not arise. All we are here for, Mr. Speaker, is to represent the interests of our people, and I believe every hon. Member, provided in this House, can represent the interests of his own people, regardless of whether he sits on the front benches or the back benches.

Mr. Speaker, Sir, we made the names not because we wanted to make the names, but the names are there already, whether one likes it or not. Mr. Speaker, we have our own President, nobody disputes that, and that seat is already the President's seat. At the same time, we all know that second to the President are the Ministers of the Government, the people who represent the Government day to day, and when the back-benchers or the hon. Members are away in their own constituencies, they leave the Ministers to labour for the welfare of their own country.

Mr. Speaker, we have worked very hard to attain our independence and we have obtained it, and we must respect our independence. Mr. Speaker, Sir, the Ministers are there because they are appointed by the President, and we must give them all due respect, whether they are in this Chamber or outside it, Mr. Speaker. Mr. Speaker, Sir, I feel very strongly that it is unjust for anybody to say that we are trying to create classes here. There is no question of creating classes, but it is a question of rank. These people are senior to the Members here, they are according to the Constitution of Kenya; they are senior because the Constitution of Kenya permits them to be so. Therefore, we must give them their full respect, Mr. Speaker.

[Mr. Ngala-Abok]

Minister is a matter of merit and ability and I do not see what anybody would gain by sitting in the front benches. Mr. Speaker, I do not want to be too long, but the point is this. Some Members may think that by sitting in front that the Speaker will catch their eye easily and I see that some do do that. But this is not the point, the Chamber is so devised that the Speaker is always fair to Members and I will not see anything in the argument to topple this particular Motion. There is nothing. It is going to be based on the sheer belief that we should not give room for orderly arrangements, for protocol, for arrangements that are normal in the countryside. Therefore there is nothing abnormal in this Motion. Please, I ask the Members to adopt this without argument.

The Speaker (Mr. Slade): Order! Order!

(Question proposed)

The Speaker (Mr. Slade): Mr. Oduya. He caught my eye from the Front Bench.

Mr. Oduya: I stand up to strongly oppose the Motion. Mr. Speaker, Sir, it is high time that we stated very clearly in this House that it is not the duty of the Members of this House to create classes. We are already aware that even the freedom of sitting where we like has been denied just because some individuals were interested to see their names printed on the seats.

The Speaker (Mr. Slade): Order! Order! Do carry on, I shall call the House to order if necessary. I sometimes have to call you to order.

Mr. Oduya: The Minister, we know there are Ministers, and already the seats have been put there for so-and-so and so-and-so, no Member is to be allowed to use these seats, but it is a dangerous practice if we try to legalize the seating of this Parliament, especially in this Chamber. In many, many Parliaments, and even in Uganda, Members may sit where they like.

The Speaker (Mr. Slade): Order! Order! Please keep quiet.

Mr. Oduya: Actually our colleagues here, I have seen that the Members of the Chamber have sat where they liked, but Members, of course, they are respectable men, they do not want to dispute the positions of the Ministers, and also in this Chamber Members of the National Assembly, who are not Ministers, have never at any time. Mr. Speaker, disputed the Ministers' seats. The Members are merely sitting—if a Member sits nearest where a Minister sits, Mr. Speaker, it is because sometimes the Back Benches become completely full up. It does not mean that the Member who is already in a seat is taking it over

from the Minister, all that I can say here is that we have noticed that this is going to be a very dangerous practice and the Members who are to come here in the future will blame us if we pass this sort of restrictive Standing Order.

So, Mr. Speaker, I oppose this practice because it is not right that in this Chamber where we sit that there should be two classes of people, one high and one low. If we do this here, it is going to spread all over the country whereby outside also you will find a super class and a non-super; in which case I will definitely place myself in those non-super class.

Mr. Speaker, I must ask my friends here, the Members, that the respect they have for our positions and the Ministers' positions in this country and also in the seating of this Chamber is known, but we should not legally by putting the clause in our Standing Orders enforce how we are to sit in the National Assembly, that is in this Chamber. This precedent should be completely rejected. I know there is the danger of a few individuals here that because one has been made a Minister they are now telling people to do this, that and the other thing. This is a fact, because if we are all Members in this Chamber, I do not see why a certain group, in fact, Mr. Speaker, I must ask my colleagues to recall the record of the other House when we were there, in those days before independence, that House has been there since 1907, with a Governor and so on—and so forth, were in that House, and there were no seating arrangements that said that the Back-benchers would sit on that side and the Ministers on this side. These people have respected their positions and they knew what a Minister means and what an ordinary Member means. The Europeans in 1963 they knew the Ministers, and they respected them.

Mr. Ngala-Abok: They had manners!

The Speaker (Mr. Slade): Order! Order! Not so much interruption, please, Mr. Anyieni.

Mr. Anyieni: On a point of order, Mr. Speaker.

The Speaker (Mr. Slade): Well, if you want a point of order, then rise. Do not make a running commentary.

Mr. Anyieni: Yes, Mr. Speaker. The hon. Member, Ngala-Abok, says that the Europeans had manners and that as such they respected their positions.

The Speaker (Mr. Slade): Order! Order! We cannot start another debate which is quite irrelevant.

Do sit down, Mr. Anyieni. Yes, Mr. Karinki.

Mr. J. M. Karinki: On a point of order, Mr. Speaker, is it not in order for you, Mr. Speaker, to rule in this Chamber that although the interruptions can be there, that there are quite a lot of interruptions that most of the Members would not be in a position to listen to what the other Member is saying?

The Speaker (Mr. Slade): That is why I keep calling for order.

Mr. Oduya: Thank you very much, but here there is a problem of duplicates and campaigners.

The Speaker (Mr. Slade): Order! Order! Yes, Mr. Mbogoh.

Mr. Mbogoh: On a point of order, Mr. Speaker, the hon. Member substantiate that there are duplicates and campaigners here as he has referred to?

The Speaker (Mr. Slade): No, I am sure he cannot.

Mr. Oduya: Mr. Speaker, Sir, I only want to end this speech but my colleagues are prolonging it with all their interruptions. All I want to remind the hon. Members is when we came in 1963, we knew our positions. We had a group known as the Back-benchers' group which has been meeting again in recent weeks, when it was actually decided by local super circles to abandon it. Now, today we have in this Chamber two groups of Members. I am not a Minister, I cannot come here and speak as though I am a Minister, no, I am speaking as a mere Teso, a representative of those people. I must therefore ask the Members that the idea of some people sitting on the back seats will be that the whole lot will just be sitting without any Ministers. If this is to be legalized, I believe there are already names allocated to certain seats, so we have no redress.

Now, the question of honour, Mr. Speaker, I said in my speech that we honour Ministers very, very much, even beyond what they expect, but if a Minister does not come into the Chamber, should we honour him or honour the empty chair? The question of honour, but naturally as Africans we are prepared to declare it; so, according to the African people and customs, the senior ones are always respected. So, in this case, there is no question of saying that the Members of the Kenya National Assembly do not respect their Ministers; this has never occurred. This, Mr. Speaker, is a misunderstanding between the Ministers and the individuals, and they should not be termed as Members of the National Assembly if they are Cabinet Ministers or a Minister without Portfolio. We have always followed the President himself, his Deputy and

all his Ministers and we must not forget the young ones also—I did not mean the young ones, I meant—

The Speaker (Mr. Slade): The young ones.

Mr. Oduya: Yes, the junior ones. Why should they be treated differently from us Constituency Members?

The Speaker (Mr. Slade): Order! Order! Mr. Oduya, I think you have made your point and have repeated it several times now.

Mr. Oduya: I am going to end now. So there should not be a precedent, Mr. Speaker, whereby some Ministers or some Assistant Ministers in Government circles will create a precedent by legalizing the seating in the House and then expect Members to respect them. Mr. Speaker, I will be the last man to deny respect of the law, but this is a bad precedent. Thank you very much.

Mr. Omweri: Mr. Speaker, Sir, I am wondering what necessitated the Vice-President to bring this Motion, because our experience since we were elected to this House should have led to the contrary of this particular Standing Order being included in our Standing Orders.

The practice has been that the front seats—which I wanted to know from you when I raised a point of order—have, in the past, been left willingly, and according to our own customary respect, for the Ministers, because they have a duty when they come here, from the Government, to answer Members who raise questions. But there have been few occasions when these front seats have been occupied. The Vice-President referred to this and said that once this Standing Order is passed, then Members will not use the front seats. I feel, however, that if the Vice-President and those who supported him were aware that there has been this practice where front seats have had it left empty, then we should not have had it brought here, to ask that there should be legislation whereby the front seats are reserved even if they are not going to be used.

Mr. Speaker, Sir, the practice should be that when we meet in this Chamber and we find that, at times the Members are as few as twenty, they should draw nearer so that they can see each other and listen to each other better and use the Front Benches. But if the Standing Order prevents this, it is going to be very difficult to get this practice done. We have always seen that Members tend to move nearer when there are a few in this House, and in that case, they tend to use the Front Benches. I would like this practice to be carried on rather than to legislate against it.



**[The Vice-President]**

implying that the Sessional Committee members actually had some ulterior motive in bringing this Motion. In actual fact, I would say that this is purely a Motion which came from the Sessional Committee as a result of their experience of difficulties which confront them in meeting the Members' wishes. That is why it was brought. It was brought simply and solely to try to help the Members by having greater efficiency. I think it is only an improvement or an efficient way of bringing forward the Motions which Members are anxious to debate.

I would also say at this juncture that, though I am the Chairman of the Sessional Committee, you must excuse me for saying this but I have never noticed anything at this present time which suggests that anybody is acting from a one-sided point of view. I would like to say this before I go further.

Now, if the Members actually look at section (4), the one we are trying to introduce, in the first place they will see that it is dealing with a Motion by a Minister which means that it is a Government Motion. When a group Motion which comes from the Government comes up, it is a Motion which the Government would like to see pushed through. And in the same way, if the Members of Parliament, as a group, had decided that there was a Motion which they considered as being of an important nature and which they wanted to be debated rather urgently, then as a group they could bring this and this is the Motion which would be certified by the Chief Whip. It does not mean that all individual Motions will have to be certified by the Chief Whip. Not at all. It is only the kind which concerns a group of Members as a whole, and which they would like to see well attended, with most Members present, which he will certify, not any other kind. The individual Motions of a free-lance nature just go on.

The only difference we want to introduce today is that, instead of a Member—in the 5th section—instead of a Member going to the House and immediately giving notice and reading the terms of the Motion, we are saying that the Motion, in the normal way, even as at the present moment, must be deposited with the Speaker. The Speaker must actually approve the Motion. And when the text of the Motion is approved, then it is enlisted, it is taken to the Sessional Committee. The Sessional Committee will apply the general procedure which we are applying at the present moment, that of balloting for the Motion. That procedure applies to all Motions; they are put there and then all mixed

up. And if a Member is lucky, his is picked out and it comes up here, and the Member whose Motion it is would be enlisted. Then the Speaker will have to announce that the Motions which are coming up next week will be so and so. Then the Movers of these Motions will know in good time, in order to give notice the following week, before they are debated. They will give notice in the House. When the House opens on Tuesday, they will stand up and give notice of the Motions, knowing pretty well that they will be coming up on Friday and that they are on the Order Paper already.

No, the Minister will not go to sleep because the Minister will be informed in time that a certain Motion is coming up for his reply.

I think that the hon. Member for Embu North should be satisfied that things will go according to the way he wanted. This was not meant in any way to undermine anybody or any Member. It has been brought solely with the idea of making this system work efficiently and run smoothly. These amendments we are moving are only intended as an improvement on the Standing Order. Therefore I cannot see that there is anything wrong. The Members must not think that the Government wants to have a hand at everything, and so on. This has come from the Sessional Committee, whose members are very anxious to see that efficiency is maintained.

Therefore, Mr. Speaker, I would ask the House to approve this Motion, and then we can get on.

*(Question put and agreed to)*

Mr. Kall: On a point of order, Mr. Speaker, although I understand that there is air-conditioning in this House, I notice that today it is unusually hot. I do not know whether the machine is working?

The Speaker (Mr. Slade): I hope the Sergeant-at-Arms will have a look into it and see if the operation of the machine can be improved.

## MOTION

STANDING ORDER 168A—SEATING IN THE CHAMBER

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, I beg to move:—

That the Standing Orders of this House be and are hereby amended by adding a new Standing Order as follows:—

*Standing Order 168A—(Seating in the Chamber)*

Seating in the Chamber.

**[The Vice-President]**

All seats in the front benches of the Chamber shall be reserved for the exclusive use of Ministers.

Several hon. Members: Shame!

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, I think that this is a very straightforward Motion, but I do find, a little embarrassing, being one of the Ministers. I do not know whether there is something wrong, but if there is something I am sure that the Members will bring it up. But this thing has been discussed, not only in the Cabinet, but it has even been accepted as the general practice everywhere. Ever since we made the seating arrangements, there have been some murmurings, and that is why we have brought this Motion to the House in order that it should receive the formal approval of the House.

We have not brought it with any wrong motive in mind, but only to make the Members realize—It must be understood that this does not mean that we are going to make a hard and fast rule that all the time these seats will just be vacant, like that. No. You know that all Ministers have what we call their documents which they bring here. But they sometimes want to leave the Chamber and they would like to preserve the secrecy of these documents. So they would rather like places which are reserved for them.

The Members must also realize that the word "Minister" does not only mean me and people like me; it might be one of them next time. Any hon. Member of this House is eligible to be a Minister. We must give our House the necessary dignity, and also make the arrangements which it needs. Because of this, I think it is a straightforward amendment which—

The Assistant Minister for Commerce and Industry (Mr. ole Oloitiptip): On a point of order, Mr. Speaker, is it not in order for the hon. Mover of the Motion to clarify the word "Minister", because here we do not know whether it means Assistant Ministers as well.

The Speaker (Mr. Slade): It is quite reasonable, Mr. Oloitiptip, to ask that, though not strictly a point of order. But I was going to explain, when the Mover had finished moving, that the definition of "Minister" in our Standing Orders includes Assistant Ministers.

The Vice-President (Mr. Odinga): Therefore, Mr. Speaker, without actually taking much time of the House I beg to move the amendment.

Mr. Ngala-Abok: Mr. Speaker, Sir, I wish very strongly to second this Motion. Usually—

The Speaker (Mr. Slade): Order! Order! Yes, Mr. Omweri.

Mr. Omweri: Mr. Speaker, Sir, on a point of order. I wish to seek your guidance as to whether you could define what are the front benches, because I seem to think that the front bench for you means this side. The one opposite the Speaker.

The Speaker (Mr. Slade): Order! I would not have thought there was any difficulty about that. What I see as the front benches are there, there and there. Those are not the front benches, certainly. Would you continue, Mr. Ngala-Abok.

Mr. Ngala-Abok: Mr. Speaker, Sir, if one read HANSARD and read my speeches you will find that most of the time I try to seek clarifications on Motions with which I do not fully agree. But this one is a Motion which is straightforward and very simple indeed. I do not see any discrimination here at all. Obviously, even a child of nine years, knows that in a family there must be somebody senior and this senior person must have a senior position from time to time. In fact, in the country we have a senior person that is the Head of the State, he must have his position, and in this House I do not think that anyone will deny him the right to use this particular seat here and there is no argument about it. This shows that we have a senior person, but who follows the President, his Ministers. This is a definite fact and therefore his Ministers, as a matter of respect from the Members themselves, without unnecessary opposition and unnecessary argument, the Ministers are senior people in our country and they must take the senior position. If we are going to be mixed up like sheep without knowing that we are mixing up for the benefit of this country, then you are not going to help anything at all. We must recognize that the Ministers must take their places. Back-benchers take their places and then things are done in an orderly manner. Usually, on ceremonial occasions, Judges have their positions, no Members argue about that. Clergymen have their positions here and the Clerk to the Council has his position, and this is just a normal and ordinary thing that happens in life. Even the family set-up, to which I have referred and which you understand very well. A man is the head of the family, the wife follows and then all the children according to their order. This is all I do not see any discrimination here, and why I do not see any discrimination here, and again we have gone so far. Already the names have been printed here and it follows very well that the front benches are already for Ministers. If any Member thinks that he has the right to sit there, so that one day he becomes a Minister, he is fooling himself. The question of becoming a



[The Minister for Information, Broadcasting and Tourism]

stand up and intimidate, and although I know you have moved on this,—

The Speaker (Mr. Slade): No, Mr. Oneko, I have dealt with that.

Mr. Malinda: Mr. Speaker, Sir, I was saying that Members who, according to this amendment here, know only one day in advance that their Motions are going to come before this House, they will find themselves in difficulty of getting their seconds, and getting them to collect enough material—

The Speaker (Mr. Slade): Order! I must ask hon. Members to speak to the Motion. I cannot allow sheer misunderstanding of what a Motion means. This Motion does not say that the Mover will be told only a day before whether he has been lucky in the draw. It does not alter at all the procedure of the draw and the information of the Member about his luck in the draw. All it says is that he shall give notice to the House that he is going to move this Motion, at least one day earlier, because the House must know at least one day earlier with regards to the notice. We must not argue about things that are not there.

Mr. Malinda: Thank you very much, Mr. Speaker, Sir, for your clarification, but as I was saying, Sir, the existing Standing Order as it is has provided for all these things except now that a party Motion must first of all be approved by the Party Leader or the Chief Whip. Mr. Speaker, Sir, I think that is interfering with the liberty of a Member in his senses as to be able to bring in a Motion when he likes.

Now, Mr. Speaker, Sir, when it comes to the free-lance Motions, a Member will find it so difficult in view of the procedure that has been provided here, because, firstly, he shall go to the Clerk of the Council, give him a notice of Motion. Secondly, that Motion will need to be approved by the Speaker as is usual. On top of that it looks as though the Speaker will keep this Motion and maybe wait for another one, until he has collected four or five Motions, then, and only then, he will make out a list which he will distribute amongst the Members. In the meantime, Mr. Speaker, had this Member given notice in this House, and even if that Motion did not have to come to the House for discussion, it will have done a lot of good to the country in as far as Government being put on its toes to try and find facts to reply to that Motion.

With these remarks, Mr. Speaker, Sir, I reserve my vote.

Mr. Warithi: Mr. Speaker, Sir, in the first place I would like to say that it is very disappointing that our Sessional Committee instead of revising the Standing Orders to be in keeping with our status, which we changed about a year ago, they are still coming to this House, asking us to amend some portions of the Standing Orders which perpetuate a status of a two-party system. One would have expected, Mr. Speaker, Sir, that—

The Speaker (Mr. Slade): Order! I think that is quite a different question. The fact is that our Standing Orders at present provide, as they always did provide, for the possibility of an opposition party. Now, if the hon. Members do not like that, they can move a Motion about it, but it is not the subject of this Motion. This amendment, which is dealing with the procedure of notices of Motion, has to provide for the possibility of an opposition party, to be in keeping with the rest of Standing Orders as they are now. But as I say, that if the hon. Member takes the view that our Standing Orders should no longer provide for an opposition party, well that will have to be the subject of another Motion.

Mr. Warithi: Mr. Speaker, Sir, I was only pointing out that our Standing Orders were out of date and that they do not serve or comply with our one-party system as we have in this Chamber.

However, Mr. Speaker, Sir, what I was going to say is this. I personally feel that there is no need for this amendment. If we look at section 30, at it stands now, it shows that we are only amending paragraph 4. Paragraph 4, which was there in the original Standing Order is in the same terms as paragraph 4, which we are adding. Then similarly, Mr. Speaker, Sir, paragraph 5, which was meant to amend the paragraph 5 in the Standing Orders is more or less in the same terms as paragraph 5 which has been amended in the Standing Order, except for one sentence, which is added towards the end. In fact, the present paragraph 5 states: "Notice of an approved Motion not complying with the provisions of paragraph (4) shall be given by means of a list to be published to Members in such manner as Mr. Speaker may from time to time direct, . . ." The amendment goes further, and says ". . . and the Member giving such notice shall state its terms to the House only if and when the Motion has acquired precedence in accordance with the second proviso to Standing Order 23 (but at least one day before the Motion appears on the Order Paper)." In other words, Mr. Speaker, Sir, what

[Mr. Warithi] this amendment is asking seem to be provided in the present set up, except for introducing an element of controlling how the Motions of Members placed in the back-benches will get every precedence in debate.

The Speaker (Mr. Slade): No, really, hon. Members, as I have said before, must speak to the Motion. This Motion does not touch upon the precedence of Motions for debate. It deals entirely with the notice of Motions. We must keep to the point of the Motion really.

Mr. Warithi: Mr. Speaker, Sir, I would not like to argue with your ruling, except that if that is the case and what your interpretation is, can we then be told, as paragraph 5 reads, "Notice of an approved Motion not complying with the provisions of paragraph (4). . . ." That is what paragraph 4 provides, and that is a Motion by a Minister or a Motion approved by Party Leader or a Chief Whip. No, Sir, our categories for Motions, and those which are not approved, it is provided not with the provisions which shall be published, but it goes on to say, ". . . shall be given means of a list to be published to Members in such manner as Mr. Speaker may from time to time direct. . ." Here, Sir, is where an explanation is required. How will the Speaker publish this list? How will he then inform the Members? It refers to order 23, and No. 23 is the order which selects the Motions by ballot.

Mr. Speaker, Sir, some Members have spoken on this debate, and I feel that if this Motion was explained fully, the need for this amendment then they might support this Motion, but as it appears now it has only been made clear why this Motion is necessary. The argument is that so many Motions are moved and therefore the limiting the number of Motions which would ever be debated in this House does not appear to be satisfactory.

The Speaker (Mr. Slade): No, really, Mr. Warithi, I must say again. It does not touch the right of a Member to have his Motion debated or the order of precedence to free-lance Motions. That is left exactly as it was before. In fact, there is express reference to the existing Standing Order which covers that. This is dealing with the notice of the Motion, how it is to be published to this House. That is all.

Mr. Anyien: On a point of order, Mr. Speaker, in view of the fact that when the Vice-President was explaining this Motion very many Members were not here—there were about ten Members—and in view of the fact that the Members who

have now come may or may not understand the Motion, would it not be in order for me to ask that you, Mr. Speaker, explain what this Motion means because it will create confusion?

The Speaker (Mr. Slade): No, I cannot do that. It is regrettable that hon. Members come in half-way through a debate, and then say that the reason for the Motion has not been sufficiently explained to them. But it is up to the Mover still to explain in his reply, not up to me.

Mr. Warithi: Mr. Speaker, I would say that despite the desire for Members to be in the Chamber all the time, it is not practically feasible for people to sit in the Chamber all the time.

I would say that, with these few words, I reserve my position.

Mr. Ngala-Abok: Mr. Speaker, Sir, I stand to oppose this Motion—

The Speaker (Mr. Slade): Sit down, Mr. Oloitipitip.

The Assistant Minister for Commerce and Industry (Mr. ole Oloitipitip): Point of order, Mr. Speaker.

The Speaker (Mr. Slade): Yes?

The Assistant Minister for Commerce and Industry (Mr. ole Oloitipitip): Is it in order, Sir, for me to ask at this time that the Mover now be called upon to reply?

The Speaker (Mr. Slade): Order! It is in order for a Member to suggest that at any time, and if the Speaker, thinks that it is not premature he asks the House to decide. I do not think that it is premature; there has been a good discussion of every point of view, I think, on this, speaking for and against it.

(Question put and agreed to)

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, I think I should thank the many hon. Members for the contributions which they have made, although I do feel sincerely that many have been off the point. Seriously I think that today I must say that many people had not sufficiently studied the text of the Motion, in order to understand it quite thoroughly. It is a simple Motion, and if you actually had done your homework properly you would not think that there was any ulterior motive.

The Speaker (Mr. Slade): Address the Chair, please, Mr. Odinga.

The Vice-President (Mr. Odinga): I will do so, Mr. Speaker.

I do want to clear the air, Mr. Speaker, because some Members have actually suggested some motives to some Members, unfair motives,

[Mr. Masinde]

come. Unless we think in that line—since we dissolved—some of the hon. Members, they are very happy and they are cheering up, but they do not know what is happening, today you see that a number of things are happening and most of us keep quiet about it. It is only the Assistant Ministers who continue to complain every day; why they complain we do not know. They complain and, as a result, everything which is supposed to be done in this House is possibly not done. Somebody is engaged to divide the proceedings of this House, to divide the thinking of the Members of this House for the interests of one individual person.

The Deputy Speaker (Dr. De Souza): Order! Order! I think you have to restrict yourself to the Motion, not anything outside.

Mr. Masinde: Mr. Deputy Speaker, Sir, I am trying to come to the point by saying that it is on this principle that we are trying to amend the Standing Orders, so that this somebody will be using the very Chief Whip, and saying to him "Do not approve this, do not approve that," and it is on that principle we cannot allow one person to be given the right to say that this should go through.

An hon. Member: Who is this?

Mr. Masinde: The Chief Whip. You know it.

The Deputy Speaker (Dr. De Souza): Order! Order! Address the Chair.

Mr. Masinde: You know who the Chief Whip is, and as far as I am concerned, as Member for Lurambe, I would not accept that one person who is really incapable—I am sorry, Mr. Deputy Speaker, I would not say that we should give him an okay to be the person to assess a Motion affecting my people, either in Western Province or in Lurambe.

The Deputy Speaker (Dr. De Souza): Order! Order!

Mr. Khnsakhata: On a point of order, Mr. Deputy Speaker, could the hon. Member substantiate that the hon. Member, the Chief Whip, was not popularly elected by his people?

The Deputy Speaker (Dr. De Souza): Order! Order! No, I do not think he said that, I think he withdrew. You withdrew, did you, Mr. Masinde?

Mr. Masinde: Mr. Deputy Speaker, Sir, all of us have had cases here, and if we go back to the records of HANSARD—but I am trying to put a case here, Sir,—

The Deputy Speaker (Dr. De Souza): Order! Order! Mr. Masinde, once a Member is elected and he is a Member of this House, then he is popularly elected, irrespective of what people think, and I want you to withdraw that.

Mr. Masinde: Now, Mr. Deputy Speaker, Sir, for the interests of the hon. Members, I withdraw, and I apologize for my colleague, the Member for Kwale.

Mr. Deputy Speaker, Sir—

The Deputy Speaker (Dr. De Souza): I think you have finished your speech?

Mr. Masinde: No!

Mr. J. M. Karinki: On a point of order, Mr. Deputy Speaker, do we have any Standing Orders, Sir, that covers when a Member makes an allegation and he does not have the material to substantiate, can another Member who has the material help him?

The Deputy Speaker (Dr. De Souza): No. Carry on, Mr. Masinde.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): On a point of order, Mr. Deputy Speaker, I seek your guidance. If an hon. Member, in the course of his speech, tries to misinterpret the point being discussed, in a way that puts a completely different picture of that Motion, is there any way that the hon. Speaker could draw the attention of such an hon. Member to the point?

The Deputy Speaker (Dr. De Souza): I am afraid that it is nothing unusual among politicians to give every item a different light. It is for another speaker to correct him and put it in the light in which he would like to have it.

Mr. Masinde: In finishing, Mr. Deputy Speaker, I would just like to say that because of this, Sir, it is now necessary and until we go back to our usual Parliamentary Group and reconsider the establishing Back-benchers Group it is very, very unnecessary for us to approve this amendment of a Bill.

Because of this, Sir, I beg to oppose this amendment very strongly.

Mr. Oduya: On a point of order, Mr. Deputy Speaker, I stand to seek your guidance on this, and you may be in a position to help me, because since last week, since Wednesday, the Chair has actually overlooked me. Now, today, Sir—

The Deputy Speaker (Dr. De Souza): Mr. Oduya, if you try to raise fraudulent points of order, hoping thereby that you are going to be given preference, I am afraid you will not be given preference. I will not accept that. No, I have made a ruling, please sit down.

Mr. Malinda: Mr. Deputy Speaker, Sir, I am going to speak on this amendment Motion and at the same time I reserve my rights of vote.

To start with, Sir, we must understand why we want to amend the Standing Order. (A) Is the existing Standing Order inefficient in operation? (B) Has it been operating efficiently or not? According to the Standing Orders that we want to amend, Standing Order No. 30 (4), it says that a Member giving notice of a Motion shall state its terms to the House. Mr. Deputy Speaker, Sir, that is the procedure which we have been following and where I should like to know what is wrong with it? Has the Mover of the Motion shown any deficiency in this procedure? It is my contention, Sir, that he has failed to do so, and that is necessary always for any Member who wishes to give notice of a Motion to do so as is provided by the existing Standing Order. I say this because, Sir, if we amend this Standing Order to read as it is here, it is going to give the Government so much latitude, so much time to play about, that they will not wake up to whatever facts and problems pertaining in are in the country. We want to retain the procedure whereby a Member gives a notice of Motion to this House whether it is discussed or not discussed in this House, because it acts as a ginger on the Government and the Government starts getting on to the job of trying to correct the terms of that Motion to correct the deficiency that the Motion intends to reveal. In that case, Sir, I think it is of vital importance that the Government should be kept on its toes. It must always have people running after it, even if only by a notice of Motion in this House. Mr. Deputy Speaker, Sir, we do not have an opposition party in this House, and according to this amendment it proposes to bring in an amendment to provide for hypothetical opposition which we do not have. We have no opposition party and, therefore, the need to provide for an opposition party does not arise. We do not have the need to provide for an opposition party because so far we are one party. If and when an opposition party is born in this House, then it will be necessary to bring in this amendment if the present one is not working properly. However, as in the past, the members of the opposition party have been able to bring in their Motions to this House according to their wishes. Why do we want to interfere with them? This amendment, Mr. Deputy Speaker, Sir, I say, is very restrictive and gives Members no time to be able to bring into this House whatever they wish to bring before the House.

Another thing, Sir, is that the new clause No. 5 is unnecessary. To start with, a list should be

published to the Members from time to time direct.

[The Deputy Speaker (Dr. De Souza) left the Chair]

[The Speaker (Mr. Slade) resumed the Chair]

Mr. Speaker, Sir, I can assure this House that very few Members read any papers which are put in their pigeon holes and, therefore, they should be given a chance to bring their own Motions into this House. Sir, their pigeon holes are full of papers—

Mr. Shikuku: On a point of order, can the hon. Specially Elected Member substantiate that Members do not read their papers?

The Speaker (Mr. Slade): No, I do not see how an hon. Member can substantiate that. I should say that the hon. Member is clearly expressing an opinion, judging from what he has observed. He may be wrong in his opinion.

Mr. Masinde: On a point of order, Mr. Speaker, Sir, Mr. Speaker, Sir, I stand to seek your guidance. If the hon. Member who knows very well that he does not read his papers, and in view of the fact that his pigeon hole is full up, and he levels such an accusation which also belongs to he himself, as generally to the whole House, what steps can one take—

The Speaker (Mr. Slade): Order! I cannot have these points of order followed up when I have ruled on them. I say that an allegation of that kind is not capable of substantiation, it is obvious not an allegation of fact so much as an expression of opinion, 'defted', not from the Member's own activities, but what he has seen of the performance of other hon. Members. He may be wrong in that opinion, but he is entitled to express it.

Mr. Malinda: Mr. Speaker, Sir, just to satisfy my hon. Friend here, I would like to tell him of an incident. There are 170 Members of the National Assembly and last week, on Monday, I distributed to each pigeon hole notices of meeting which was to be held this morning, and only thirty-four Members came, why did the other hon. Members not come? This is because they did not read the paper which was in their pigeon hole. Anyway, Sir, that as you have ruled out is neither here nor there.

My point here is this, Mr. Speaker, Sir, that if this amendment is passed, then what is likely to happen is this. At the end of the time, when a Member knows he is going to move a Motion here and he only has one day—

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): On a point of order, Mr. Speaker, Sir, I think it is very unfair to the hon. Members for one Member to

**[The Speaker]**

But a free-lance Motion; if you had the procedure we had in the past, you get notice one day, the Motion may never come at all or it may come nine months later without any further notice, and all hon. Members have forgotten about the first notice, and suddenly it is on the Order Paper without any notice that is worth anything to hon. Members.

It is the actual point of public notice in the Chamber that I just wanted to bring home to hon. Members.

**POINT OF ORDER****CHOICE OF SPEAKERS**

Mr. Malinda: On a point of order, Mr. Speaker, I am rising to seek your guidance. I know it is your prerogative to ask Members to speak, but except for Mr. Mbogoh, all the other Members who are speaking are members of the Sessional Committee. Would I be in order to ask you to give a chance to Members who do not belong to the Sessional Committee?

The Speaker (Mr. Slade): We must definitely see to that. I am glad you have mentioned it, Mr. Malinda I shall not allow the closure, if it is moved by anybody, until at least one non-Sessional Committee member has had his say.

*(Resumption of debate on Motion)*

The Assistant Minister for Home Affairs (Mr. Nyaqah): Mr. Speaker, Sir, I rise to support the amendment and to bring forward to the hon. Members the anxiety that the Sessional Committee had, and the reasons behind moving such an amendment. I am sure the hon. Mover has already given the House the reasons behind it.

At the end of last Session, Mr. Speaker, there were no less than 150 old Motions that had been moved by hon. Members with all the genuineness that they could master, but they never had the chance of entering this room to move and give the House an opportunity to debate on these Motions.

*[The Speaker (Mr. Slade) left the Chair]*

*[The Deputy Speaker (Dr. De Souza) took the Chair]*

Some of the Motions Mr. Deputy Speaker, when they were moved, were very urgent and very necessary, but every time the Sessional Committee sat—either by secret ballot—to find out which Motions would be debated, it became impossible to do more than one—or even two, at the most—at a time. The result was, Sir, that very many Members were deprived of the opportunity of speaking.

There are two parts to the day that the Private Members' Motions come, Mr. Deputy Speaker. There was the first part where we spoke as a party, and usually that time was given to the Opposition, and the Opposition sitting together decided which Motions they wanted to come forward. The second part is for free-lance Motions. Now that we have a one party system it becomes very difficult to know which Motion is party and which Motion is an individual Motion. In fact, Sir, it may be necessary sometimes to ask questions which are meant to be Motions in some respects, so that the hon. Members can get an answer to what they want to find out from the Government.

All that this amendment is trying to do is to give the Members an opportunity of making sure that their Motions will be debated in this House. The Sessional Committee has no intention at all of depriving the hon. Members of this House an opportunity to have their Motions debated as fully as possible here. But the Sessional Committee has a lot of anxiety that Members come here, they move a Motion, and they have no chance at all before the end of the Session of ever standing again to back up that Motion or to have people to help them.

Now, Mr. Deputy Speaker, all that this amendment is asking is that the hon. Members have a right to move a Motion, but more than having a right to move a Motion in mere words here, they should get the Party Leader, or the Chief Whip, again giving this hon. House an opportunity to meet in closed session so that they can find out which Motion they want to debate. And then, Sir, the Motion will have an opportunity of being debated here.

I would like to suggest to the hon. Members here, Mr. Deputy Speaker, that, instead of having so many Motions coming forward, we should intensify our campaign on questions. Some of the Motions can easily, and adequately be answered here in the form of questions and answers, supplementaries and so on, and this would give far more satisfaction to the hon. Members and to the House than having a Motion that is moved and, in six months time, is thrown into the waste paper basket because the Session is over. For this reason, Mr. Deputy Speaker, I would like to appeal to the House not to think that the Sessional Committee was against the freedom of the House, but that it was for the good of the Motions that were coming here. May I, Mr. Deputy Speaker, say the Sessional Committee is a committee of this House and

**[The Assistant Minister for Home Affairs]**

has no power at all to dictate this hon. House. It is up to this hon. House to give consideration—

An hon. Member: Give way!

The Assistant Minister for Home Affairs (Mr. Nyaqah): Sir, the hon. Member has no intention at all of giving way to the hon. Member for Ikolomani.

Therefore, I appeal to this hon. House to accept the Motion in the sincere way in which it was intended, and in which it was recommended to the House by the Sessional Committee.

With these words Mr. Deputy Speaker, I strongly support the Motion.

Mr. Khalif: On a point of order, Mr. Deputy Speaker, may I call upon the Mover to reply?

The Deputy Speaker (Dr. De Souza): No, I think it is a little too premature at this moment, considering the importance of this Motion.

Mr. Masinde: Mr. Deputy Speaker, unfortunately the hon. Minister—who is a very senior Member of this House and who is a very senior schoolmaster—does not know the geography of this country. He has mistaken over Ikolomani. However, I come from the same place, it is Kakamega.

Mr. Deputy Speaker, this Motion has been brought up, and Government is now coming out very cleverly to amend the Standing Orders bit by bit and, eventually, we will find that we have a Standing Order which is only dictated by a person, instead of being a Standing Order for this House. Because of this, Sir, and in view of the fact that we do not have two parties—Now, the first part, where a Motion is sponsored by a group; we do not have this opportunity because, one, we do not have the Backbenchers. If we are going to allow this one, then it means that we have to go to our old system of having a Backbenchers Group, so that in the Motion where we think that we are all affected, we suggest, Sir, that this is the Motion that should be moved. And this one would be only advising the Chief Whip to advise the Sessional Committee of what we would like to be moved first from the number of notices of Motions which have been given. Because of this, Sir, and I know that it is the Government's intention that we should not have Backbenchers, there is now—

Mr. Ngala-Ahoki: Is this a decision of the Government that this should be so, or a recommendation to the House?

The Deputy Speaker (Dr. De Souza): I am sorry, it is not for me to say, it is for the Mover to say what it is. At the moment the Mover is moving it, I presume, on behalf of the Sessional Committee.

Mr. Masinde: Mr. Deputy Speaker, Sir, I do not intend to mislead the House, and the hon. Assistant Minister is very aware that the Sessional Committee is a one-sided team, and they reside at the Corner Bar, and because of this, Sir, we are still questioning whether we have the right Sessional Committee or not. What we want is this: we do not want—

Mr. Khasakhala: On a point of order, Mr. Deputy Speaker, is it in order for an hon. Member to allege that the Sessional Committee, instead of being approved in this House, was approved in the Corner Bar?

The Deputy Speaker (Dr. De Souza): I do not think he said it was approved in the Corner Bar, I think he said because of the Corner Bar Order! Order! What that means exactly I do not know, and I do not really want to go into it.

Mr. Masinde: Mr. Speaker, Sir, I will put my case quite clearly, that at the present—even if we check on our Whip of this hon. House today—it is nothing but a proper confusion in carrying out the business of this House. As such, I am not questioning the person who is doing the job, but every one of us here knows who is the Chief Whip of today's House of Representatives. Because of that, Mr. Deputy Speaker, it is very necessary that everybody, in this House should have an opportunity of moving Motions freely, and there are Motions in this House which do not affect every Member sitting in this House. There are Motions such as a person as myself would move, I would only move a Motion to do with my constituency. It would not be necessary for this to be approved by anybody, except that I should get the opportunity—if the Sessional Committee is impartial, which I still doubt—I then move it. But it only a question of today when we say that the Leader of the Party is the Head of State, because we happen to have only one party. If I move a Motion which would be a nation-wide motion, it would be necessary for all Parliamentarians to accept it. But here we have very limited opportunities of getting all Parliamentarians together to say that they want this Motion—as a matter of national importance—to come forward.

Sir, it will be on that principle that we would like possibly to go back to the Backbenchers Group where we moved Motions and the Backbenchers suggested the Motions which should

[Mr. Mbogoh] of his Motion, I think that this has already been provided for because when I gave the notice of my Motion, all the time I stated the terms of that Motion and it is unnecessary for me to be told that I have got to give the terms of my Motion at least one day before. Mr. Speaker, I think that this Motion should not pass unchallenged. When the Mover says that it is unnecessary to move a Motion which will stand for days or will be lost and leave the House, I think this is running away from the freedom of the Members in this House, because once I move a Motion here, and then ten other people move Motions, the Government or the House in its business knows that there is a lot of work to be done and in that case we know how many Motions we have in the House and we must hurry up, otherwise these Motions are not going to be debated. But just to say that "I think we shall debate the Motion today" and then it is debated tomorrow, I think that is a sign of very great weakness, because when we have these Motions we know exactly that Members give notices of Motions and we hope that these Motions will be discussed, and Members who give notices of Motions know that it is a useless Motion. I think, Mr. Speaker, that that must be remembered by the Mover of the Motion when replying.

Mr. Speaker, the approval by a Whip or somebody of my Motions is very unnecessary and this is another way of denying Members the freedom of speech for their constituencies. Mr. Speaker, when I give a notice of a Motion concerning my constituency and then a Whip comes and tells me that this should not be given, simply because I am in a party, is most unnecessary and I think I must retain the freedom to express my views of my own constituency or of Kenya as a whole, as is expected from this House of freedom.

Mr. Speaker, I always respect the President's policy, wherein the balloting system is used, and this takes care of any unfairness. If I miss the ballot, I do not mind because it is not my fault and if I get it I will be quite glad to move my Motion and, in that case, it is useless to make this amendment. So, Mr. Speaker, I oppose this vigorously.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo). Mr. Speaker, first of all, in supporting this Motion, I would draw the attention of His Excellency the Vice-President to the clumsiness of this booklet here. I think it is high time that we had something reasonable as our Standing Orders. This booklet is very cumbersome for us to carry in this House, Mr. Speaker.

Here, Mr. Speaker, I think the Member for Meru—I do not know whether it is East or what. The hon. Mr. Mbogoh has—

Mr. Mbogoh: On a point of order, Mr. Speaker, is it in order for an hon. Member who has been in this House for a long time to forget my constituency and call it Meru East or something? I wish to inform him that I am the Member for Embu North.

The Speaker (Mr. Slade): I am sure the hon. Member will take note and remember for the future.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): I thank the hon. Member, Mr. Speaker, for having reminded me that he is the Member for Embu North.

I was saying, Mr. Speaker, that I think the hon. Member is confused about the language, as far as my understanding or interpretation of what you have said goes, because he seems to think that the words "stating the terms of the Motion" here mean that the Member will come here and explain the terms of his Motion. My interpretation, as far as my language goes, is that stating the terms of the Motion means reading the Motion to the House, as we normally do here, not that one comes to state the terms, why he is moving the Motion, and so on, when the hon. Member spoke on this. I thought he had misunderstood the language here.

The other point, Mr. Speaker, to which I would like to draw the attention of the hon. Member for Embu North is the Party Leader and the Chief Whip mentioned. Here these two gentlemen or ladies—if they will be here in the future—are not given power to deprive hon. Members of this House of their opportunity of moving Motions. This provision is only given for a Party Leader, and any Party Leader, be it the Opposition or the party forming the Government, to give a Motion as a Party Motion. A Member may wish to give a Motion as a Private Member's Motion and if the group to which he belongs as a party thinks that this Motion is an important one and should be sponsored by the group as a group Motion, then the provision is given, Mr. Speaker, that a Party Leader will present the Motion, not that he will deprive the Member of the chance of moving that Motion; he will inform the House that this Motion is actually a party Motion, although it is being moved by the hon. Member for Embu North.

Mr. Speaker, the Chief Whip is also mentioned here. My interpretation—and I am subject to correction, Mr. Speaker—is that the Chief Whip

#### [The Assistant Minister for Agriculture and Animal Husbandry]

might find in his party or the Back-benchers' party that a Motion moved by the hon. Mr. X should be sponsored by the whole group of Back-benchers, and if it is to be so sponsored, he will inform the House, Mr. Speaker, that the hon. Member is going to move the Motion but it is being backed by the whole of the Back-benchers' group. That is my interpretation of the position as regards the two gentlemen mentioned in this Motion.

Another point, Mr. Speaker, to which I would like to draw the attention of the House is in the third line where it reads, "a list to be published to Members in such a manner as Mr. Speaker may from time to time direct." My interpretation here is that hon. Members will be receiving a list of Motions that have been given behind the scenes, without being brought to this House. The hon. Mr. Speaker is going to circulate this, as he normally does with the Motions that have already been moved in this House, so that the House will know which Motions have actually been given notice of. This is my interpretation of it, Mr. Speaker. So the hon. Mr. Speaker has this direction to circulate to us the Motions which have been given. I would like to draw the attention of His Excellency the Vice-President to the last part of the Motion: paragraph (5). I think the Government should amend that part to read: "at least five days before the Motion appears on the Order Paper." I say this, Mr. Speaker, because it is my opinion that an hon. Member should be aware that his Motion is coming up to be discussed, so that he and his supporters are in a position to collect the facts from wherever they can be collected. Here we are left with the terms of being given notice in the House today, for the interest of the House and of those that are interested, that a Motion will be discussed the following day. Here, I think, Sir, the hon. Member who moved that Motion might not have a chance to collect enough facts to back up his Motion, and I hope that the Government will consider amending that particular part to give hon. Members a chance to gather the facts they want to present in their Motion—

In carrying on, Mr. Speaker, I would like to say that I do not see why actually this Motion should receive any resistance, as the hon. Member for Embu North said, because I see that maybe we in this House, Sir, want to move Motions only for their publicity's sake; in other words, we want to move Motions in this House with the indication that we want the public to know that we can move Motions, there is not much point in moving

them. But, if we are sincere to move Motions that should be discussed, I think this is the best way for us to move Motions, so that when notice is given in the House, we know exactly that that Motion is coming up. We should be told by hon. Members in this House that we should advertise the Motions we are giving, for motives known to themselves, should we give notice of a Motion because we want it known in the countryside, and in the world, like the Motion that was given the other day or yesterday concerning the Kashmir war, or that the Motion should be debated. I think it is only right that we should accept the amendment proposed by the Vice-President and the Government, so that when the Motion comes up it comes up when it is genuinely coming to be discussed the following time.

Mr. Speaker, I would crave the indulgence of hon. Members for the purpose of lightening the work of the Clerks of this House, and of filing up many documents of Members, the work which is always involved in moving Motions here; some of which have never been discussed. I would ask hon. Members to support this amendment.

With these few words, Mr. Speaker, I beg to support.

#### CONSIDERED RULING

##### PURPOSE OF NOTICE OF MOTION

The Speaker (Mr. Slade): Hon. Members, I hesitate very much ever to intervene in a debate, but I think sometimes it helps the House in these discussions of procedural matters if I explain their exact significance. There is one point here which it might help hon. Members to understand. The purpose of a notice of Motion is, of course, to notify the House that a Motion is coming before the House in the near future; to warn them, like the First Reading of a Bill. That is the real purpose. For that reason, notice is not worth very much to the House unless it is given only a short time before the actual Motion comes on the Order Paper.

That is why you find here No. 4 distinguished from No. 5. A Minister moving a Motion only moves it when he knows that it is coming on the Order Paper quite soon as Government business. Government having control of what comes on the Order Paper every day but one.

A Motion sponsored by a party you can be sure will come on in that time, on Private Members' Day, allotted for Private Members' Motions. Again, it is safe for a notice of Motion to be given any time the party likes; it will come on in the immediate future.

## MOTION

## AMENDMENT TO STANDING ORDER 30

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, this is another Motion which is very clear but which is going to improve slightly upon our present practice.

I beg to move:—

“THAT Standing Order 30 of this House (Notices of Motions) be and is hereby amended—

(i) by deleting paragraph (4); and

(ii) by adding the following new paragraph:—

Paragraph (4), which we are deleting now, merely states that each individual who is moving a Motion will give notice of it and state the terms of the Motion, in the normal cases in the House, as usual, but now this is the practice which we want to adopt. The practice is that if the notice of Motion is to be given by a Minister or by a Member on behalf of a party and—

An hon. Member: Which party?

The Vice-President (Mr. Odinga): Well, we must make all this provision, because that is how it stands, that is how it stood, even our party. It may be that even the Back-benchers, when they meet, will want to bring a Motion as a group and that can still be possible.

“(4) A Member giving notice of a Motion approved by Mr. Speaker shall state its terms to the House if such a Member is a Minister or if the original copy received by the Clerk has been certified by an approved Party Leader or Chief Whip to be sponsored by his party.”

That means it is a party Motion. If it were a group Motion, let me say, then notice would be given in the House straight away and the terms would be read to the House, but on the other hand if it were a free-lance Motion which a Member wanted to move, that is covered under the second paragraph:—

“(5) Notice of an approved Motion not complying with the provisions of paragraph (4) shall be given by means of a list to be published to Members in such a manner as Mr. Speaker may from time to time direct, and the Member giving such notice shall state its terms to the House only if and when the Motion has acquired precedence in accordance with the second Proviso to Standing Order 23 (but at least one day before the Motion appears on the Order Paper).”

That means the free-lance Motions would be treated more or less as we do, and our hon. Member has mentioned that at the present moment we adopt the method of balloting for all the Motions. Supposing that the Motions have been balloted and your Motion has already come into the list and Mr. Speaker had actually given the announcement as to how it will be arranged and you know that it is coming next week, then it would be appropriate for you, within that week, if you knew that it was coming that Friday, if you move it on Tuesday or on Wednesday for that week or on Saturday, then the following morning it is debated. It is much better and this one does not give the present way where you get a Member moving a Motion in the House, like this afternoon. We heard a very good example today, where instead of a Member giving notice of a Motion, he actually comes to express his own debating point, giving us one after the other in the form of a Motion, and then in the end you will find that instead of Members giving notices of Motions, it will only be a debating House where all Members will adopt that way of doing it. That would be unfortunate. You will find that we waste a lot of time. At the same time also if we had it that Members give notice of a Motion, you have had it into the Press, the notices have already been given and the Motion may not probably come this year, it may come next year or it may never come at all, and you had given notice of the Motion. Therefore, it is no use if you had deposited your Motion and if you were lucky enough, you have had it by ballot, it came into the list and then immediately you give the notice of it, and when you have given notice of it today, it is in the papers, then the following Friday it is debated. Then the whole thing becomes quite good.

That is what we are actually trying to bring forward, in this Motion: We are only trying to help Members so that everything shall link up and so make it more lively, rather than debate a Motion which was given some time back and probably the sense of the Motion had also expired. By the time the Motion comes, probably all the things that you wanted to bring forward had already either been done or they had expired and now the Motion has no use at all. In many respects we find that many Members regret that now “I do not need this Motion at the present moment.” We get a lot of that from the Members even at the present moment, and as such we want to avoid all this confusion and leave it so that only the Members deposit their own Motions, the Motions will be considered by the ballot and when it is successful, they will be notified by public notices and then they give the notice in the House

## [The Vice-President]

and read the terms of the Motion and then the Motion is debated there and then during that week. Therefore, Mr. Speaker, this is very clearly explained here, and therefore I hope that the House will support this. So I beg to move.

Mr. Anyieni seconded.

(Question proposed)

Mr. Khasakaha: Mr. Speaker, Sir, I rise to support this Motion with very few words.

What has happened in the past, in fact I have been in this House for about five years and I have seen a number of Motions moved and appearing on the Order Papers and they are never debated in this House. This particular amendment is of great assistance to every Member who is interested in moving a Motion that will be debated. Actually the difference here is that in the previous days a Member drafted his Motion, presented it to the Clerk of the Council, had the approval of the Speaker and then he moved it here. As a result we had very many Motions on the Private Members' list that were never, never debated in this House and they died a natural death when the Session ends as it ended last November.

Now, this Motion before the House, Mr. Speaker, is in fact assisting Members to know that the Motion that they are going to move will be debated and it will be on the Order Paper immediately, not only to be moved without being debated, and I think that any Member who feels that a Motion he wants to move before the House is of some importance, there is no need for such a Motion to just die a natural death because it could not appear on the Order Paper. I think it would be a good idea if Members knew that this is not going to stop Members moving as many Motions. What is going to happen actually is that Members will continue just as they have been doing in the past and present these Motions to the Speaker, the Speaker and the Clerks will present these Motions before the Sessional Committee for the ballot, before they are moved. As we introduced a new system in the Sessional Committee of picking the ballots and Motions, if your name is picked and your Motion is there, therefore picked to appear, it then means that during that sitting your Motion will not die the natural death that other Motions have in the past. It will be debated during the Session and as a result it is more helpful to Members than opposing this particular Motion, thinking that if we move so many Motions in the House it is important and then they just die a natural death. I think it is better for Members to move Motions which

are in fact going to be debated, and this is actually helping us to move such a Motion, which are, of course, important to our constituencies and to the country, which would be debated in the House and would not die a natural death.

In the past so many Motions have been moved before the House and they have never been debated here. A Member might give notice of twenty Motions and he may not be lucky enough to get even one of them moved before the House. As a result the Sessional Committee thought that if the Standing Orders were amended to introduce a practical system, in fact this is a practical system, whereby any Motion moved by a Member will be debated. I feel that this is a Motion which we Members should support, because it is in fact supporting your own Motions which are going to be moved. It is not stopping or eliminating any Member from moving so many Motions, it still gives you an opportunity of drafting your Motion, presenting them to the Speaker and to the Clerk of the House and then they come before the Sessional Committee and if your name is picked in the ballot, as we have introduced this new system, then you are allotted and told, “Your Motion has been picked. Move it now before the House,” and then it appears next week on the Order Paper for debate, which is very, very simple.

Now the question of party leader and Chief Whip is a bit confusing because some Members think that we are in one party—Kantu is the party—Mr. Speaker, I thought that we have a party and well, in fact, who knows, this particular Motion, Mr. Speaker, is not to suit the present House. What we draw the Standing Orders for the House it does not necessarily mean to suit the present House. One day we might have parties, who knows, so we are providing for the future. This particular clause and sentence is providing for the future, because it is not a temporary affair, we want an amendment which will be long lasting, not only for this particular House or particular city. One day I might stand up and say that I am going back to Kadu and say that I am declaring a new party. Well, I should have a provision in the Standing Orders, instead of amending it all the time. Therefore I think that the wording of this particular clause 4 is quite in order. It is in order because it is providing for the future and as a result we must be prepared for the future, not just for the present.

With these few remarks, Mr. Speaker, I beg to support.

Mr. Mbogoh: Mr. Speaker, this amendment is causing a lot of confusion just now and I think it must be resisted. Mr. Speaker, when this amendment allows a private individual to state the terms

[Mr. Omweri]

and Order No. 7, offers to this House, whether it would be in order for me to suggest that the two orders be combined and be debated as one, because they are suggesting an amendment to Standing Orders?

The Speaker (Mr. Slade): No, I would not agree to that, even if it were possible. It is actually on my advice that it has been divided into two Motions, because they are two amendments which are independent of each other. Where you have two propositions which are independent of each other it is always best to deal with each separately. Otherwise you have one debate in which you are discussing at cross purposes, and Members will agree with one thing and not the other, and begin to propose amendments that you leave out the one; and you will find it much easier to dispose of these one at a time.

#### MOTION

##### AMENDMENT TO STANDING ORDER 23

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, I beg to move that Standing Order 23 of this House, (Government Business) be and is hereby amended by adding at the end of the second proviso thereto the words "in such order as the Sessional Committee in consultation with Mr. Speaker may determine." This one also, Mr. Speaker, is rather a very simple amendment. The second proviso provided that the party Motion will always take precedence and then the other Motions which may be moved by any other individual will follow, these will take any remaining time which there is, and then there at the end just these words are to be added to help the arrangement of the Motions when they come, and will actually be arranged by the Sessional Committee in consultation with the Speaker. That is what we are doing at the present moment. It is only that it should be confirmed in that proviso, which had not been confirmed although we have had that practice but it was not in our Standing Order. Now we want it to be inserted there, in such order as the Sessional Committee in consultation with Mr. Speaker may determine. Therefore, I beg to move.

Mr. Malu seconded.

(Question proposed)

Mr. Anyieni: Mr. Speaker, I do not know why the Vice-President brought a Motion of this type. While the Standing Orders, the original before the amendment, envisaged the fact that there were two political parties in Kenya, and in view of the fact that we have not legislated for one political

party, and in view of the fact that we became one party through our own willingness, I do not think that it would be a proper thing for the Vice-President to legislate for the Sessional Committee to decide, without legislating for one-party system. Here I think that just as we have a one-party system without legislating, here again we should have the Sessional Committee continuing to work like this without unnecessary legislation. If it is legislated, suppose a man tomorrow becomes an independent or forms his own party, he will have difficulty in getting anything done. So I think, Mr. Speaker,—I hear one man saying do you intend, it might be he who may start another party before me—but I would like to say that since we have not legislated for one-party system I do not think we should legislate in our Standing Orders here for anything of that type.

The Speaker (Mr. Slade): Mr. Anyieni, I think you have misunderstood the effect of this amendment in relation to the Standing Order as it now reads. I do not blame you, because our Standing Orders are terribly mutilated by various amendments. The Standing Order which the Motion now seeks to amend has a proviso at the end governing this point. Following the proviso that Private Members' Motions have precedence on a particular day, it goes on "provided also that during the first two hours available on any Friday for business other than Government business, Motions sponsored by the Opposition Party, if any, shall have precedence over all other Motions in such order as that party may determine." That still holds, "and during any further time available on the same day, Motions not sponsored by Government or the Opposition Party if any,"—that is completely free-lance Motions as we have called them—"shall have precedence over all other business." It does not say in what order, and this decides in what order they are selected for precedence. It is the free-lance Motion only.

Mr. Anyieni: Then I support the Motion, Mr. Speaker.

The Speaker (Mr. Slade): I do not blame hon. Members for misunderstanding.

Mr. Khalif: Mr. Speaker, Sir, thank you very much for your explanation. However, Sir, I do suggest that in case of the future when we might have an Opposition Party, and the Leader of the Opposition Party is not in the Sessional Committee, that the amendment provides that in such order as the Sessional Committee in consultation with Mr. Speaker may determine, I would suggest, Sir, an amendment to the amendment here, to add the word after Mr. Speaker, the words "and the Leader of the Opposition, if any."

93) Motion—

The Speaker (Mr. Slade): I must have it in writing if you want to move an amendment. Under our Standing Orders I have to have it before you move the amendment. There is a very good reason for that Standing Order, because it does mean that hon. Members think before they move amendments. This is obviously an impromptu amendment, I think we must adhere to the rule that hon. Members, who want to move an amendment, have to think it out and put it in writing before they move it. I cannot entertain this amendment because it is contrary to the Standing Orders.

Mr. Khalif: But, Sir, surely I could write it down now and give it to you.

The Speaker (Mr. Slade): No, I will have to refer you to Standing Orders.

The Vice-President (Mr. Odinga): On a point of order, Mr. Speaker, the amendment which has just been proposed is unnecessary, if you will see my Motion which I am just about to move, you will find that any party Motion will have to receive the sanction of the party leader or party wing and therefore it would not actually be necessary to have it, since he would be consulted before actually the Motion is moved.

The Speaker (Mr. Slade): Yes, but it is not in order to discuss the merits of this amendment until I have cleared the question of the Standing Orders.

This is the Standing Order to which I have said on other occasions we must adhere, and I confirm today that we must adhere to it. Standing Order 37—"the proposer of an amendment shall, before moving it, hand the amendment in writing signed by himself to the Clerk."

Mr. Khalif: On a point of order, Mr. Speaker, I seek your guidance. Does that suggest that now having written the amendment down, and having signed it that I cannot hand it over to the Clerk?

The Speaker (Mr. Slade): It means what it says.

Does any other Member wish to speak?

Mr. Khalif: On a point of order, Mr. Speaker, even if we do not entertain this amendment I have not finished—

The Speaker (Mr. Slade): All right, yes. I am sorry.

Mr. Khalif: Sir, it is unfortunate that I was ignorant of the Standing Orders, otherwise I would have suggested this amendment. Anyway, Sir, as the hon. Vice-President has said that he was going to indicate something when he came to

reply about the Leader of the Opposition, being unfortunate that this amendment is not going through because of my ignorance, I think that if there is no other Member who is going to move such an amendment, that the Leader of the Opposition, if any, in future, will not be given adequate opportunity in that when the Sessional Committee in consultation with Mr. Speaker are determining the Motions that the party Motions, especially the Opposition Party Motions, will be given precedence—

The Speaker (Mr. Slade): Order! Mr. Khalif, I do wish you would pay attention. I explained in detail with some care to Mr. Anyieni the effect of the Standing Orders and of this proposed amendment. Party Motions are completely cared for by Standing Orders. Opposition Motions are given precedence for the first two hours of each Friday. There is no suggestion of altering that, and they are given precedence as between themselves in the order which the party itself directs. This deals with only free-lance Motions, completely individual Motions, which come in the latter part of Private Members' Day. I have explained all that once.

Mr. Anyieni: On a point of order, Mr. Speaker, in view of the fact that we have exhausted every speech that we have had on this, could I call upon the mover to reply?

The Speaker (Mr. Slade): No, because you have spoken in the debate.

Mr. Malinda: Mr. Speaker, Sir, I wish to support this amendment because, as you have explained, this is to take care of all those Motions which do not fall within the party's section, and it is, as you said, free-lance Motions.

Mr. Speaker, while supporting this Motion, I would like—I do not know if I shall be in order—to suggest that when this selection of Motions by the Sessional Committee in consultation with Mr. Speaker, that the same system which has been employed up to now of balloting, I mean choosing the Motions that are likely to come up, by the ballot system, would be a desirable feature of the workings of this Standing Order. Mr. Speaker, with those few remarks I wish to support.

Mr. Mbogoh: Mr. Speaker, Sir, I beg to move that the Mover be called upon to reply.

(Question, that the Mover be now called upon to reply, put and agreed to)

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, I thank the Members for their contribution and, therefore, I beg to move.

(Question put and agreed to)

[Mr. Khasnthalu]

Now that the Senate is in the same building as us, I fully support the fact that the Senators should be invited to join the committee, which would be a combination of the Speakers of both Houses, so that instead of having a Speaker's Committee for the Senate and a Speaker's Committee for the House of Representatives, we have one committee representing the National Assembly as a whole. I do not see any objection to this particular Motion, Mr. Speaker, and I am sure hon. Members will give it their full support and blessing.

Mr. Speaker, I beg to support.

**The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko):** Mr. Speaker, Sir, I would like to say only a few words on this Motion, because I think it is very important that this House, and the Members of it, be safeguarded, so that they will always feel they are protected, in one way or another. About six months ago, Sir, many Members were complaining that their safety was in danger. Why? Because the building was small. And even the Senators were complaining. But since both the Speakers were not in a position to introduce certain controls, it was difficult for them to move. I think, Sir, it is very important, for one thing, that the movement within this building should be controlled. Why? There have been quite a number of people coming in, and for some of our officers, who are working very hard, it is very difficult to control these people because sometimes they may even think they are themselves Members of Parliament. Sometimes they claim to be journalists, and they are regular faces here within this building. Some of them might be private secretaries to Members of Parliament or Ministers, but they are always here. You find them enjoying the same facilities.

**The Speaker (Mr. Slade):** Mr. Onoko, I am afraid I have to stop you, though I know you are expressing the views of quite a number of Members on this. It is really outside the scope of this Motion. In deciding to set up a committee to advise the Speakers on their known responsibilities, one cannot start discussing all the things that the Speakers and that committee should discuss, otherwise we will have a very long debate indeed.

**The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko):** Well, Mr. Speaker, those are some of the views. I think that this Motion has come as a result of these feelings. And since you, Sir, have convinced me that you and the Speaker of the Lower House will take up these matters, I would like just to leave it at that.

But I do feel very strongly that the two Speakers must be strengthened and that whatever move they make they will be making it in the interests of Members of both Houses.

**Mr. Khalif:** Mr. Speaker, Sir, it was not very long ago that we called on you, Sir, at a Parliamentary Group meeting, requesting you to see that there is maintenance of order. I hope it is as a result of this that this committee has been set up, and I am very happy about this. I fully support it.

There are, nevertheless, one or two things I would like to know about. Here I see, Sir, that it says: "to consist of Members of both Houses appointed by their respective Sessional Committees, be established as a Standing Committee for each Session". Does that, Sir, indicate that we shall have a different committee for each session? If that is the meaning, then I think it is a waste of time, because I would have thought that if we had one general committee to deal with every session, it would have been better, instead of having a new committee every time we have a new session.

It would perhaps, Sir, involve some inconvenience. We have the Sessional Committee which remains for a time, and I would have suggested that surely, if we are going to have a committee to deal with all these things—maintenance of order, convenience of Members, control of strangers and general regulation of affairs in Parliament Buildings—if such a committee were permanent it would be more convenient for the members of such a committee, because they would make themselves conversant with the general things which Members encounter. I mean, in sessions.

With the exception of this point, Sir, which I hope the Mover will touch on when he is replying, I fully support the establishment of this committee.

I beg to support.

#### CONSIDERED RULING DURATION OF SESSION AND STANDING COMMITTEES

**The Speaker (Mr. Slade):** It might help the House if I answered that particular point, because I think it indicates some misunderstanding of the effect of our Standing Orders, and indeed the meaning of a Session.

A Session of the House continues until the House is prorogued, which is usually at least a year, from the time of the calling of the Parliament or from the last prorogation. We have just embarked on a new Session now, after 2nd November, and we shall probably continue in this Session until round about November of next year.

[The Speaker]

Now it is contemplated by our Standing Orders that all committees, including the Sessional Committee itself, die with the prorogation of the House and are reappointed at the commencement of each Session. So this is in keeping with that, that you have committees set up only for the duration of a Session. As we have seen on other occasions, they can sometimes be altered even during a Session, of course, but they do die with the end of a Session.

(Resumption of debate on Motion)

**Mr. Omweri:** Mr. Speaker, Sir, while I wish to support this particular move and while expressing that I welcome the idea of setting up a Standing Committee, I feel that the committee should be purely independent of the Sessional Committees, and this particular committee should be concerned with the administration or the orders and control of strangers other than the affairs of the Sessional Committee, which are mainly the arrangements of this House business. In that case, I would rather like that the committee proposed by this Motion should be an independent committee and be given its own powers, and be given different duties as the Motion says here so that we do not have any other mixing of the present Sessional Committee which has enough duties to deal with and which usually meets very late, but we would like this one instead of being called a Standing Committee for Sessional Committees to be a committee which has people who would be interested to see that the affairs and the order and safety of this building, including the safety of the Members, is well looked after and the speakers are well advised not only on the business of this House but also the affairs outside this House as far as the building is concerned and as far as the day-to-day administration is concerned.

With those remarks, Sir, I beg to support.

**Mr. Khalif:** On a point of order, Mr. Speaker, I beg to move that the Mover be called upon to reply.

**The Speaker (Mr. Slade):** I think that would not be unreasonable, but there is one thing again I would like to intervene and explain, with reference to what Mr. Omweri said. He seemed to think that the fact that a committee is appointed by the Sessional Committee makes them dependent on the Sessional Committee for their activities. Of course, that is not so. Actually it is established in our Standing Orders that any Select Committee which this House cares to appoint, and this is a kind of Select Committee though it is indeed a joint committee of both Houses, is always to be appointed by the Sessional Committee, unless it is named by

the House itself. If ever the House sets up a Select Committee, it either nominates the members itself or leaves the Sessional Committee to nominate them. This proposes to leave it to the Sessional Committee, and that is the reason for this wording; but once nominated, the Speakers' Committee will have the terms of reference stated in this Motion, and will be thenceforth independent of the Sessional Committee.

**Mr. Khalif** wanted to propose the closure now. I think the House should be allowed to entertain that.

(Question, that the Mover be now called upon to reply, put and agreed to)

**The Vice-President (Mr. Odinga):** Mr. Speaker, Sir, I thank the hon. Members who have spoken on this and I think they have received the clarification from the Speaker, who has been very kind to give some clarification on some of the very vital questions. Therefore, without wasting time, I beg to move.

(Question put and agreed to)

#### POINT OF ORDER SEATING FOR MEMBERS

**Mr. Anyieni:** On a point of order, Mr. Speaker, last time the Members complained of the light coming from those glass windows, you said, Mr. Speaker, after a short time there would be curtains or something would be done. How is it that it has now taken about one month?

**The Speaker (Mr. Slade):** I am afraid I good many of these things take longer than they ought to. For instance, this clock is not working yet, despite representations I have made in various quarters for some time. So it is with these windows. It is taking a little longer than I expected to put it right, but what I have now arranged with the architect is that we shall put in there, on both sides, a kind of frosted glass which will take all the glare away, I understand. Although we could not get it in this week, I am assured it will be in before we sit again. Meanwhile, I suggest to hon. Members they do what I cannot do when the sun strikes me, that is, move their seats according to the sun. I notice it only rests on each seat about twenty minutes. If you care to move backward now and wait until the sun gets there and then move into the Front Bench or somewhere else, you will find you are all right.

#### POINT OF ORDER

##### LIMITATION OF DEBATES: RULING

**Mr. Omweri:** On a point of order, Mr. Speaker, I want to seek your guidance whether, in view of the limitation of debating Order No. 6



## POINT OF ORDER

## WHAT MATTERS MAY BE RAISED ON AN ADJOURNMENT

Mr. Omar: Mr. Speaker, I wonder whether I am in order to ask that this matter, I mean, the question put by the hon. Specially Elected Member, Mr. Balala— Would I be in order to say that I want to raise this matter on adjournment so as to clarify some points in regard to the speeches made by the Vice-President at the Kwale meeting?

The Speaker (Mr. Slade): You could raise it on adjournment if you wanted Government to clarify something, but not if you want to clarify something. The purpose of raising matters on adjournment is to raise a matter of administration for which Government is responsible, and to get Government's answer.

You would be in order to do that.

Mr. Arngwings-Kodhek: Mr. Speaker, may I ask if the hon. Member would be raising it because he is not satisfied with the answer the Government gave or he is not satisfied that the question was answered at all?

The Speaker (Mr. Slade): I think we had better see when he raises it.

## POINT OF ORDER

## OUT OF DATE QUESTIONS

Mr. Ndile: Mr. Speaker, on a point of order, I merely seek your guidance on this Question No. 81. If a question like this becomes out of date through no fault of the questioner, is it not in order to allow a Member to ask questions which are relevant at the present moment, and when the Government is prepared to answer the question?

The Speaker (Mr. Slade): I thought I had explained it all to you very carefully, Mr. Ndile. Yes, if we had this question, as I have said, I would have allowed supplementary questions bringing it up to date. But as there is a question by private notice put in for Government to answer on the position up to date, and as we are expecting that answer tomorrow, I suggested that it was better to wait for that answer tomorrow because we cannot have a question and answer twice over. And if we had it today, we could not have it tomorrow.

Mr. Ndile: Mr. Speaker, would it be in order for me to get a copy of the answer which was prepared by the Government?

The Speaker (Mr. Slade): Yes, I think it would.

Mr. Anyieni: On a point of order, Mr. Speaker, I do not know whether, for the future, with regard to questions like that one asked by the hon. Mr. Ndile, which, if they were not given a chance to be asked within a week, become out of date, you could order that they be given preference, in view of the fact that they might become out of date?

The Speaker (Mr. Slade): No. I cannot do that, not without some special amendment of Standing Orders. But where a question is urgent and of sufficient importance—as this one certainly was—and if it was on the eve of Rhodesia's unilateral declaration of independence, as I think it was, the proper procedure is a question by private notice. Then you do get a quick answer from Government.

## POINT OF ORDER

## ANTICIPATION AND CONTINUATION OF DEBATE

The Assistant Minister for Finance (Mr. Okoko-Odongo): On a point of order Mr. Speaker, I am seeking your guidance on another matter closely connected with what we have just been talking about. We have a regulation regulating the continuation of debate in the House outside Parliament in the Press, but I wonder whether there is anything with regard to anticipating a debate in the House here outside in the Press, as with the question which we have just had? I mean, a Member publicising the fact that a certain debate is going to take place in Parliament, and that he is responsible for that and so forth. Would you, as the Speaker of the House, commend such an act, or would it be dangerous? Because we do have this one which prohibits the continuation of a debate outside the House.

The Speaker (Mr. Slade): I think Mr. Okoko-Odongo has raised a good point. We have actually no express prohibition of continuation of debates outside; but the principal objection to that is that it is really a form of contempt of the House. Likewise, I think any publication by hon. Member of what they are going to bring before the House is a kind of contempt of the House, though they may not realise it. It is important that we stop this sort of thing and that we maintain the dignity of the House by reserving for this House what is to be discussed in it, and do not bring any matters out through other forms of publicity, either before or afterwards. I think the Sessional Committee might well consider an amendment of Standing Orders to provide expressly for these things.

Mr. Anyieni: On a point of order, Mr. Speaker, in this particular respect, where the person involved in the contempt of this House is a Specially Elected Member, elected by this House, is there no Standing Order whereby a man like this could be removed from this Chamber?

The Speaker (Mr. Slade): Order! I have just said that there is no such Standing Order at present. I have further intimated—and I am quite sure it is true—that Mr. Balala was ignorant of the effect of doing a thing like this; and he is not the only Member who has done it, either. Hon. Members do not always understand the implication of what they are doing; they do not understand that it does amount to contempt of the House. Until we have an express Standing Order, saying that it is contempt of the House and can be punished as such, there is nothing to be done, and there is nothing, I think, that should be done.

Several hon. Members: Point of order!

The Speaker (Mr. Slade): Not on that one any more, not following that one. We get these rashes of points of order sometimes; I hope that this of yours, Mr. Jamal, is the last spot.

Mr. Jamal: Mr. Speaker, Sir, I seek your guidance arising out of the question which the hon. Assistant Minister for Defence put. Can a matter on adjournment be raised only when a reply was answered unsatisfactorily or can it be raised otherwise?

The Speaker (Mr. Slade): Oh, I answered that only two days ago. Yes, hon. Members can give notice of their desire to raise on adjournment any matter of administration, whether or not it has been the subject of a question.

Now, can we go on.

## NOTICE OF MOTION FOR THE ADJOURNMENT

## KENYA GOVERNMENT SPOKESMAN

The Speaker (Mr. Slade): I would remind hon. Members that on the Adjournment today, Mr. Muliro is to raise the matter of reply to Question No. 40, concerning role of the Kenya Government spokesman.

## MOTION

## SPEAKERS' COMMITTEE: ESTABLISHMENT

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, I think the House will recollect that previously we have had this Motion which I am about to move on the Speakers' Committee. We have had it rather informally, and today, by a Motion, we are seeking to formalize such a committee. Therefore I am moving this Motion:

THAT subject to the concurrence of the Senate, a committee to be known as "The Speakers' Committee", and to consist of Members of both Houses appointed by their respective Sessional Committees, be established as a Standing Committee for each Session to advise the Speakers on matters concerning the maintenance of order, the convenience of Members, the control of strangers, and general regulation of affairs in Parliament Buildings.

Mr. Speaker, Sir, this Motion is very straightforward and formal, only seeking the approval of the House. It has been very kind of all our Speakers because formerly they have had a similar committee, but they felt that, in order to give this committee the necessary strength to deal with the day-to-day business of our premises, which have actually been extended a great deal, they should have the added strength of the confirmation of this House. And therefore, if this House approves of this, or gives the Sessional Committee the power to appoint this committee, or to consult with the Sessional Committee of the Upper House, we shall actually be able to form this committee as soon as possible. I do not think it is something which need be subject to a very extensive debate. It is very straightforward.

The functions of the committee are well known. The committee itself is to advise both the Speakers, of the Senate and of the Lower House, in their day-to-day running of the business of this building. Our Sessional Committee have already discussed this and accepted it; they thought it better to bring it to the House here for the hon. Members to approve it.

Therefore, Mr. Speaker, without wasting the time of the House, I beg to move the Motion.

(The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko) seconded.

(Question proposed)

The Speaker (Mr. Slade): I think it would assist the House if I said that, as Speaker of the House of Representatives, I would very much welcome the assistance of such a committee.

Mr. Khasakhalu: Mr. Speaker, Sir, I rise to support the Motion. It is a straightforward Motion, but at this particular time it might appear to the Members to be a new Motion. We need, for all our Parliamentary procedure, a Speakers' Committee which advises the Speaker on day-to-day work of the House or Parliament Buildings, and work of the precincts round the Parliament. This is very important because, unless such a committee is well represented, it would be very difficult to know exactly how to check on the security and other formalities which the Members of the House would like to be enforced around the building.



Mr. Mate: Mr. Speaker, Sir, is the Minister denying that there are any juvenile delinquents in Meru?

Mr. arap Moi: Mr. Speaker, Sir, I am not denying that there are not any juvenile delinquents in the Meru area, but, Sir, the question is this. To establish an approved school will depend on the number of delinquents in that particular area, whether it warrants it or not.

Mr. Masinde: Mr. Speaker, Sir, arising from the Minister's reply, could the Minister tell this House which is the nearest school which is serving Meru now?

Mr. arap Moi: Mr. Speaker, Sir, we have about five boys' approved schools around Nairobi and one girls' approved school, so these six schools cater for the needs of the entire country.

Mr. Masinde: Mr. Speaker, Sir, would the Minister consider removing one of these schools, particularly around Nairobi, and stationing it at least in the Meru or Embu District, as the Eastern Province needs one?

Mr. arap Moi: Mr. Speaker, Sir, we were on the verge of establishing an approved school near Sarisa, near the hon. Member's own constituency. If he can assure me that that one should be removed, then I will be prepared to do so.

Mr. Masinde: On a point of order, Mr. Speaker, Sir, is the hon. Minister in order to misinterpret what I actually questioned him on, to misrepresent what I said in the House?

The Speaker (Mr. Slade): Is he in order to misrepresent?

Mr. Masinde: Is he in order to misrepresent what I actually questioned him on or mislead the House, because my question was to remove one of the approved schools from around Nairobi, but it was not about cancelling the school for the Western Province.

The Speaker (Mr. Slade): The Minister is in order in not giving you an answer to what you asked.

#### POINT OF ORDER

##### ASKING QUESTIONS ON NEWSPAPER REPORTS

The Speaker (Mr. Slade): I think you have a question by private notice, Mr. Balala? Will you ask it now?

Mr. Omar: On a point of order, Mr. Speaker, Sir I rise to seek your guidance, because a few minutes ago here you told one hon. Member that he should not ask a question from the newspaper report. Now, as I am doubtful as to whether Mr. Balala was present at the Kwale meeting where

it is alleged that the Vice-President said something that did not please a certain community in the Coast, would the hon. Balala be in order to ask that question in view of the fact that he was not there, because I understand that he depends upon newspaper reports?

The Speaker (Mr. Slade): Order! Order! Your point is quite clear, Mr. Omar, and it is a good one, but it is, in fact, covered by the Standing Order which I did not quote in full. Standing Order 27, 13, says, "A question shall not be asked whether any statement in the Press or of a private individual or unofficial body other than a report which is written or said by a Minister or Parliamentary Secretary or civil servant is accurate." There is an exception as regards reports of what has been said by Government or civil servants.

#### QUESTION BY PRIVATE NOTICE

##### STATEMENT BY VICE-PRESIDENT DURING COAST VISIT

Mr. Balala: Mr. Speaker, Sir, I beg to ask this question by private notice:—

"Is the statement made by the Vice-President, hon. Oginga Odinga, M.P. during his official visit to the Coast, to the effect that ill-feeling Coast Arabs would be smashed by the Africans as happened in Zanzibar a few months ago, in conjunction with Government policy?"

The Speaker (Mr. Slade): Order! Order! I must demand silence. When a question is being asked, I presume hon. Members want to hear the question; you cannot possibly do so if you make so much noise.

Would you repeat your question completely?

Mr. Balala: Thank you, Mr. Speaker, Sir. I beg to ask the following question:—

"Is the statement made by the Vice-President, hon. Oginga Odinga, M.P. during his official visit to the Coast, to the effect that ill-feeling Coast Arabs would be smashed by the Africans as happened in Zanzibar a few months ago, in conjunction with Government policy?"

If the answer is in the negative, will the President make a statement in order to remove the existing fear and threat now predominating within the Coast Arabs caused by the Vice-President's statement?

The Speaker (Mr. Slade): If hon. Members going on making this noise, they will be sent out of the Chamber.

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): Mr. Speaker, Sir, I beg to reply on behalf of the President.

#### The Assistant Minister for Internal Security and Defence

There is definitely no need for His Excellency the President to make a statement of policy on the rights of the Coast Arabs or indeed any other racial groups living in this country, as the country's Constitution, which the Government is pledged to support, guarantees fundamental rights and freedom of the individual, irrespective of his or her race, tribe, place of origin or residence or any other local connexions, political opinions, colour, creed or sex.

Secondly, Mr. Speaker, Sir, the Vice-President being a Member of the Government is pledged to support the country's Constitution, which he does. He has given an assurance that in his speech at the Coast, he merely emphasized the need for everybody, including the Arabs, in the Coast, to make a concerted effort to live together as citizens of one nation and to forget the past, and the so-called superiority of the past. Clearly, the Vice-President's speech has been misunderstood, and I can assure the House that there is no deviation from the well-known Government policy as provided for in the Constitution.

Mr. Balala: Mr. Speaker, Sir, arising from that reply from the Assistant Minister, will the Government either deny or agree that the statement made by the hon. Vice-President as stated in my question, was correct or not?

Mr. Argwings-Kodhek: The Government is not a walking encyclopaedia.

Mr. Balala: Mr. Speaker, Sir, does the Assistant Minister agree with me that the statement issued by the Vice-President is likely to cause a breach of the peace, and as such that this House be assured, as well as the nation, that the Vice-President would no longer involve himself in any unnecessary statement that is not in conjunction with the Government policy?

Mr. Argwings-Kodhek: Mr. Speaker, Sir, I must thank the hon. Specially Elected Member for having read his speech, or his questions so beautifully, but I must remind him, and the people who call themselves Coast Arabs, of the Constitution. I will give him the various Chapters. Chapter 2 Protection of Fundamental Rights and Freedom of the Individual, Section 14. "Whereas every person in Kenya is entitled to the fundamental rights and freedoms of the individual, that is to say, the right whatever his race, tribe, place of origin or residence, or other local connexions, colour, creed or sex, but subject to the respect of rights and freedoms of others including Africans, and for the public interest to each and all the following."

There is a long section behind that one, which I would commend to the hon. Special Member and the people who think like he does.

Also section 16, subsection 1, Mr. Speaker, Sir, in the Kenya Constitution, it says, that "no person shall be deprived of his personal liberty save as maybe authorized by law." A number of cases are quoted there below. Also, Mr. Speaker, Sir, might I tell him and the Coast Arabs, who think like he does, that I would like to remind him of section 26. Section 26, subsection 1, says simply this, and I would like him and his ilk to read it, "Subject to the provisions of sections 4, 5 and 8 of this section, no law shall make any provision that is discriminatory either of itself or its effect." Discrimination here is explained as at subsection 3, Sir. In this section the expression "discriminatory" means "awarding different treatment to different persons attributable wholly or mainly to the respective descriptions by race, tribe, place of origin, or residence, or other local connexions, political opinions, colour or creed whereby persons of one such description are subjected to disabilities or restrictions to which persons of another such description are not made subject or are accorded privileges and advantages which are not accorded to persons of another such description."

Mr. Speaker, Sir, Coast Arabs, like other people, if they think they are different, they are making a mistake.

Mr. Kalli: Mr. Speaker, Sir, will the Assistant Minister agree with me that the Kenya Constitution does not discriminate and the proof of this is that the hon. Specially Elected Member, being an Arab, was elected by this House?

Mr. Argwings-Kodhek: I concur, Mr. Speaker.

The Speaker (Mr. Slade): We will go on now

#### POINT OF ORDER

##### MISTAKEN IDENTITY

Mr. Kerich: On a point of order, Mr. Speaker, may I seek your guidance on this? I am getting impatient in this House that Ministers and Members and also you, Mr. Speaker, confuse my name with that of Mr. Barasa, and yet we have been here for almost two years.

The Speaker (Mr. Slade): It is, I think, due to some resemblance of appearance between you, for which none of us, only God, is responsible. We do try to distinguish, and certainly if I look carefully—without the sun in my eyes—I do see who is who. Please forgive us for mistakes which are not intentional.

[Mr. Gachago] consider the defaulters. Mr. Speaker, the position of the Government remains the same, that the question of defaulters will be considered and each case will be examined separately—on its own merits—and no person will be penalized unless the Government must take drastic action.

The Speaker (Mr. Slade): We cannot have this debate all over again.

Next question.

#### Question No. 83

##### WATER DEVELOPMENT IN MACHAKOS DISTRICT

Mr. Ndile asked the Minister for Natural Resources and Wildlife whether he would tell the House what plans he had to bring water development in Machakos District up to a level with other districts in Kenya.

The Minister for Natural Resources and Wildlife (Mr. Ayodo): Mr. Speaker, Sir, I beg to reply. Machakos District does not lag behind other districts in water development. In the last ten years, the Government has spent more money on rural water supply throughout Machakos District than in any other district. Since 1960, the Government has provided £2,000 annually and with a similar amount from the county council and other grants from the Ministry of Agriculture, there has been a steady programme of minor water supply construction, as a result of which springs have been protected and new permanent streams and irrigation systems, to provide water to the farmers in the lowlands, have been created.

About thirty subsurface dams have been constructed. In future, these dams will form the sources of water that can be reticulated to farms by means of pumps or pipelines.

Currently, the Machakos District Authorities are preparing a five-year plan for further intensive water development. The realization of this plan will depend on the ability of the people in Machakos District to meet some of the cost of the improved water supplies, because they cannot be provided entirely freely. Planning of a reticulated supply to the farms, depends on land consolidation and enclosure, without which costs of installation would be greatly increased.

Development plans for the 1966/67 year are now being made by my Ministry, the Ministry of Agriculture and the Machakos District Planning Committee. If the hon. Member for Machakos South has any specific project in mind, he should notify his district commissioner whose planning committee will take it up through the proper channels.

Mr. Ndile: Mr. Speaker, Sir, would the Minister tell the House whether he has any plan to establish a Department of Water Development in Machakos District?

Mr. Ayodo: No, Mr. Speaker, it is not necessary.

Mr. Malinda: Mr. Speaker, Sir, arising out of the Minister's reply, where he said there are some thirty subsurface dams, could the Minister tell this House in what streams these thirty subsurface dams are—

The Speaker (Mr. Slade): Oh, not today please. A list of thirty places!

Mr. Malinda: At least let him mention a few of them.

Mr. Ayodo: Mr. Speaker, let me thank you for your original reply to the questioner, but I think that this is not going to serve any useful purpose in this particular question. It would be an unnecessary exercise.

Mr. Malinda: Mr. Speaker, would the Minister therefore agree that these thirty subsurface dams are non-existent and, therefore, we need more water provision?

Mr. Ayodo: No, Mr. Speaker, I do not agree.

Mr. Ndile: Mr. Speaker, Sir, would the Minister tell the House since the basis of granting county council loans from the Central Government is based on a pound-for-pound from the county council, what would his Ministry do because the County Council of Machakos frequently runs into financial difficulties? Are we going to remain at a standstill?

Mr. Ayodo: That is a very important question. Mr. Speaker, and as the President said, some time back when this House was being opened, this whole question of new policy is being looked into and the Government is looking into the possibilities of doing it in some other, better way.

#### Question No. 119

##### KARURA FOREST WORKERS

Dr. De Souza asked the Minister for Natural Resources and Wildlife:

- (a) Was the Minister aware that the workers in Karura Forest employed by the Government earned the low wage of Sh. 67 per month, and had now been told that as from Saturday, 16th October, they would only be employed for half a month and would earn only Sh. 33.50 per month.

[Dr. De Souza]

- (b) Was the Minister also aware that, with no maize or other food available, these workers with their families had no means of subsistence and that it would be quite impossible for them to live on the new wage.

The Minister for Natural Resources and Wildlife (Mr. Ayodo): Mr. Speaker, Sir, I beg to reply. The workers in Karura Forest referred to by the hon. Member, are employed on an agreement, whereby the Government guarantee work for 270 days a year and they are allowed time off to cultivate *shambas* which they are allocated by the Government. The arrangement referred to by the hon. Member concerns the months of October and November, and full-time work will be resumed in December 1965—in fact, it has actually been resumed. It must be noted, however, that employment over 270 days per year for any forest worker depends on the availability of funds.

With regard to part (b) of the question, we realize that, like most other parts of the country, the crops of these men at Karura were worse than normal. We do not, however, agree that these workers had no food available to them. I personally sympathize with the workmen at Karura whose crops have been poor, but there are many others in Kenya whose crops have also been poor and whose basic wages are even less than those at Karura.

Dr. De Souza: Mr. Speaker, Sir, as Karura Forest is in Nairobi, in my constituency, and as the wage of Sh. 67 per month appears to be below the Minimum Wage Act, would the Minister consider if—in fact—an increase of wages is desired by law and do so for these people?

Mr. Ayodo: Mr. Speaker, Sir, the reference to Nairobi is interesting and the hon. Member did not tell the House that, unlike the other workers in Nairobi, Karura workers are given *shambas* to cultivate, which puts them in a slightly different class.

Dr. De Souza: Mr. Speaker, Sir, would the hon. Minister tell the House what is the acreage of *shambas* given to these workers, and what is the income that is available from these particular *shambas*?

Mr. Ayodo: Mr. Speaker, Sir, this is not fixed, but the Government sees to it that a family has enough to augment the small salaries that they are given, and these *shambas* range from about one acre to about six.

Mr. Anyieni: Mr. Speaker, Sir, arising from the Minister's reply, would the Minister tell us the difference between this policy of giving the workers in this place Sh. 67 per month and the policy in the old settler régime, where the Africans were given a little salary and made *shambas*?

Mr. Ayodo: Mr. Speaker, Sir, the policies are different in that the Government, at the moment, is looking into the possibility of exploiting its forest estates so that we are in a position to pay better wages, but at the moment, we have to do the best we can in the circumstances. But, Sir, we are certainly not happy with the arrangement.

Mr. Shikuku: Mr. Speaker, Sir, arising from the Minister's reply, that they are not happy with the present situation, will he not agree with me that they have, as a matter of fact, adapted the imperialists' style of employing people at such a low salary and that the same system was carried on during the imperialists' time and it is still being carried on, would you now change it?

Mr. Ayodo: Mr. Speaker, Sir, we have not adopted any imperialist method. Mr. Speaker, Sir, as I have said, the Government is doing everything possible to change this, and this does not mean adopting the imperialist policies.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

##### UNSATISFACTORY REPLY TO QUESTION NO. 119 KARURA FOREST WORKERS

Mr. Anyieni: On a point of order, Mr. Speaker, Sir, if the hon. Member for Nairobi North-West does not wish to raise this matter on an adjournment, could I be allowed to raise it on adjournment?

The Speaker (Mr. Slade): You are not wishing to raise this matter on adjournment, Dr. De Souza?

Dr. De Souza: No, Sir, I am not.

#### ORAL ANSWERS TO QUESTIONS

##### Question No. 103

##### APPROVED SCHOOL FOR MERU

Mr. Mate asked the Minister for Home Affairs if he could tell the House when the Government intended to build an approved school for Meru District.

The Minister for Home Affairs (Mr. arap Moi): Mr. Speaker, Sir, I beg to reply. The Government does not have any plans for building an approved school in Meru District in the near future.

The establishment of approved schools in any area depends on the volume of juvenile delinquent cases which exist in that particular area.

[The Assistant Minister for Works, Communications and Power] for improving the runway amounting in all to £50,000 is planned for the years 1966/67, 1967/68 and 1968/69.

At present there are no plans to improve the airport buildings.

Mr. Jamal: Mr. Speaker, Sir, will that Assistant Minister give an undertaking that these plans which he has just mentioned will be put into effect in 1967/68?

Mr. Bomett: Most certainly, Sir.

#### Question No. 113

##### DRIVING TESTS AT EMBU 1964-65

Mr. Mbohoh asked the Minister for Works, Communications and Power:—

- How many people had done driving tests at Embu in 1964/65.
- How many had passed and how many had failed.
- Why had the driving test examiner changed his routine visits from Embu to Nyeri.

The Assistant Minister for Works, Communications and Power (Mr. Bomett): Mr. Speaker, Sir, I beg to reply:

(a) During the period 1st January 1964 to 24th November, 1965, 600 people took the driving test at Embu.

(b) Out of the above figure 211 passed and 389 failed the test.

(c) This is an action which has resulted from the shortage of Government funds. During 1965/66 financial year, the travelling vote of my Ministry was reduced and, as a result of that, my Ministry had to give careful consideration to each driving test centre to see if economy could be made. After this consideration it was found that economy could be made by discontinuing driving tests at several centres including Embu. It was then decided to have driving tests at Nyeri rather than Embu and have the people from Embu District go to Nyeri as there were more people coming for tests at Nyeri than at Embu.

Mr. Mbohoh: Mr. Speaker, in view of the fact that these people who take tests pay a lot of money to Government and that the distance from Embu to Nyeri is about fifty miles, and the people of Embu do not know exactly where to stay when they go for tests in Nyeri where the tests have been shifted, would the Assistant Minister tell this House whether the Ministry

has any plans in the near future to help the people of Embu, in order to save time and money to take the driving tests to Embu?

Mr. Bomett: Mr. Speaker, Sir, it is not only at Embu that a whole centre was discontinued. Apart from Embu, there were also Murang'a, Thika, Isiolo, Meru, Naivasha, Thomson's Falls, Kisii, Bungoma and Kakamega, and this is only due to financial difficulties in our Ministry. But, all the same, the people of Embu, we hope, will not be put into any difficulties because Nyeri is not very far from Embu and we only based our judgment, Mr. Speaker, Sir, on figures. In 1964, there were 280 people who took driving tests at Embu, as compared with 781 at Nyeri in the same year. Therefore, we prefer Nyeri, Mr. Speaker, Sir.

Mr. Mbohoh: Mr. Speaker, in view of the fact that the Assistant Minister has made it clear that it is the shortage of funds which has made them shift the driving test examiner, would the Assistant Minister then consider employing an extra person to look after Embu, Meru and all the Eastern Province?

Mr. Bomett: Mr. Speaker, Sir, the Member is, in fact, a representative of the very ratepayer who dish out money to the Government, and since our Vote was reduced, we had no alternative, so if the Member will see to it that in 1966/67 they will give us more money, we will do it, certainly.

Mr. Mate: Mr. Speaker, Sir, is the Assistant Minister aware that Embu is the capital of the Eastern Province, Nyeri of the Central Province, and that we do not like the idea of taking facilities from our province to another province?

Mr. Bomett: Mr. Speaker, Sir, consideration here is finance and not province.

#### Question No. 106

##### KAGURU FARMERS' INSTITUTE IN MERU

Mr. Mate asked the Minister for Labour and Social Services whether he would consider initiating negotiations with the Ministry of Agriculture with a view to making Kaguru Farmers' Institute in Meru a multi-purpose centre where not only farmers were trained but also community development and social workers.

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, Sir, I beg to reply. I have to inform the hon. Member that the Ministry of Labour and Social Services does not consider it necessary to negotiate with the Ministry of Agriculture with a view to making Kaguru Farmers Institute in Meru a multi-purpose centre.

[The Minister for Labour and Social Services]

The Ministry is convinced that there are enough facilities for the training of community development workers and social workers. There are two centres in Meru, one is Muthalankari Community Development Centre and the other one is Gitoro Training Centre, where community development workers and social workers are trained respectively. Apart from these, there are facilities for the training of social workers in the Kenya School of Social Work in Machakos.

The Muthalankari District Community Development Training Centre caters for only students from Meru.

The Gitoro Training Centre opened in August 1964 has an intake of 25 students, the majority of whom come from Meru.

Under the circumstances, it will be seen that it is not necessary nor is it desirable for Kaguru Farmers Institute to be converted into a multi-purpose training centre, since there are already enough facilities for training community development and social workers.

Mr. Mate: Mr. Speaker, Sir, is the Minister aware that some amount of community development work is going on at Kaguru in the form of home extension courses and, if so, why has he allowed it to happen there, since it is in his Portfolio?

Mr. Mwendwa: Mr. Speaker, Sir, it is not the work of my Ministry to decide what one student must take in any college; it is up to the student concerned who goes to any college, who decides what subjects he or she is going to take.

Mr. Mate: Mr. Speaker, Sir, since the Minister said to begin with that it is not for him to negotiate, why does he allow some of his work from his Portfolio to be done by other people if he feels that more could have been done at Kaguru?

Mr. Mwendwa: Mr. Speaker, I am not aware that the training which would otherwise belong to my Ministry is being undertaken by another Ministry. If the Member is really sure of what he is talking about, he could easily come and see me in the office; I would definitely deal with the matter.

#### Question No. 78

##### GRACE PERIOD FOR FARM LOANS' REPAYMENT

Mr. Makone asked the Minister for Lands and Settlement how long it would take to implement into law the Motion passed in this House authorizing the Government to grant a five year period of grace to farmers before starting to repay their loan/repayment.

The Assistant Minister for Lands and Settlement (Mr. Gachago): Mr. Speaker, Sir, I beg to reply. The hon. Member for Kitutu East will recall that although the Motion was passed by the House, the Government rejected it all through and put it clearly to the House that to grant a five-year moratorium would be disastrous, it would cause a grave set-back to the attitude of repayment which is improving after much hard work by the organization concerned.

The Government has, therefore, not found a way of implementing the Motion into law, and at any rate, is not bound to do so by the terms of the Constitution. We still maintain that the best way would be to treat each case on its merits, as a good percentage of farmers are already meeting their obligation in respect of loans repayments.

Mr. Kamure: On a point of order, Mr. Speaker, is it in order for the Government to turn down a Motion for amendment after it has been passed in this House?

The Speaker (Mr. Slade): Yes, I think I have explained to the House before that the actual authority of this House begins and ends with the making of laws and the control of the raising of taxes and the expenditure of money. The executive responsibility of Government, from day to day, rests with the Government, and is not actually controlled by this House.

This House can pass resolutions advising or requesting Government to take certain executive action, but the Government is not constitutionally required to "do so." The only thing that is for Government—which is the end depends for its life on the support of Parliament—too frequently disregards the wishes of Parliament, it is always in danger of eventually suffering a vote of no confidence. That is the only remedy of Parliament by disregard by Government of executive recommendations. Constitutionally, Government is quite entitled to go its own way.

Mr. Masinde: Mr. Speaker, Sir, arising from the Assistant Minister's reply, could he assure this House that those defaulters will be exempted from being evicted from the farms which they own now as a result of failing to raise the required repayment of the loans?

Mr. Gachago: Mr. Speaker, Sir, I am very grateful that the hon. Member has raised this question because this gives me an opportunity of explaining the point whereby we have formed a commission, which we have called a Sifting Commission, and about ten Members of the National Assembly were invited by my Ministry last week to attend a meeting of this commission, so as to

[Mr. Argwings-Kodhek]

Members, Mr. Speaker, Sir. People just do not come forward with the information, and certain people in this country are not helping the Government to track down the *Shifita*?

An hon. Member: Who are they?

Mr. Argwings-Kodhek: I do not know who they are. Our security forces, however, are doing their best and in the North-Eastern and Eastern Regions, we have our security forces there, and they are doing their best, and if they are not helped by the local population, then I am very sorry about this. But, Sir, I hope things will improve.

Mr. Khalif: On a point of order, Mr. Speaker, would the Assistant Minister substantiate that there are some people in this country who are not helping the Government to eliminate *Shifita*?

The Speaker (Mr. Slade): No, that is not the sort of thing that is capable of substantiation.

Mr. Alexander: Mr. Speaker, Sir, is the Assistant Minister aware that there are no special security precautions at and around the Samburu Game Lodge area, and that another incident like that recently at Lake Rudolf would completely destroy the whole of our tourist business all over Kenya?

Mr. Argwings-Kodhek: Mr. Speaker, Sir, the Government regrets very deeply what took place on the shores of Lake Rudolf. The effect really is, that we have our officers charged and recharged for making those particular areas, and particularly the Samburu Game Lodge, where it was myself during the time of the opening, to make it more secure than anything else, and I can assure this House that the provincial police officer in the area is a very experienced officer and he has seen to it that nothing like what happened on Lake Rudolf will happen again.

Mr. Nyagah: Mr. Speaker, Sir, since I understand that the Assistant Minister said that the Eastern and North-Eastern Regions are well guarded, will he tell us how a group of sixty *Shifita*, well armed, broke across the border and came as far as Kwariga near Embu Town?

The Speaker (Mr. Slade): Order! Order! You have asked your question now.

Mr. Nyagah: The forces were not sent there yesterday or the day before; the forces have been there quite a long time. But how a group of sixty armed men can cross the border here—

The Speaker (Mr. Slade): Order!

Mr. Argwings-Kodhek: Mr. Speaker, Sir, it appears, from the jovial mood of some Members—which the Government does not share—

they do not appreciate the difficult conditions in those areas and the kind of terrain in those parts of the country. In the North-Eastern Region and the Eastern Region and in parts of Embu and Meru, *Shifita* can pass barely ten yards away without anybody noticing them, because of the conditions. It is grass, Mr. Speaker, Sir, and you cannot see them. Secondly, it is one of those human problems that the people in those particular areas have not come forward to inform us that *Shifita* are passing through. The police are limited only in their numbers and in their operations, but if we knew and if we know any minute, any day, Mr. Speaker, Sir, we can catch them.

Mr. Ithimi: Mr. Speaker, is the Minister aware that on 26th February of last month, about six *Shifita* came near the Ngaya Forest into Meru, and nobody knew about them or did anything about them?

Mr. Argwings-Kodhek: Mr. Speaker, I understand that the Member spoke of the 26th February last month!

An hon. Member: That was a slip of the tongue.

Mr. Argwings-Kodhek: Mr. Speaker, if the hon. Member means 26th November, the security forces were not informed by the local population that there were sixty *Shifita* passing by. The security forces rely on their own sources for gaining information; and as soon as they do this—the House knows, and I have told the House, that this year, with our network of intelligence, we have tracked down and traced more serious cases than these sixty people. And of these people we have traced, the numbers of killed so far have risen from, say, 198 last year to more than 335 this year alone.

The Speaker (Mr. Slade): Next question.

Mr. Mate: On a point of order, is the Minister right in implying that the citizens, and not the officials of the Government, the police and the district commissioners, should be informing the Government—

The Speaker (Mr. Slade): That is not a point of order. Next question!

#### Question No. 79

##### BUILDINGS ON POSSIBLE IRRIGATION SITES

Mr. Osele-Nyalek asked the Minister for Agriculture and Animal Husbandry if he would tell the House what plans he had, in any case where there were possibilities of carrying out irrigation schemes, to prepare people, who today, were putting up semi or permanent buildings at sites which might possibly be demolished to give way for irrigation.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, I beg to reply. The Government will give adequate notice before any area is designated as a national irrigation scheme.

It would, however, be very difficult to forecast long in advance the pattern that such secondary irrigation features as pipes and small canals shall take. This will only be possible at an advanced stage of the development of the scheme. But if anyone's semi-permanent or permanent buildings have to be demolished to give way to pipes and/or canals, Government will consider paying an appropriate compensation.

#### Question No. 111

##### DESTRUCTION OF OBSOLETE CANNED FOOD

Mr. Murull asked the Minister for Health and Housing what steps he took to see that obsolete corned beef, tinned fish, fruits, milk, medicines etc., were destroyed, so as to eliminate any risk to the general public.

The Minister for Health and Housing (Mr. Otende): Mr. Speaker, Sir, I beg to reply: The Public Health Act (Cap. 242) puts a heavy burden on the vendors of foodstuffs to make sure that any food (this includes corned beef, tinned fish, fruits, milk, etc.) which is sold to the general public is wholesome and fit for human consumption. Furthermore, public health officers, both in the Central Government and local authorities and police officers above the rank of an inspector, have powers to inspect and seize such foods and have them disposed of. Very heavy penalties are imposed, e.g. a fine of Sh. 2,000 or six months' imprisonment or to both such fines and imprisonment, for any negligence.

Similarly, in regard to medicine, the Pharmacy and Poisons Act (Cap. 242) lays down strict rules in regard to storage and disposal of medicine. Only authorized dealers are allowed to sell or dispose of drugs. Each dealer is compelled to keep a list of poisons and drugs, and the chief pharmacist or his authorized agent has the power to check and inspect the premises at any time. This Act makes it compulsory to label containers, prohibits the sale of poisons in automatic machines, prohibits misleading advertisements, etc. Section 46 (1) of the said Act deals with the retention and disposal of goods seized which are injurious to public health. Penalty: Sh. 500 or one month's imprisonment and suspension from registration.

Mr. Murull: Mr. Speaker, Sir, is the Minister aware that some medicines whose time has expired are being used by individuals?

Mr. Otende: No, Sir.

Mr. Shikuku: Mr. Speaker, Sir, arising from the Minister's long reply, can he tell the House how many cases the inspectors so far have managed to detect among the traders who are selling goods that are almost poisonous, for example, biscuits where you get some rotten biscuits with worms in them?

Mr. Otende: Mr. Speaker, I would need notice to give the very large number of daily prosecutions, both by local authorities and by Central Government. Every day we find rotten things and under the law, we can either seize them or, if we find that the owner is very negligent, then we can charge him. But lots of them are being brought before the courts every day. I do not have the figure now and it would take some time to find out.

Mr. Tanui: Mr. Speaker, Sir, can the Minister agree with me that the only way to get round these people who sell things which are time-expired is to appoint special supervisors to look into these things, and not merely to rely on the police and other people?

Mr. Otende: The hon. Member, Sir, can rest assured that there are quite a number of people charged with this duty. The chief pharmacist and his assistants comprise one group; the health inspectors of all grades and health assistants are another group; and then the police officers form another group of people.

Mr. Kerich: Mr. Speaker, Sir, would the Minister assure the House that all tinned food should be given a specified period in which it can be stored and sold so that these goods will not be stored for the next twenty years?

Mr. Otende: Mr. Speaker, Sir, the proposal of the hon. Member is very scientific but all that we do is to assure ourselves that the food has not yet become poisonous by pressing the tin. If you are not sure, just press the tin and if it goes in, then the contents are poisonous.

#### Question No. 100

##### IMPROVEMENT AT KISUMU AIRPORT

Mr. Jamal asked the Minister for Works, Communications and Power if there were any plans to improve the runway at Kisumu Airport and to improve the airport building in the 1965/66 financial year.

The Assistant Minister for Works, Communications and Power (Mr. Bonetti): Mr. Speaker, Sir, I beg to reply: There are no plans to improve the runway at Kisumu Airport during the 1965/66 financial year. But a programme

[Mr. Bala]

technical education in schools and colleges in order to cope with the country's needs in manpower.

#### CONSIDERED RULING

##### DEFERMENT OF QUESTION 81 FOR QUESTION BY PRIVATE NOTICE

The Speaker (Mr. Slade): Before calling on Mr. Ndile to ask his Question No. 81, I would point out that it is actually out of date. But I think I should have to allow supplementary questions as to what is the present attitude of Government in this matter. On the other hand, there is a question by private notice put in by Mr. Masinde to the Government, as to the present attitude of Government to the recent declaration by the security council of the Organization for African Unity. If I could be assured that Government was going to answer that question tomorrow, I think it would be a more appropriate way of dealing with it than proceeding with this question today. I do not know whether I can hear anything from Government on that subject to clear the matter?

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): Mr. Speaker, Sir, we have not heard about this other question by private notice regarding Government's attitude on what is going on.

The Speaker (Mr. Slade): Can you say what will be your decision if you do hear of it, Mr. Kodhek?

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): If we do hear it we will certainly deal with it.

The Speaker (Mr. Slade): Your Ministry should have had it today, actually, in order to arrange a time tomorrow for answering. But would you be prepared to answer tomorrow?

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): We would be prepared to answer it if it comes, but it must be given to our people in good time.

The Speaker (Mr. Slade): Well, I think, to make sure of this, I can inform the Government now that Mr. Masinde's question refers back to the statement by Mr. Matano last week that Government was not prepared to state its position pending the conference of the Organization for African Unity, and goes on to inquire whether Government will now state its position in view of the declaration by the security council. That is a more suitable question really than this out of date question.

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): I quite appreciate that, Mr. Speaker.

The Speaker (Mr. Slade): So, can we count on that question being answered tomorrow if it comes in?

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): Yes, Sir.

The Speaker (Mr. Slade): Thank you. I think, Mr. Ndile, we will leave this question today.

Next question.

#### ORAL ANSWERS TO QUESTIONS

##### Question No. 112

##### DETENTION OF KENYANS IN FOREIGN COUNTRIES

Mr. Murruli asked the Minister for External Affairs:—

(a) How many Kenya subjects were detained in custody for various offences between 1963-65 in Britain, America and Russia.

(b) For what various offences had they been detained and how many were still in prison.

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): Mr. Speaker, Sir, on behalf of the Minister for External Affairs, I beg to reply.

(a) Only very few cases of Kenya subjects who have been detained in custody in Britain, America and Russia are known.

In America, two cases of detention and one of being beaten up have come to the Government's notice between 1963-65, while only one case involving conviction with the alternative of deportation is known to have occurred in Britain. In Moscow, two students are known to have been detained, one for overnight and another for a day.

(b) The offences regarding the students in America were described as disorderly conduct. The same type of offence was accounted for one of the two students in Moscow, while the other, was detained for excessive drinking. The one case in Britain involved forgery of a certificate. Besides these instances, the Government has not been informed of any other, nor is it aware of any Kenya subjects now in prison in Britain, America or Russia.

Mr. Kerich: Mr. Speaker, Sir, can the Assistant Minister deny in this House that the reason why these students were detained in America was

[Mr. Kerich]

because they refused to accept capitalism, and the reason in Russia was that they refused to be indoctrinated into communism?

Mr. Argwings-Kodhek: The answer is definitely, no, Sir.

Mr. Mbogoh: Mr. Speaker, Sir, how can the Assistant Minister reconcile that statement with reports in the papers that there are Kenya students being gaoled in East Germany and China?

Mr. Argwings-Kodhek: Mr. Speaker, Sir, what you read in the paper is certainly not Government policy, but if somebody goes in for excess drinking and comes for a purpose to try to campaign against another country, which is friendly to Kenya, the Government takes no responsibility.

The Speaker (Mr. Slade): I would remind hon. Members that Standing Orders prohibit reference to newspaper reports in questions.

Mr. Kamuren: Mr. Speaker, Sir, arising from the Assistant Minister's reply, where he said that one had been released after a day, could we be told whether such a student was released after his case had been heard or was it because he was found to be not guilty?

Mr. Argwings-Kodhek: I refer to overnight. Overnight you do not hear cases, most courts in this country are public and held during the day. It was after investigations.

##### Question No. 118

##### SECURITY FORCES FOR NORTH-EASTERN AND EASTERN PROVINCES

Mr. Ithrali asked the Minister for Internal Security and Defence if the Minister would consider stationing adequate security forces along North-Eastern and Eastern Provinces border to fight *Shifita* sufficiently and end all fears already existing.

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): Mr. Speaker, Sir, I beg to reply. The security position in the North-Eastern and the Eastern Provinces is daily under review at district and provincial levels through the medium of the respective security committees. The service commanders meet weekly in Nairobi, primarily to discuss security in the areas affected by *Shifita* activity. This subject also receives attention every month in the Kenya Security Committee meeting which I often chair.

The strength and dispositions of security forces in each district and province is constantly reviewed at these meetings, in the line of prevailing conditions and developments which may be expected

from appreciation of intelligence reports, which we receive and other pertinent factors, such as weather conditions and stock sales. I consider that there are adequate forces in the North-Eastern and Eastern Provinces to contain and overcome the *Shifita* menace and so to end all fears that exist among the civilian population.

Mr. Ithrali: Mr. Speaker, Sir, is the Assistant Minister aware that these provinces cover an enormous area and the security forces have to travel vast distances?

Mr. Argwings-Kodhek: I am quite aware that there is a great distance, but the person we have in charge of the province in that particular area, and the police officer also in charge of the province, surveys the situation and gives adequate reports by radio telephone and by the fastest and quickest means possible. We are aware of the situation, we look at it, we survey it and we appreciate the intelligence reports, which perhaps the hon. Member does not know about, so he can rest assured that he is well and properly protected.

Mr. Mate: Mr. Speaker, Sir, since the last attack in Meru by the *Shifita*, when they came as far as Meru itself, and since the President came to that place, may I know what practical steps have been taken, apart from giving us a general statement. What practical steps have been taken?

Mr. Argwings-Kodhek: Mr. Speaker, Sir, I answered only a month or so ago, that we are opening and reopening other police posts in that particular area.

Mr. Khalil: Mr. Speaker, Sir, is the Assistant Minister aware that lately the *Shifita* are concentrating in other provinces of Kenya, for example, in the Eastern Provinces, and therefore, Sir, if the answer is in the affirmative, could the Assistant Minister tell this House what he is doing to see that they do not concentrate in these other provinces?

Mr. Argwings-Kodhek: Mr. Speaker, Sir, we certainly watch out for people who are *Shifita*, and if the hon. Member for Wajir North and other Members would tell us who these *Shifita* are, we will deal with them. But, Sir, it is known that we have killed more *Shifita* this year than in any other year.

Mr. Rurumban: Mr. Speaker, Sir, will the Assistant Minister tell the House why is it that when this committee has been reviewing the situation in the Northern Frontier District, that the situation has not been normalized yet?

Mr. Argwings-Kodhek: Well, there are human problems. The reason why things may not be normal in those areas are well known to hon.

Wednesday, 8th December 1965

The House met at thirty minutes past Two o'clock.

[The Speaker (Mr. Slade) in the Chair]

#### PRAYERS

#### NOTICES OF MOTIONS

Mr. Mate: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

##### SUBDIVISION OF MERU DISTRICT

THAT in view of the size and administrative problems of Meru District which is so large, this House urges Government to subdivide Meru into North Meru, Central Meru and South Meru Districts with respective district headquarters at Maua, Mutindwa and Egoji, and to introduce such legislation for amendment of the Constitution as may be necessary for that purpose.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, I beg to give notice of the following Motions:—

##### ERECTION OF INDEPENDENCE MEMORIAL

THAT this House:—

- (a) Recalling the struggle for independence in this country;
- (b) Appreciating the fact that it was because of the shedding of blood by the sons of this country that we regained our *Uhuru* from the colonianists:—

(1) Calls upon the Government of this country in conjunction with the City Council of Nairobi to erect a memorial monument in such an open space as to allow remembrance assembly at the site to be known as "*Bustani ya Mashujaa*".

(2) Requests that the "*Bustani ya Mashujaa*" be a place of reverence.

(3) Requests further that on the Kenyatta Day a formal ceremony be conducted in this "*Bustani ya Mashujaa*".

Mr. Speaker, Sir, I beg to give notice of the following Motion:—

##### ESTABLISHMENT OF CONSTITUENCY DEVELOPMENT FUND

THAT this House:—

- (a) desiring that every constituency of this country should be developed;

(b) considering the difficulties our Government has in carrying out the development programmes in every part of the country due to the limited funds it has for this purpose;

(c) considering also that this country is committed to the policy of African Socialism as outlined in the Sessional Paper No. 10;

(d) being of the opinion that the only way to help the Government to achieve its development objectives in every sector of this country is for everybody in this country to make some sacrifice in the spirit of *Harambee*;

(e) being convinced that the best way for everybody to make the sacrifice stated in (c) above is to make some donation in money or in kind to the Nation:—

(1) Calls upon the Government to establish a fund to be known as the Constituency Development Fund hereinafter referred to as "the fund".

(2) Requests that the fund be administered by both the Speakers of the National Assembly in an office to be established by the Government in the Parliament Buildings.

(3) Requests all the hon. Members of the National Assembly being the elders of this country to donate each a monthly sum of one hundred shillings to be deducted from their monthly salaries at the source.

(4) Appeals to all people living and working in Kenya and earning a monthly basic salary of two thousand shillings and above (except members of the diplomatic corps of foreign countries) to donate to the fund a monthly sum of fifty shillings to be deducted from their monthly salaries at the source.

(5) Appeals to all people working in Kenya Urban Areas, in Kericho Tea Estates, working for local authorities and those working for the Kenya Government earning a basic salary of less than two thousand shillings to donate one shilling monthly to be deducted from their monthly salary at the source.

(6) Appeals to all employers including the Government of the Republic of Kenya and local authorities in their capacity as employers to facilitate the collection of the donations and hand them over to the fund during the first fifteen days of each month.

#### [The Assistant Minister for Agriculture and Animal Husbandry]

(7) Requests the fund after assessing the total monthly donations for the first three months of its existence to apply for the necessary loan for two years with a half per cent interest from all the commercial banks operating in this country with a guarantee of repaying the loans to each bank in twenty-four equal instalments beginning at the end of the first month after the loan has been given.

(8) Appeals to all the commercial banks operating in this country to cooperate in this self-sacrificing venture.

(9) Requests the Government, in case of number seven above failing, to apply for the necessary loan from one of the world banks.

(10) Requests the fund to allocate equally any money thus raised to all the constituencies of the House of Representatives, except those constituencies based in the major towns and the city of this country, for the development of these constituencies.

(11) Requests all House of Representatives Constituency Members other than those representing the constituencies based in the major towns and the city of this country, to submit top priority written development plans for their constituencies.

(12) Requests the Government to give all the necessary assistance both in advice and in material to the fund in its deliberations.

(13) Invites all friendly countries, organizations, firms and individual people to donate charitably to the fund.

(14) Requests all the workers donating to the fund not to use the plea made in this Motion as a basis of arguing for increased salaries.

(15) Wishes that this Motion be affected immediately if it is passed by this House.

(16) Requests the Government to convey the information contained herein to all concerned.

(17) And recommends that before the fund is dissolved at the end of twenty-seven months, its activities over this period be reported to this House and discussed.

#### POINT OF ORDER

##### LENORTHY NOTICES OF MOTIONS

Mr. Jahazi: On a point of order, Mr. Speaker, in view of the fact that we have just had the longest Motion in this House from our man in the United Nations, the hon. Osogo, may I know whether there is any limit on the length of a Motion in our Standing Orders?

The Speaker (Mr. Slade): No, I cannot say that a Motion of that length, or of any other particular length, is contrary to our Standing Orders, but I did point out to Mr. Osogo that this kind of Motion—so long and verbose and so full of detail—is more suited to the United Nations or a world conference than to a Parliament. I do not think that hon. Members will really find that such a Motion will prosper, and I hope that many will follow this example.

The Assistant Minister for Lands and Settlement (Mr. Gachago): On a point of order, Mr. Speaker, since an Assistant Minister of this Government is not allowed to ask a question, is it in order for an Assistant Minister of the Government to give notice of a Motion?

The Speaker (Mr. Slade): It is in order as far as the House is concerned, yes; but whether the Government approves is another matter. But I would remind hon. Members that they have two responsibilities; one is as a Member of the Government, if they are Members of the Government, and the other is as a constituency Member. We do not allow Assistant Ministers to ask questions of other Ministers, because they tend to get the two mixed up and start asking questions as Ministers to help out the other Ministers. That is not allowed. But there is nothing in our Orders, certainly, to prevent a Minister or an Assistant Minister from giving notice of a private Motion in his capacity as constituency Member. It is simply a question of whether Government approves or not, and that is Government's affair.

Mr. Somo: On a point of order, Mr. Speaker, is it in order for hon. Members of this House to sit on the Speaker's Gallery when this House is performing its duties?

The Speaker (Mr. Slade): There is no objection.

#### NOTICE OF MOTION

##### INCREASED TECHNICAL EDUCATION

Mr. Bala: Mr. Speaker, Sir, I beg to give notice of the following Motion:

THAT this House, being aware of the needs and importance of technical education in the country, calls upon the Government to increase

**[The Assistant Minister for Education]**

Member said, and I must assure the House that the question of re-examination of these schools have been completely denied by my Ministry. In other words, we have ruled out the question of re-examining these children.

Mr. Speaker, Sir, again, if the Members will be patient I will tell them why this is so. The reasons why we have taken this action, Mr. Speaker, Sir, is because we thought that re-examination might give the impression that the collusion could be committed with impunity and might as well perpetuate the leakage in future years.

This is why we think, Mr. Speaker, it is necessary to apply a different method to determine whether or not these particular children did see the Kenya Preliminary Examination papers.

Mr. Speaker, let me say first of all something about the steps we took to ensure that there was going to be no leakage this year. One hon. Member—I think Mr. Makokha—alleged that the Kenya Preliminary Examination papers were printed in Ethiopia. I would like to make this very clear for the sake of the record. Our Kenya Preliminary Examination papers were printed in England and when—

Hon. Members: In England?

The Assistant Minister for Education (Mr. Mutiso): In London, for that matter.

Mr. Speaker; the papers arrived in Mombasa by ship and members of my Ministry, together with members of the police and the inspectorate, were there to supervise the transfer of those papers to the East African Railways bogey. When these papers were put into the bogey, the Ministry took the key. When the papers arrived in Nairobi they were placed in another vehicle with a police escort and transported to the different areas where the examinations were to take place. In those places, Mr. Speaker, they were also transported under police escort. When they arrived, on the previous evening, they were locked in the provincial commissioner's safe and an escort was put there until the following morning, when these papers were sent to the schools.

Mr. Speaker, I do not know how the allegation came about that these papers were taken out by certain members of the Ministry or somebody. I cannot say that there was no leakage, because this has been alleged, and, as I said, we have already set up machinery to investigate whether—

The Speaker (Mr. Slade): Order! Order! Hon. Members have had their say.

The Assistant Minister for Education (Mr. Mutiso): We have set up machinery to find out whether there has been a true leakage. There could be some allegations, and these matters must be properly investigated. Since this is a national and very important issue, we have put this matter under police investigation. Until we have the facts on hand, we shall not be in a position to say whether this was just an allegation or a fact.

Mr. Speaker, one thing I must say is that my Ministry has received reports of a suspected leakage from a certain area of Kenya, and investigations are now being carried out by the right authorities. In the meantime, the House can rest assured that if a leakage in connexion with this examination is proved anywhere in Kenya, appropriate action will be taken against those responsible.

Hon. Members: What about the children?

The Assistant Minister for Education (Mr. Mutiso): As regards the children, Mr. Speaker, I must emphasize that the re-examination of any candidate is out of the question and that it was never contemplated before.

As far as the safeguarding of Kenya Preliminary Examination question papers is concerned, it is not true to say that there was any carelessness, as some Members have alleged, and, as I have already outlined, we used all the Government machinery to ensure that all the necessary guarding of these papers has been taken into consideration.

Mr. Speaker, one thing I must emphasize is that if it is determined that certain children did see these papers, then we shall use our discretion to ascertain that these children will never have the advantage over others who did not see the papers. Therefore, we are not going to punish the children but, as I said, we shall use an alternative method to ensure that these children will be treated equally as other children who did not see the examination papers.

Mr. Speaker, the hon. Members are insisting that I tell them the method. Of course, some hon. Members, when speaking, did say we should consider using their terminal performances as a basis for determining whether or not these children are fit to go for secondary education. This is one of the methods we might think of applying, Mr. Speaker, but we cannot use this method for the whole of the country because we do not want to punish the whole country. We are only dealing with a specific case in a specific area.

Therefore, Mr. Speaker, I think this is a matter about which Members should not be very much alarmed, since we have taken the necessary

**[The Assistant Minister for Education]**

measures to ensure that there is not a repetition, as was the case last year. Members can be satisfied that we have done our best to ensure that and this is only one section of the whole country, as compared with the results of last year where the leakages were all over the country. So I think the Members should also thank the Ministry because we have done all we could. However, I assure the hon. Members that as soon as we find out the persons responsible for these leakages, the necessary action will be taken.

Mr. Malinda: Mr. Speaker, I would like to say that, according to the Assistant Minister, the steps that the Government took to ensure the security of these papers are highly commendable. To have them printed outside the country, to bring them under police guard and to take all the steps which the Government did take is a very highly commendable action. However, Mr. Speaker, if it is found, as is being alleged, that there was a leakage, then the Government should think again on these lines.

Who are the people who set these questions? Could they have any connexion with some of the schools? If that is so, Mr. Speaker, then the Government should devise another method of setting the questions for the Kenya Preliminary Examination. Mr. Speaker, if that fails at the end of next year, then I suggest here—and very seriously—that Government should consider immediately dispensing with the Kenya Preliminary Examination in future years and take the progressive performance of children from the time they entered Standard IV in intermediate schools. That should be counted towards their qualification for going to secondary schools.

Mr. Speaker, I support.

## ADJOURNMENT

The Speaker (Mr. Slade): Order! That is the end of our half-hour. The House is therefore adjourned until tomorrow, Wednesday, 8th December, at 2.30 p.m.

The House rose at Seven o'clock.

[Mr. Barasa]

proper place in Kenya. Therefore, because we do not have the proper Minister, we do not have the proper men in the Ministry to run it.

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

Mr. Anyieni: Mr. Speaker, Sir, it was only last year, I think it was last year, Sir, when we were in the other Chamber, when this matter was again brought up. We debated this matter, and the then Minister for Education, who is now the Minister for Health, assured us that this would not take place. However, Sir, when the *Mzee* reshuffled his Cabinet and he appointed Mr. Koinange to be the Minister for Education we thought that the undertaking which was given by the former Minister for Education did still stand, but it seems that now we are going to be given a new assurance, and again when Mr. Koinange is transferred to another Ministry, and somebody else takes over his place, again we will have to be assured. Mr. Speaker, Sir, in this Motion on the Adjournment I would like to express my deep disappointment to the fact that the Minister himself does not deem this matter to be of enough importance for him personally to come to this House and say something to us. Instead he sends his Assistant Minister to come to this House and say something on his behalf. I feel that this matter should go to the Cabinet, but the Assistant Minister does not have secrets within the Cabinet, and I do not know what the Assistant Minister is going to tell us, or whether he is really big enough to give us the assurance and whether it will be valid.

Mr. Speaker, Sir, it is stated that it was in the Western Province where this leakage was discovered, but it could be possible that even in the other areas, in the Central Province, in the Coast Province or in the Nyanza Province there was a leakage, but it was not discovered, therefore, Sir, what is going to happen as a result? Only the children in the Western Province are going to be penalized. Mr. Speaker, Sir, this is very suspicious. We understand that there are many secondary schools in the Central Province, and that the students there do very well, that is why there are more secondary schools there, but it must be because of these leakages that we have some students passing from one area and another, but there are others who do not pass at all.

Now, Mr. Speaker, Sir, how are we going to find this out? We have come to a stage where these examinations are useless, and if the Government has discovered that they cannot stop these leakages, then the Government should stop this examination. Let the Government pick the pupils

to go to the secondary schools according to their performances in the classes, because now, Mr. Speaker, Sir, what is going to happen is that a stupid child who probably does not understand anything is going to have the chance of going to a secondary school, and when he goes to the school he will stay there, but when the time comes for him to take his School Certificate examination he will take it, but fail. But, Sir, a child who did not look at the papers, and who probably does not get high marks, is going to be penalized. Is this the fault of the child, because she may or may not have access to the paper, but whatever the case she is going to be penalized? Whose responsibility is this? It is the responsibility of the Ministry, and if the Ministry of Education has failed to take care of this I think that in other countries when things like this happen, the Minister concerned does resign. This is the ethic, this is the manhood which shows that the man is an honest man. Why, when this is continuing, can the Minister and the Assistant Minister not consider their positions, and resign so that we can have another man there who can do the work better?

Mr. Speaker, Sir, we believe in this House that we are not going to have any year where there is not going to be a leakage. Every year there is going to be a leakage, and therefore, not only should we demand that the Government should do something, but we demand that this thing should be brought up so that the Government will decide if they fail to keep any secrets, and it is quite clear that there are no secrets in this Government. Everything that is discussed in the Cabinet, and every secret paper is exposed. It is exposed by the Cabinet—

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onyok): On a point of order, Mr. Speaker, Sir, I do not know whether I will be in order, but I would like to ask the hon. Member to substantiate why he feels that the Cabinet Papers are open? I do not want to argue with his remarks concerning the debate, but I want him to substantiate.

The Speaker (Mr. Slade): No, I think it is better for me to point out, as I was just going to, that it is quite irrelevant to this discussion as to any secrecy in the Cabinet. The leakage of examination papers is quite a different thing.

Mr. Anyieni: Mr. Speaker, Sir, I accept that, but we have discovered that there is no secrecy at all, and that there is weakness and therefore the Government should realize this is bad for the country, when it is read overseas that some people have an access to the examination paper. It gives the people abroad the wrong picture of Kenya.

[Mr. Anyieni]

Mr. Speaker, Sir, because I want to give other hon. Members the chance to speak and give their examples, I will give this chance to the other Members.

Mr. Makokha: Thank you very much, Mr. Speaker, Sir.

Mr. Speaker, Sir, the time is short and therefore I will try to be short too. First, Sir, the Ministry of Education, I feel, is a very good example of confusion in the country. These leakages, and I remember when I spoke on the adjournment of the House on 12th November, I said that there was something already wrong with the Kenya Preliminary Examination, and even suggested that the Kenya Preliminary Examination be postponed. However, Sir, nobody seems to have taken my word.

Now, Mr. Speaker, Sir, we have these leakages, and I understand that the leakages that affected the Western Region, their source was the Rift Valley. On 8th November, Mr. Speaker, Sir, the girls at Lugulu already had the Kenya Preliminary Examination papers. The education officers were here in Nairobi trying to correct the mistakes while the girls at Lugulu already had the Kenya Preliminary Examination papers. I understand, Mr. Speaker, Sir, that these papers came from the Rift Valley.

Secondly, Mr. Speaker, Sir, the education officers in the Western Province were instructed to tell the schools concerned that they were going to do this examination again, and these education officers did a lot of work getting the schools ready to resit the examination on 2nd and 3rd December. Now, Mr. Speaker, Sir, at the very last moment, with not even a telegram, the education officer, particularly the one at Bungoma, received a telephone message informing him, only a few hours before the children were due to resit the examination, that now the children were not going to resit that examination. So, Sir, up to now the education officers do not know what is happening. They do not know what is happening. They do not even know how the children are going to be assisted in their education.

Mr. Speaker, Sir, the point I want to stress very much is the point with regards to assessment of children for the secondary schools, and how it is going to happen. You cannot have in certain schools the assessment based on the Kenya Preliminary Examination, and others probably based on leakages and others based on classroom marks. This, Mr. Speaker, Sir, is a complete mess, and very, very uneducational.

Mr. Speaker, Sir, I was wondering if I could suggest to the Ministry of Education, now that it is impossible to avoid these leakages, that probably the best thing to do now is to abolish the Kenya Preliminary Examination altogether. Just let us have the children joining the secondary schools in accordance with their performance at the school. Mr. Speaker, I understand, from the former Minister for Education, that in taking precautions that this would not happen, they intended to print the examination papers elsewhere, outside Kenya. I understand that this time the papers were printed in Ethiopia. If that is true, that they were printed in Ethiopia or Tanzania, then what other precautions were taken? Did the Ministry of Education just go to sleep thinking that because they were being printed outside Kenya, there was no need for any other precaution? Mr. Speaker, Sir, I would like to have an answer from the Assistant Minister.

Mr. Speaker, Sir, before I sit down, I would also like to ask the Assistant Minister for Education to make it known to the Minister for Education, the hon. Mr. Koinange, that we are very disappointed in this House. The hon. Mutiso has had to put up with a lot of hard times in this House, through no fault of his own. So, Sir, please may we ask the Assistant Minister to mention to the Minister that this House is very, very disappointed in him.

Mr. Speaker, Sir, I beg to support.

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, the Ministry of Education views this matter with grave concern, and Mr. Speaker, Sir, according to what the Members of this House have expressed I have this to say.

First of all, I would like to say that the Ministry received reports of allegations of leakages of the Kenya Preliminary Examination papers, first from the provincial education officers of the Western and Rift Valley Provinces. Now, Sir, these officers put the matter into the hands of the police who are, up to this moment, making investigations. If you will be patient I will tell you what investigations are being made.

First of all, Mr. Speaker, Sir, reports came from the small area of Bungoma and Nandi Hills. Since this has been almost a recurrent thing, which happens yearly, this time we thought that the measures which the Ministry of Education took to make the Kenya Preliminary Examination papers secret until the last moment was adequate measure in order to provide the necessary secrecy. For this reason, Mr. Speaker, Sir, the number of the schools affected could not be established in good time for the re-examination, as some hon.



[Mr. Malinda] whether they are business sections. Mr. Speaker, that is important, so that when we come to the Committee stage we can pass this Bill without much argument.

Mr. Speaker, the other thing on which I would like to touch very briefly, is the provision that the Bill has made for the chairman of the Eviction of Tenants (Control) Board. Although the previous chairman was a resident magistrate, he is going to be replaced by a person who has legal knowledge. Mr. Speaker, I would like to request the Minister at least to undertake in this House that when he agrees on the person to be the chairman of this rent control board that he will try to get an African as the chairman. I say this, Mr. Speaker, because it is the Africans who suffer most at the hands of these unscrupulous landlords in places such as Mombasa. It is the African who will understand much better the feelings of the Africans who form the bulk of the tenants. Sir, although it is quite true that any advocate is a legal man, but there is more to the professional standing of a person, that is, if a person belongs to a certain group of people who he understands better, he will try his best and he will do the best he can to see that the right thing is done without any favouritism.

Mr. Speaker, with these few remarks which I hope the Minister will clarify—I beg to support.

**The Speaker (Mr. Slade):** It is just about time for the interruption of business now.

#### MOTION FOR THE ADJOURNMENT

##### SAFEGUARDING KENYA PRELIMINARY EXAMINATION PAPERS

**The Speaker (Mr. Slade):** I will now call upon a Minister to move that the House do now adjourn, as there is a matter to be raised on the adjournment.

**The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onyko):** Mr. Speaker, Sir, I beg to move that the House do now adjourn.

**The Assistant Minister for Education (Mr. Mutiso)** seconded.

(Question proposed)

**Mr. Barasa:** Mr. Speaker, Sir, I rise to raise a matter concerning the carelessness in safeguarding the examination papers for the Kenya Preliminary Examination which took place this year.

The Kenya Preliminary Examination took place on the 15th November 1965—it was a Monday—and on the same day a certain number of pupils in Bungoma District were taken by the police to

the cells and they were there for two or three days. After these boys had been released from the cells—of course, one girl was involved from Lugulu Girls Intermediate School—this incident was followed by a certain circular from the Bungoma County Education Officer, which read as follows, Sir, with your permission:

“Special K.P.E., 1965, it is certain that a number of candidates from the following schools, saw the K.P.E. questions before the examination and, by copy of this letter, I am asking the heads of the schools to make sure that the pupils from their schools are ready to rewrite K.P.E. on Thursday, 2nd December 1965:

Lugulu Girls School, Ndwiwi School, Kamakuywa School, Kimiluu R.C. School, Lugulu Mixed School, Mihuu School, Kibingei School, Namarambi School, Misemwa School, Wabukhonyi School, Chesamisi School.”

These schools were to rewrite the examination on the 2nd December, a Thursday. Before this day the education officer had to go round again, asking the teachers not to send the pupils to the centres where they were required to rewrite the examination. But the Ministry of Education, as far as I understand now, say they are going to assess the results of these schools; even if the schools happen to get very high marks they would not have chances in the secondary schools. This means that these schools are going to be punished. What about the sources of the leakage?

I understand the senior officer from the Ministry of Education had a girl at Iregi Girls Intermediate School, and what he did was to take a paper out to send to Iregi so that his daughter would get acquainted with the question. That is how the leakage came out.

**The Assistant Minister for Education (Mr. Mutiso):** On a point of order, Mr. Speaker—

**The Speaker (Mr. Slade):** Sit down, Mr. Barasa, this is a point of order.

**Mr. Barasa:** He is wasting my time.

**The Speaker (Mr. Slade):** He is not wasting your time unless it is a false point of order. This sounds to me a very sound point of order.

**The Assistant Minister for Education (Mr. Mutiso):** Mr. Speaker, I am standing to ask whether I will be in order to ask the hon. Member to substantiate that serious allegation that a senior officer of my Ministry has a daughter at that school and that, therefore, he showed the answers to that girl so that she would pass the examination.

**Mr. Barasa:** Mr. Speaker, Sir—

**The Speaker (Mr. Slade):** Order! Order! Hon. Members wait until I answer a point of order. Yes, most certainly you are entitled to require substantiation of that allegation. So, will you substantiate, Mr. Barasa?

**Mr. Barasa:** Mr. Speaker, Sir, since the pupils in Kakamega District and in Bungoma District were asked to rewrite the examination, and since I do not have the right substantiation to give, let me withdraw that part, Sir.

**The Speaker (Mr. Slade):** Now, let us get this clear; what part are you withdrawing?

**Mr. Barasa:** I withdraw the part where I said about Iregi.

**The Speaker (Mr. Slade):** Yes. You are withdrawing all that you said about the senior officer of education, are you?

**Mr. Barasa:** Which means that part concerned with Iregi—the matter is connected with Iregi, therefore I withdraw the whole lot, Sir.

**The Speaker (Mr. Slade):** Yes. Now, before you go on, I would point out to hon. Members that it is not quite good enough to make such a serious allegation and then just withdraw. On this occasion, and in future on other occasions of this kind, if an hon. Member cannot substantiate, he will not only withdraw, but he will also apologize for making such an allegation. So, please apologize, Mr. Barasa, for this.

**Mr. Barasa:** I am making an apology.

Now, Mr. Speaker, Sir, in Bungoma District, as far as I know, the police had to go to Kitale over the leakage of the examination, which had to come through Trans Nzola. And when they went there, unfortunately they never found the teacher concerned; they had to chase him for some time. But the Minister has not told us of this.

Secondly, Mr. Speaker, it is very shameful that these students from the schools that are suspected are never selected for secondary studies. As far as I know from Bungoma District, there was a leakage in 1960. This leakage happened at a certain school, and up to this moment that school has never had any students to Kamusinga Secondary School because it was assumed by the headmaster concerned that since there was a leakage in 1960 there was no need to take any pupil from such a school. What the Minister of Education is going to do is to assess these results. I would like to know, Sir, whether the schools that I have just read, which were mentioned by the education officer of Bungoma; or of Kakamega, will be suspected, because the pupils are innocent—they have nothing to do with the leakage. The

people who stole the papers and made a profit out of them are the ones who are responsible, because the pupils are not in the Ministry of Education. These are the things that I would like to know, Mr. Speaker. And, also, as my time is over—

**The Speaker (Mr. Slade):** You have about three minutes left.

**Mr. Barasa:** Thank you, Mr. Speaker.

I would also like to ask the Minister for Education to have direction, because the Minister for Education has not left a chance for the citizens of Kenya to participate in the education committees. We used to have a district education board and a provincial education board, but now, Sir, we do not have all these boards, and these are the ones which would have directed the Ministry of Education. I feel that the Ministry of Education is lacking direction as well as lacking principles. Therefore, Sir, what I would like to say finally is this.

**Mr. Speaker:** Sir, our innocent children in the Western Province should not be punished because of suspicion, they should not be punished because of such a member of the Ministry of Education who might have released news about this examination. They are completely innocent, and I would like to ask the Minister for Education at the same time, when he was setting these papers, what would happen if one of these children from the Western Province had done very well. He would have suspected that the people at that school had seen the papers, then it would be very wrong. For example, “Mr. Speaker, Sir, if the paper had been one answer questions, as I am given to understand they do have one. How are they going to assess this paper, will it subject to similarity of answers? If so, Sir, I feel that this is grossly unfair, because if the answer is “Mohamed”, then naturally if the child knows it they will put “Mohamed” and so will everybody else who knows the answer. I therefore feel that one cannot be judged by this answer alone.

**Mr. Speaker:** Sir, another thing which I would like to ask the Minister for Education: Bungoma is completely involved, but I do not know why the Minister for Education was afraid to reset the examination papers and re-examine the students. I can only resolve that the Ministry of Education was not sure of the schools where they thought they had stolen the papers beforehand, and if they knew that, then why did they send this circular? Mr. Speaker, Sir, up to this moment, I believe that the Minister for Education is completely careless, inefficient, indiscreet and has no

**[The Assistant Minister for Education]**

of this House, I would like to move the adjournment of this debate on this Bill so that the Minister will have the opportunity to redraft it and so that he can bring an acceptable Bill to this House.

I beg to move.

**The Deputy Speaker (Dr. De Souza):** Second?

**Mr. Ngala-Abok:** I am seconding, Mr. Deputy Speaker. Knowing the Minister as I do, that he would like to be very fair to the country and that he is also an Elected Member and a politician and a Minister at the same time; knowing, as we do, that it is much better to pass a Bill which is popular with the people and also in the interests of our lower-paid classes, it is most wise to adjourn the debate on this Motion to allow the Minister to consult with the Parliamentary Group and to take any measures necessary to bring about a harmony of some kind so that a better Bill is introduced to the House. So I think that the Minister, without entering into any difficulties with the Members of this House, will be good enough to consult with his colleague, the Members, and then make sure that a better Bill is presented to this House.

*(Question proposed)*

*(Question put and agreed to)*

**BILL****Second Reading****THE EVICTION OF TENANTS (CONTROL) (MOMBASA) (AMENDMENT) BILL**

**The Minister for Health and Housing (Mr. Otieno):** Mr. Deputy Speaker, I hope this time there will be no objections?

If I remember correctly from last time, Sir, this is a very simple Bill. We were asked to appoint, instead of having a permanent magistrate in Mombasa controlling the eviction of tenants, a legal person as chairman, because this is a special Bill for Mombasa where there is an acute shortage of houses. This is an old Bill which lasts one year and then it is thrown out.

Because of the difficulties, which I related to the House last time, I would like to ask the House to agree that Government should control the eviction of tenants from their houses in Mombasa so that they are not thrown out into the streets; and that the Government should have a board for appeal under the chairmanship of a professional, legal person.

That is all there is to that Bill. I beg to move.

**The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onyko)** seconded.  
*(Question proposed)*

**Mr. Masinde:** Mr. Deputy Speaker, I particularly have had experience of Mombasa. In fact, I stayed there for a number of years and I know the situation at the coast.

Of course, you know what I was doing there. You have refused to take industries to the Western Province, so that is why I went to Mombasa to work.

Sorry, Mr. Deputy Speaker. This is a genuine Bill and I hope that all the details which are included in the Bill will actually be used to protect the Africans who form the majority of tenants in Mombasa. But before I say whether I support the Bill or not, as it stands, a condition is that it should be tied in with the main Bill which is going to cover the whole country. But if the Minister is going to tell the House that this is necessary as a temporary measure, before the Bill which has just been suspended, then we will understand, because we know very well that there are a lot of people who are affected.

Now this not only concerns Mombasa, it concerns nearly the whole of the coastal strip; but since the Minister is only dealing with housing, I do not know how we are going to deal with it because there are two things—

**The Deputy Speaker (Dr. De Souza):** Speak to the Bill, Mr. Masinde, not the whole question of housing.

**Mr. Masinde:** Mr. Deputy Speaker, may I point out a few things which are involved here. We have the Mombasa District and we have Mombasa Township, and whether this is covering the whole of Mombasa District, which includes the ten-mile strip, or not, I do not know. But I would like clarification on that, Sir.

**The Deputy Speaker (Dr. De Souza):** I think I must clarify this; I want to get the debate quite clear on this particular matter. In an Amendment Bill one can only speak on the subject on which the amendment is proposed not even on the policy which is allowed in the main Bill. On considering again, perhaps I let Mr. Anyieni have a little too much latitude in the previous debate; but he got away with it, so there is nothing much I can do now. But now that we are discussing an Amendment Bill I think one must be quite strict, and you must restrict yourself to the exact amendment proposed.

**Mr. Masinde:** Mr. Deputy Speaker, I am trying to restrict myself but whether it will be necessary for me to tackle other Ministries, which are

**[Mr. Masinde]**— I think I will take that as a separate matter. But here, coming to the actual Bill, I want to warn the hon. Minister about getting an O.K. in this House. He gets out with it and when he gets out they tend in this country now—and it is one of the biggest mistakes we are experiencing—when they talk about professional and qualified people who are usually getting these appointments, you get the very people engaged in the middle of discharging or, say, evicting people from these houses, but these are the people considered for the job, which is what the Minister is intending to do. Sir, I would like to see on this board some of the local people, particularly those who have suffered the pain of being evicted, not only to consider the professional, as far as seats on the board are concerned.

It says this because you will find that most of these professionals think it fit to put an Asian there, there are very many Asians and they put in very mild terms, and they know what they can get from the back door.

**Mr. Speaker:** I hope the Minister will take note and, if necessary, use our few people now in the country who are all equally qualified to do some of these jobs. If we are going to consider them—however few they may be—those who are not employed today in the Government services should be considered for this, however few they may be; even if they sit on a number of boards this does not matter. Because they are a few, let us make use of them, rather than having these people who make a lot of trouble for their colleagues.

*[The Deputy Speaker (Dr. De Souza) leaves the Chair]*

*[The Speaker (Mr. Slade) resumed the Chair]*

**Mr. Speaker,** coming to the question of particular houses in Mombasa where we are trying to impose this control, I do not know how soon the Bill we have just adjourned debate on is going to come because these, which are termed as houses, are not actual houses; some of them are shanties, but these people charge any rent they like. Also, the municipal council used the magistrate there as their person, during the days that I was in Mombasa. Whenever they had a case, it was a straight case that the tenant was always wrong. Whether they were right or not, there was no case, the tenants only had an eviction order. I think this Bill should protect the ordinary person now, it should not only see that the municipal council is on the safe side. In the past if the municipal council said that you should go out, you always had to go out, without any reasons at all.

Sir, we have given a lot of changes to the local governments and because of this the local governments have become small empires, as if they were not controlled by this Government. This is now the time that the local governments should be made to realize that they are not supposed to be profit-making organizations so as to make some beautiful terraces for people who can go out in the evening, to make some beautiful roundabouts for those who can drive—

**The Speaker (Mr. Slade):** Mr. Masinde: I think we are going outside the scope of this Bill now. Keep to the very limited scope.

**Mr. Masinde:** Yes, Mr. Speaker. What I was only mentioning to the Minister was that he should consider that the Mombasa Municipal Council should also be under strict restrictions—

**The Speaker (Mr. Slade):** Yes, but that is not relevant to the Bill, as far as I can see. Keep to the scope of the Bill.

**Mr. Masinde:** Yes, Mr. Speaker.

In finishing, Sir, I think that I have put my case quite clearly, and if the Minister will consider this we will give him an Okay for this Bill. Thank you very much.

**Mr. Malinda:** Thank you, Mr. Speaker.

While supporting this Bill—which I think is very important for the residents of Mombasa—I would like the Minister when he gets up to reply, to make some clarification as to whom this Bill is intended to apply. Sir, when looking at the Bill, it is called Eviction of Tenants (Control) (Mombasa) (Amendment) Bill, but it does not specify what class of premises, whether business premises, whether residential premises, whether business cum residential premises, which will be concerned with this Bill. Mr. Speaker, I would like the Minister to elucidate there and say categorically that this is going to apply to residential premises and then I will know that he is doing a good job of work.

**The Speaker (Mr. Slade):** Mr. Malinda, again I must point out that this is a very limited amendment of an existing law. The extent of application of the existing law will be seen in the existing law and I cannot allow hon. Members, on a Bill for amendment of this kind, to start discussing the effect or scope of the principal Act. You must confine yourself to the actual amendments that are proposed by this Bill.

**Mr. Malinda:** Further to that, Mr. Speaker, I would like the Minister to also tell us what clause 3, paragraph 2 refers to. What are these sections of Mombasa that are referred to here? We want to know whether they are residential or

[Mr. Anyieni]

you the food. This is very bad. If you die before you have eaten the food, what happens then? So, I think here also the idea of paying in advance should be withdrawn and this Bill is the one which can take care of that. But this is not inserted here, this is like a dictator's Bill, it is not a people's Bill.

Therefore, this Bill, Mr. Deputy Speaker, should be withdrawn so that it can be written in such a way that it will safeguard the African people. Mr. Deputy Speaker, the reason why I am saying this is that one hon. Member did say that it is known who are the landlords, but some of us who are not diplomatic can say who the landlords are. The Asian is the landlord and the African is the tenant. Mr. Deputy Speaker, there are very few African landlords; there are about one or two. So, Mr. Deputy Speaker, this Bill must reflect the wish of the majority of the people in the countryside who are employed in towns. Mr. Deputy Speaker, also in this Bill you do not see the standard of house. You find some houses which are of a very poor standard, but because they are big, people are paying too much. When the house was built should be taken into account. Some of these houses, you find, are smelly inside, not because they are not swept but because they are very old. So, Mr. Deputy Speaker, this also should be taken into account. If a house was built in 1940, by now people should only pay Sh. 10, even if it has three bedrooms because if the house was built in 1940 and people have been living there, paying rent, the man who built the house by now has recovered his money and also made a profit of 100 per cent. Why should the rent go up and up and up Mr. Deputy Speaker, that should also be taken into account.

Mr. Deputy Speaker, as regards the City Council of Nairobi, this Bill fails to say certain things. I lived for some time in Kampala, at Ntinda, in a house which had three bedrooms, a sitting room, kitchen and everything, and I was paying only Sh. 89, and this house was going to become mine after ten years. But here with the City Council you will pay until you die in Nairobi, and the house does not belong to you. What is the point of this Bill, if it does not include this? This Bill is becoming useless, the Minister should withdraw it, so that this can be made possible.

Mr. Deputy Speaker, for example, as regards the houses in Woodley and even those in the locations, the African who is living there should be told that if he lives in a house continuously for fifteen years—because there are some people, Mr. Deputy Speaker, who have no houses in the

countryside, they are living in town here, and you will find a person who has been living in Nairobi for fifteen years—when he dies, his wife and children have nowhere to go, because he has been living in such houses. So this Bill must make it possible for the houses of the City Council to be purchased through the tenant purchase scheme, because the conditions laid down by those who are going away are very expensive. For instance, if you want to buy a house here in Nairobi now, maybe a two-bedroomed house, you have to deposit Sh. 20,000. The Africans do not have Sh. 20,000. So, Mr. Deputy Speaker, this Bill should cover the City Council houses.

Mr. Deputy Speaker, another thing the Bill should be able to cover is this. We have some landlords who built these houses long, long ago, and they went to India, some twenty or ten years ago. Up to this time, still, money is being paid into the bank and it is going to Bombay. Mr. Deputy Speaker, we want this Bill to say that from 13th December as regards a non-citizen who still has a house in Nairobi, if he is living in Bombay, the Government should try and find out, take it over and rent it to the people. The children of some people who lived here some forty or fifty years ago and died long ago had no confidence in Kenya and they moved to Bombay and to London; some of them have settled in South Africa and some are now in Rhodesia. We are continuing to pay rent here and this rent goes to help Smith. This should not be allowed, and if this Bill does not incorporate that, what is the point of this Bill? This is a useless Bill. This will not be termed robbing, because Kenya is not a place where everybody can go and put in a little money and go back and be getting the milk.

No, if they are Asians, who are staying here, they have confidence in our country. We do not have much objection to such people who stay here, but if they have gone, what is the point of being allowed to own houses in Nairobi and then asking Anyieni to go and pay the rent there which is too much?

Mr. Deputy Speaker, regarding those who are not citizens, not only should they be refused employment in Nairobi and other places, they should also be refused the opportunity to own too much property, because these people who have refused to become citizens have demonstrated that they have no confidence in the leadership of Mzee Kenyatta. If they have no confidence in Mzee Kenyatta, of what use are they to the country? Let them go back to their own country where they have confidence in their leaders.

[Mr. Anyieni]

Mr. Deputy Speaker, the other thing I would like to say is this. Not only should the house rent be taken into account, but the Government should arrange it. When the Government says the minimum salary in Nairobi is, let us say, Sh. 150, the Government should be able to arrange the rent in such a way that a man who is earning Sh. 150 will be also renting a house where he can stay with his family, but you will find, Mr. Deputy Speaker, that a man who is earning Sh. 150 lives in one room and in that one room he has to pay Sh. 80. What remains out of his Sh. 150 salary? Only Sh. 70 remains, and he has a wife and children to educate. We have not provided any free education. He has to buy clothes for his children. In Nairobi his children have to wear clothes, they have to wear shoes. Where is he going to get the money from? When they are deciding the rent, they should also be able to know how much this man is earning. Mr. Deputy Speaker, I do not see how one can afford to pay—Here Government should be able to say that if a man is earning, let us say, Sh. 200, 20 per cent of that salary should go on house rent.

Hon. Members: That is too much.

Mr. Anyieni: All right, 20 per cent or 5 per cent; Mr. Deputy Speaker, I accept the amendment from hon. Members.

Five per cent of that salary should go on house rent. But what you find here in Nairobi is that sometimes 75 per cent of the salary of a person goes on renting a house, and you find a person working for nothing but for sleeping in Nairobi when he could have slept free at home. You find that even though our people are employed, their children are going naked, they are still very poor, they cannot send their children to school.

Also, Mr. Deputy Speaker, this Bill should be able to recognize that, according to African socialism, some people have two wives, and if they have no home—

An hon. Member: That is not relevant.

Mr. Anyieni: It is relevant, it has to be included. These are suggestions we are putting forward, so that you can write the Bill.

Mr. Deputy Speaker, the houses should be built in such a way that if a man has two wives, the house can be partitioned so that one wife can stay on one side and the other wife on the other side, so that they do not come together and quarrel.

Another thing, Sir, is that this Bill should also include hotels because very many Members of Parliament here, after having failed to get houses, are now staying in hotels and they rent hotels as

houses. I know, for example, that the hon. Mr. Muliro stays in an hotel and he rents it; and if the House adjourns for two months, he still continues to pay rent for that house, and this should be included in this Bill. There should be some restriction on how much these people are paying.

Mr. Deputy Speaker, I do not want to take all the time of the other Members, but I must mention one point which one Member made here about the diplomats. If a diplomat tells an Asian, "Oh, I want a house," even if the rent was Sh. 500 before, the Asian will say, "Sh. 2,000." The poor diplomat pays but he has a very wrong opinion of our Kenya Government because, he says, the Government should be able to control such a thing. He asks how it is that he is able to be exploited and then he starts to believe that we ourselves are being exploited; and we are being truly exploited in that way.

Now, Mr. Deputy Speaker, my last point is this. This Bill does not even include taking care of the house. Mr. Deputy Speaker, I am a tenant in a City Council house and I pay about Sh. 400 every month. The painting of the house is my responsibility. When I moved in, it was a very dirty house; and I asked the City Council to paint it before I entered it. But the City Council would not paint, they wanted me to paint, they wanted to come round and see it and then ask me to paint it. This Bill should also say that the owner, the landlord, should paint the house, once a year or twice a year, so that it is kept up and remains in a good state of repair.

This Bill should also include something else. Once, Sir, some thieves came to my house, broke the window, came in and took some things. And then the City Council charged me, they wanted me to pay money for repairing the window. If these thieves have taken my property, why should I pay more money to mend the window? This should be the responsibility of the landlord, unless the landlord believes that it was I who broke the window so that I could steal my own things from my own house.

Sir, this should be taken into account, and I hope that, with these remarks, all the Members will now be determined to ask the Minister to withdraw this Bill, and change some of the things in it.

Sir, with these few remarks, I vehemently oppose the introduction of this Bill.

#### ADJOURNMENT OF DEBATE

##### THE RENT RESTRICTION (AMENDMENT) BILL

The Assistant Minister for Education (Mr. Mutiso): On a point of order, Sir, taking into consideration the views expressed by the Members

[Mr. Mustinde]

housing purposes. The Minister has already indicated here that a person earning about Sh. 1,200 a month happens to live in houses that are worth about Sh. 600 a month. Here, Sir, is a clear indication that this person is only working for a house because half of his salary goes for the house, and he is not even buying this house. He will remain there for twenty years, he will not be able to buy it and he will remain very poor because all of his income went to this person.

The other part of the Bill where the Minister says that there are some premises which might not fall under control, particularly those which were built before 1954, I think this one is wrong, we want all premises, whether they were built in 19-what or 18-what to come under control.

I say that because from some of these old old buildings, the owners have earned all the money they invested in this country. They have obtained more than 100 per cent profit and these are the buildings that should be controlled first. In fact, now they are worth nothing. Even if the Government takes over, the owners will not even complain. However, we are not asking for that now. What we want is that every dwelling-house for which rent is paid should be under control.

Mr. Speaker, when we talk about private persons who have owned private premises for the sake of renting, we should also consider local governments like the City Council, Mombasa Municipality, all these, and even county councils. Some of them are charging terrible rents and the Bill which has been moved by the hon. Minister does not include local governments. What we want is that there should be a method to assess, and this Bill should cover all buildings which are built for the sake of obtaining rents. This covers even buildings which are built by local governments. Sir, in this case, there are some buildings in Nairobi here, and you can go to various places where people pay terrible rents. There are various locations, places like Gorofani, I do not know which is a big one, beyond Makunge, Jerusalem which is a new one. There are some very old ones, like Mbotela, Ofafa. Some of these places, Mr. Speaker, have to be controlled. If they are left out, then we are leaving out another enemy who is draining the earnings of poor persons. In fact, we do not even know what type of people live in these houses. We do not know even what is their income per month. Some of them are the houseboys of Asians, houseboys of some of the big fellows, like Members of Parliament here, but we still do not know how

much they are earning, because even supervision of salaries in this country is something to be questioned.

Sir, because of this, we must bring all local governments to be covered in this Bill, so that we assess these houses. Some of the houses are only worth, possibly, one shilling rent. If you go to Landhies, to Matungwa, where there are Railway houses, these houses were built in eighteen something and people are paying more than Sh. 60 rent for a house without any windows. I wonder whether we have some health inspectors in this Ministry to check on these places, to see whether they are worthy for a person to live in or not. Sir, I was trying to make a point as to why we should include local authorities in this Bill.

The other thing, Mr. Speaker, I want to mention is the control which amount is to be covered. Sir, I would like the Minister to consider amending this Bill. If he does not, I am going to move an amendment, that we want control from one shilling to I do not know how many million shillings a month, so that any place to be lived in, whether it is a diplomatic house or any other type of house, must be under control. So that even an investor coming to this country from anywhere will know that if he goes to Kenya and he wants to live in that type of house, he is going to pay so much, so that we are steady in what we are doing. You will be able to talk to any friend of yours anywhere in the world, saying that our country's housing situation is this, and you will speak with confidence, because you know what is going to happen. But the case today, Sir, is that a person has a house and if he gets a certain consul in a given embassy visiting one of the rich fellows with a big home, he says, "Do you want a big house?" "Yes." "Where do you come from?" "I come from such-and-such an embassy." He says, "Since he is a person from a given embassy, I will charge him the diplomatic rent," which is terribly high. We do not want this. We want to be sure of ourselves. Even myself, if I want to live in a palace, in Nairobi here, I must know how much it is going to cost me. Because of this, Sir, it is necessary that we include all houses. I know of one case.

Some of the Asians own flats, and one of them decided, where people were paying at a rate of Sh. 300, that this was now covered under rent control and he had to raise the rent. Because of the shortage of houses in Nairobi, he served his tenants with notices; those who could afford to pay Sh. 700 agreed, because they had no alternative, they had their families and

[Mr. Mustinde]

they could not go anywhere, so they had to accept that. Those who could not afford to pay that, of course, went out, and those who have been staying in hotels because of the shortage of houses in Nairobi had to take their places. But imagine a flat which was rented before at Sh. 300 going to Sh. 700, so as to avoid the meaning of this Bill.

Mr. Speaker, Sir, it is because of this that we request now the Minister to reconsider his Bill and withdraw it, because, whether he likes it or not, this Bill is not going to go through and if we are going to amend it, we are going to amend it in such a way that it will very, very difficult and an embarrassment to the Kenya Government.

Mr. Speaker, Sir, with these few remarks, I beg to oppose the Bill.

Mr. Anyieni: Mr. Speaker, Sir, I think that by now even the Member who said at first that this Bill should be passed will agree that we do not even need to bring an amendment to this Bill, because the amendment will be such a lengthy one that it will not look like the original Bill.

So I would like to suggest to the Minister kindly to consider withdrawing the Bill and getting it written to cover some of the points which are being suggested by the Members of this House. Even the hon. Minister is also renting a house in Nairobi, so it will cover him. Even though he has a Government house, one day when he is not a Minister, he will have to rent a house, because he is not going to be a Minister for ever. I think it is for the interest of the people that this Bill should be withdrawn, to be written again before it is brought to this Parliament.

Mr. Speaker, as the other Members have said, when this Bill was passed in the Lower House, immediately, for example, the City Council of Nairobi houses at Woodley were affected. We were paying about Sh. 335 and now we are paying more than Sh. 350, and the intention is to bring it up quickly, progressively, so that we shall have to pay something, so that they cannot control.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Dr. De Souza) took the Chair]

Here I think the Ministry will do us a great service if they withdraw the Bill, to include even the City Council.

As regards the question of what kind of a house, here I wish to agree with other Members who suggested that house rents should be controlled from Sh. 1 to £1 million per month, and this is where we shall be able to serve our people, the poor ones and the richer ones. Also, on the question of years, even a house built in 1700 up to, maybe, two million years to come should be covered. The question of limiting the time should not come in, because you can have people saying, "Oh, I built this house in such a year", when he actually built it in a different year, so that he cannot be covered by this Bill. So the Bills also should not be restricted.

Mr. Deputy Speaker, this Bill does not take care of our people as far as eviction is concerned. At one time I went to Britain and we thought we were going to stay there for about two weeks. We stayed there for four weeks and I had arranged that after two weeks I would come back and pay my rent, but before I came back, the City Council people went to my house and wanted to get my things out of the house. They do not want to listen, they do not know that this is a Member of Parliament; the only reason why the house rent is not paid is because he is not here. They have no respect even. They write you very, very stupid letters sometimes, they want to threaten you, they do not want to understand the problems which the people have.

Mr. Deputy Speaker, this Bill also should be able to say that if the tenant fails to pay his house rent, the landlord, when removing his property from the house, must take care of the property, because what they are doing now, Mr. Deputy Speaker, is that they take out your things, they throw them in the rain; you come out and you find your bed is wet, your seats are spoiled, everything is spoiled. Mr. Deputy Speaker, I think when this happens the landlord must be able to pay the tenant because he has no right to come and interfere with the property like that. The Bill should make it possible for the tenant to be able to remove his own things when he has been unable to pay.

There is not only this question of failing to pay, Mr. Deputy Speaker. For example, you must pay in advance. If it comes to about the 10th and you have not paid, there is a notice to chuck you out of the house. Now you pay in advance. What about if you pay in advance and something happens to you and you have to move? It is very difficult to get your money back, so this idea of paying in advance, I think, should be dropped. Even in a hotel, when you go there, you eat first; after you have eaten, you pay; you do not go there and pay first and then they bring

**[The Minister for Health and Housing]**

This Bill is meant to help the executive group, the clerical groups and the people in the middle of the pay roll. It is not meant for everybody. This Bill was previously made in 1954 and it catered for those who earned up to about £60 a month or £70 a month and who could afford perhaps a rent of up to Sh. 600 a month, but after working it it was realized that it was not quite necessary, because the average rental in Nairobi and in Kenya changed from time to time and the salaries have been growing higher. The African public who have hitherto not been able to rent houses are now in a position to rent middle-class housing. Therefore the simple job before us in this Bill is to amend the original 1954 Bill so that any houses which were built after that are not under control. Only those buildings which were built on or before the 28th February 1954, that is the first objective of this Bill.

Now the second objective of this Bill is if some rooms of a building were built before the period stated and others were built afterwards, the assessment officer will do the assessment separately, because in 1959 when this Bill was amended, it was stated that the assessment officer shall prepare estimates separately for the same building depending on when the various parts of the building were put up, so that one area of the building can have a different rental from the other.

"In clause 2 we seek to amend the Bill so as to limit the application of the Act to dwelling houses which do not exceed Sh. 400 a month.

"In clause 4 we intend that the Bill should enable the courts to deal with less cases and the other small cases to be handed over to assessment officers and some of our own staff in our Ministry, because it is just a question of calculations.

An hon. Member: What if they are corrupt?

The Minister for Health and Housing (Mr. Otiende): Those people who think of corruption, are themselves usually very corrupt, that is why they think of it. If you cannot trust other people then you cannot be trusted yourself.

An hon. Member: You agree that there is corruption?

The Minister for Health and Housing (Mr. Otiende): I do not agree.

Clause 6 is supposed to replace section 21 of the Act making it compulsory—this is a new part—for the house owner to keep a rent book, and if he does not keep a rent book then it becomes a crime.

In clause 7 it is amended so that when a landlord wants to get rid of the tenant he gives notice in writing. I did say at that time, of course, that

our assessment officers had gone throughout the towns of Kenya and assessed 7,556 dwelling houses for standard rents and I did point out that in Nairobi most of the work had been done, but there was more work to be done in Mombasa specially. I did also point out that we have done work in Eldoret, Thika, Kitale and Kiambu and other small towns assessing rent for those who wanted to rent houses. The public, of course, are seeking more and more assistance to know exactly whether they are paying the correct amount of rent or not and since we read this Bill here our office is full of letters asking "Is this the correct rent for the room I am occupying", then our assessment officer goes there calculates and says what is the correct rent.

An hon. Member: That is from Sh. 400 above, not below.

The Minister for Health and Housing (Mr. Otiende): Yes. The amendment now proposed here allowing other property which previously we could not act on to come under the law and lastly there is a certificate which is imperative now, which if it is not given to the one who is renting the quarters is a crime. The owner of the house must now give a receipt or a certificate showing that so-and-so has paid rent and any cases that do not comply will go to the court, therefore, those were the only amendments to the original 1954 Bill as amended again in 1959. So this is 1965 amendment. There is nothing else in it, it was only to protect those who were renting quarters so that they are not evicted unnecessarily, so that they are not overcharged and they can find out how much they should pay and that was the only thing that came under the amendment. I beg to move.

The Assistant Minister for Home Affairs (Mr. Nyagah) seconded.

*(Question proposed)*

Mr. Warlithi: Mr. Speaker, Sir, I am afraid the Minister, it has been a bit unfortunate for him, that although the Bill had gone through all the stages in this House and some of us had supported the Bill, but due to what has happened since the Bill was passed, I am afraid it will be very difficult, unless perhaps he makes some amendments, for this Bill to go through.

First of all, Mr. Speaker, I would like to say that the intentions of the Bill are very good, they are meant to help our people who have been exploited by the landlords at various stages and areas, but I am afraid what the Minister had intended to do as a result of reducing—let us take clause 2 of the Bill. In the whole Bill houses whose rent was about Sh. 600—houses between Sh. 1 and Sh. 600—are to be under rent control

**[Mr. Warlithi]**

and the intention of this Bill, clause 2, is to reduce that figure from Sh. 600 to Sh. 400. The argument given to us last time was that because this will cover a large section of our people who are not able to earn high salaries and therefore they will be protected because they will be living in quarters which can be controlled. But the contrary has happened. Since the Bill was passed in this House there have been several cases of notices of increases of rent and houses which used to be rented for less than Sh. 300 the rent has gone up to Sh. 600, so that the landlord will escape the province of the law and will not be liable for rent control. If the Minister wants me to produce some evidence, I can even produce letters written to tenants by landlords.

So, Mr. Speaker, it appears then that the unfortunate part of it is that although the Government was trying to help our people, some other section of the community are taking advantage of the law so that they increase their rent, they are not under rent control and therefore they cannot be affected by this Bill. So, Mr. Speaker, I want to give an indication that at a later stage I intend to move an amendment during the Committee stage, even to increase the figure from Sh. 600 to Sh. 800, so that all these quarters will be under rent control and no particular section—we know who the landlords are and we know what they are doing and for what purpose. Therefore, Mr. Speaker, I would like to draw the attention of the Minister to these practices and to make him realize that what he is trying to do in this House to help our people, just the contrary has happened.

Now the other aspect with which I am not happy is clause 4, where the Minister indicated that for smaller houses, where the rent is very, very small, he intends to give this to assessment officers, and take it away from the courts. Well, the argument there is, of course, quite sound, that he intends to lessen the burden of work in the courts and maybe the person in charge of the court is very busy and this will allow him to attend to fewer cases and do them more closely, but on the other hand, as it was indicated during the time when the Minister was moving the Bill, Mr. Speaker, there is a possibility of this not being done properly and I think that the Minister should consider retaining the present position where it does not matter what the rent is that is paid, but all the houses under rent control are kept under the court, because the moment you start giving certain responsibility to maybe some very junior officers in the Ministry, there is the possibility of the work not being done properly and probably the possibility of corruption.

Other amendments, Mr. Speaker, are quite welcome and the question of a rent book is very, very, nice, in fact there must be a book where, if a tenant has paid rent, it should be indicated that he has paid, he has signed, because there are many cases that we know of, as some of us have connexions with the landlord and tenant, where you find that a tenant pays his rent and does not get a receipt and is subsequently taken to court for not having paid his rent, so when you have a provision for the landlord to keep a rent book where he can enter and where it can be inspected easily, that is going to help the tenant very much.

Also the protection that a tenant cannot be evicted without a proper notice I think is very much welcomed. We know there are cases where the landlord will take the law into his own hands. He goes to the premises, breaks into the room, takes away all the property, puts his own lock on the door and then he sends the tenant away. I think this is a very good protection where the landlord is required to give proper notice before a tenant can be evicted.

Those aspects of the Bill I support, Mr. Speaker, but clause 2 is the one which I think we are very much concerned with, because of what has happened in the intervening period and, as I said earlier, I intend to move a Motion when it comes to the Committee stage.

Mr. Masinde: Mr. Speaker, I have a few points that I would like to mention to our hon. Minister who has moved this Bill. As my colleague has indicated here the Senate actually saved us, and we happened to find out what was wrong and we must thank God that the Senate is there, otherwise things would have gone into ruins.

Mr. Speaker, this Bill provides for various things, but as we know it is always very difficult unless it is under a department, where the departmental officers will control various things from day to day in all the towns in Kenya. It becomes very difficult to control some of the people, particularly the businessmen, who build houses for business purposes and they have had a free hand for all these years, a number of them have made a lot of money and they have continued to build houses. We agree with them and we thank them for having provided houses for our people who had nowhere to stay but, at the same time, they should not do it in such a ruthless manner so that they impoverish our people without considering how much a person is earning and how much one can spend on a house. I know that the Minister is aware and what he was trying to do was to help the population in this country so that he should not spend all his income for

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, thank you very much. I would first of all like to take this opportunity of thanking the hon. Members who have contributed to this Bill and the keenness which they have shown by not taking too much time and labouring on this Bill.

First of all, Mr. Speaker, I would like to say that the purpose of this Bill is not adult literacy but adult education; and I know for certain that all of us here need education in this world until we leave it, because there is a lot to be learnt so long as one lives.

Now, my friend, Mr. Masinde, said that his father would not like to be educated. I am sure that the sort of education we mean here in this Bill is something that perhaps the hon. Mr. Masinde's father is not aware of. For instance, Mr. Speaker, one could find many of our people who have never had the opportunity to learn how to sleep in healthy houses with better ventilation and also how to uncover their heads when they are sleeping in their heavy blankets. This is the type of adult education we do want our people to learn. And I am sure that the hon. Mr. Masinde's father would like to avail himself of this type of education.

Now, Sir, there is nothing free in this world. If education is free in terms of not paying school fees, it does not necessarily follow that it is given free, because somebody has to pay for it. All that is meant is that the collection of school fees, which is not being done on the spot, is carried out in another way, which the hon. Member may not be aware of.

Now, Sir, the hon. Mr. Anyieni, who spoke first on this Bill, indicated that we should first of all have guaranteed primary education for the young people instead of giving this education to people who are already almost finished with, you know. But all that I wish to say is that we in this country, as the hon. Mr. Anyieni rightly said when he was speaking on the Copyright Bill, do not intend to copy all that is done in other countries. By this I mean, Sir, that although some other countries might have, first of all, initiated free primary education and, later on, tackled the problem of adult education, it does not mean that we have to follow suit. We have, for our own part, decided to tackle the two problems at the same time; and if we can succeed, Sir, this means that we can kill two birds with one stone, and I am sure that no one will really object to that.

In our country there already exists some bodies which have been running adult education, and the sole purpose of this Bill is to give the

Government the proper machinery, the proper way of controlling or centralizing these voluntary organizations which have been running adult education in their own way.

Now the Government of Kenya is very interested in seeing that the masses of this country understand the Government's policy, can read for themselves the Government's publications, can read for themselves the Government announcements in the papers and all other Government publications, and also can listen to the radios and understand what the Government is doing. The Government also wants to see that the people are quite hopeful when Government puts up some plan; and when Government officers go into the field to explain these programmes to the people it is very easy for the people, if they are educated, to observe or to catch up with what they are being told by the Government officers in the field. This is why we need the masses in this country to be educated, so that it will not be a burden to us, as a Government, to keep on explaining, repeating exactly the same things, to the people. This is why we felt very strongly that adult education is equally important as that for primary school children. This is therefore why the Government considered it necessary to introduce this Bill in this House.

Now, Sir, one Member did also ask why the Bill was delayed, but, Sir, if we look at the length of time this Government has been in power, we see that it is only two years. And there are other things which this Government is also concerned with. For instance, the hon. Members have been hammering for free primary education; they have been hammering for Harambee secondary schools; they have been hammering for secondary education. These are the things which the Government has been equally engaged in, and I am sure that the time taken to introduce this Bill has not been wasted, because we have been very much engaged in other fields.

Now it was some time in the middle of this year, Mr. Speaker, that I attended the United Nations Educational, Scientific and Cultural Organization conference in Teheran, which was dealing with adult education or literacy. As a result, we already have an officer from this organization in their centre in Nairobi here, who is helping us to draw up adult education programmes; and we have also been promised by the same organization that if the Kenya Government does give priority in its planning in its National Development Plan, to adult education, we will be sure of getting some help from the United Nations Organization.

[The Assistant Minister for Education]

So, Sir, we have been trying on our own to do all that is required to meet the educational difficulties of this country; and I am sure the hon. Members do realize that this is a very difficult matter to tackle, and that the way we are moving is not surely one which needs condemnation. We have already shown in the first place that we are moving towards the goal of fulfilling our own promises.

Now the other Member who really also mentioned something was the hon. Mr. Jahazi, who said that he equally did not agree with the hon. Masinde that this Bill was premature, before the fulfilment of free primary education, because it was also necessary to educate our adults. Now I fully agree with him and, in this respect, Mr. Speaker, I would like to remind the hon. Members that if the Members of this House require adult education, then how much is required for our people in the countryside? On the 15th of this month, Mr. Speaker, the whole Parliamentary Group is required to go to the Kenya Institute of Administration for adult education. This is the kind of education we need in the country; and if hon. Members require this sort of education, I cannot see why they would like this opportunity to be denied to their fathers. I am not going to teach the hon. Members, Sir, but I am sure they will be educated; if they go there, they will get a new education, and this is what we like and we want everybody to have.

Some hon. Members are saying that they are going to be brainwashed.

Several hon. Members: No, you, not us!

The Assistant Minister for Education (Mr. Mutiso): But I really do not understand. If it is a matter of brainwashing, then it is a matter of washing that type of brain which the Kenya Government does not want, and I see no reason against that!

Now, Sir, as I have said, the functions of this Bill have already been carried out in the sense that several voluntary organizations have been carrying out this work on their own. And it is because of this that we have introduced this Bill in the House so that we get the mandate of the House and of the country to centralize the organization of adult education.

The hon. Member also mentioned another point which I would like to clarify, which was that there are so many boards in this country and some are only duplicating the work of others. There are also some allegations that they are created to make jobs for some good boys. But, Sir, I am sure that if the hon. Members have this

view in mind they cannot possibly regard the Adult Education Bill as a duplication of other Bills. This is a Bill which every hon. Member here appreciates and likes and feels must be introduced in the House.

Therefore, with the backing of this House, Sir, I am sure the Bill will serve its purpose and I hope that the whole idea of putting this Bill into effect will not be delayed if the Members can pass it immediately, without wasting any more time.

Sir, with these words, I beg to move.

(Question put and agreed to)

(The Bill was read a Second Time and committed to a Committee of the whole House tomorrow)

## CONSIDERED RULING

### BILLS PASSED IN PREVIOUS SESSION

The Minister for Health and Housing (Mr. Otiende): Mr. Speaker, Sir, I would like some guidance on this. I have been away, and I would like to know why these Bills, which have already been passed through a Third Reading, are being repeated.

The Speaker (Mr. Slade): Oh, yes, I had better explain that, Mr. Otiende. I did explain it to the House a little earlier, probably when you were away. It is true that this Bill was passed through this House, and appeared to be passed by the Senate as well, before prorogation. But it was discovered afterwards that the notice of prorogation was so worded as to make it seem that the Senate was actually prorogued the day before, and that its last day of sitting, on which it passed this, among other Bills, was not a valid sitting at all. So we reached a point where the Bill never went through its final stage in the last session, and we have had to start again.

I think there are three or four Bills in the same unfortunate state. The last one, the Board of Adult Education Bill, was another example.

## BILL

### Second Reading

#### THE RENT RESTRICTION (AMENDMENT) BILL

The Minister for Health and Housing (Mr. Otiende): Mr. Speaker, Sir, if I recall exactly what happened last time, I will be very quick. The purpose of this Bill, the Rent Restriction Bill, was to allow those who were having difficulty in getting quarters for renting to get them easily and with the aid of the Government; and that those who were able, either to purchase houses or to pay rent freely were excluded from the wording of the Bill; and thirdly, that those who paid so much of the current rate for houses come under a different category.

[The Assistant Minister for Home Affairs] for me to support this Bill before the House very strongly. I know the arguments have been gone into very thoroughly before the Senate delayed its passage through the House.

The Memorandum of Objects and Reasons stated very, very clearly the purpose for which this Bill is being introduced. It is not necessarily for adult literacy only, it is for adult education; to make the ordinary man who has never had the opportunity, which my friend has had, to appreciate how best he can grow more in his *shamba*, how to get better use from his *ngombe*, how best he can look after the health of his family so that they can produce the maximum return for this country.

Mr. Anyeni: And that is going to cost £1,000?

The Assistant Minister for Home Affairs (Mr. Nyagah): Mr. Speaker, Sir, it will cost as little as that, because the hon. Members can act as teachers, principals and what-have-you to make sure that the Government does not spend money unnecessarily which would go to secondary and primary schools. If I may say so, Mr. Speaker, Sir, the main purpose of this Bill, as I understand it, is to establish and constitute a Board of Adult Education to advise the Minister responsible for education with regard to the promotion, co-ordination of activities in adult education, to identify and assess the needs for new developments which are very necessary that everybody, every citizen in this country, should understand and to stimulate and encourage the provision of services in response to such needs. The provision of services which will make our children appreciate the time they spend in primary schools and secondary schools. It will make them appreciate the need for the various manpower projects that are needed in order to get an overall development for this country.

For this reason, Mr. Speaker, Sir, I do not want to waste a lot of time in arguing for adult literacy which is distinct from adult education.

Mr. Speaker, Sir, I wish to support this Bill very, very strongly, because it will give opportunity for our own older people to get education, that will stimulate the education of the young ones. With these few remarks, Mr. Speaker, Sir, I beg to support.

Mr. Jahazi: Mr. Speaker, Sir, I do not have much to say on this Bill, except that I support it very, very strongly, in fact, I would like to reply to the hon. Masinde who would like to invite the House to believe that his father is the standard comparison in this country, just because

he does not want education, and therefore everybody's father and brother should not have education, also because his father does not want it. Mr. Speaker, Sir, I think the House should correct him and say that if his father does not want the type of education which consists of writing, at least he needs another type of education which will be available and that is to learn about the best way to milk his cow, the best way to get a bigger acreage from his cotton or sisal *shamba* and perhaps the best way to sleep soundly.

Mr. Anyeni: Is he missing some sleep?

Mr. Jahazi: Maybe. Mr. Speaker, Sir, I think the House should appreciate the fact that education is a continuous process. It does not have any limit where only children need it, or adults need it, because, Sir, today's children are tomorrow's adults, and those who are adults today, were children yesterday, and education cannot say, "All right, I have taken you this far, you can now go on your own." Whoever has the opportunity, which should be open to everybody, should have the ambition to learn, because, Mr. Speaker, Sir, we are not in the position of having had modern education in this country for a century; it was only a few years ago that it was started, and, therefore, there are many people who are not old, but who are young men who missed the opportunity of going to school, or who could not continue their education because of circumstances at home. For these people, it is not because they did not want to learn, but it is because there is no other institution open to them where they can go and continue whatever they had and build it up.

Therefore, Mr. Speaker, Sir, I feel that this Bill will open the doors to all those people who are interested in learning to take this opportunity to learn. The majority, Mr. Speaker, Sir, of this country want to learn except for a few fathers who may not like to learn, but I am quite sure that many people will take that opportunity.

Thirdly, Mr. Speaker, Sir, I do not view this as a serious mistake or omission for the United Nations to say, "All right, this money will be given to people who are interested in furthering their education," because, Mr. Speaker, Sir, the United Nations is a world-wide body, they have different funds for different projects, and if they have earmarked certain funds to advance adult education in the world, then I do not see any reason why, if we apply for it under the guise of adult education, we forget it and use it for farming or other things. If the money is available and the help is there for adult education, and if we are faithful enough to apply for that money, then I do not see why we should try to channel it

[Mr. Jahazi]

through other sources. If we need adult education and the money is there for this adult education, then whilst we receive it, it should be channelled for that purpose only, and will be like thieving to apply for money for a particular project and then go and squander it on other things.

Mr. Speaker, Sir, as this Bill is coming to this House for the second time, and many Members want to air their opinions about it, I would like to urge the Members to support the Bill and pass it and help our brothers who are thirsty for education, including myself, to continue from where we left off.

With those few words, Mr. Speaker, Sir, I beg to support.

Mr. J. M. Kariuki: Mr. Speaker, Sir, I rise to say two or three words in connexion with this Bill. Firstly, Sir, I would like to say that we have passed quite a lot of Bills in this House and the other House before we came to the new Chamber, and in most cases, we believe that when we pass a Bill in the House that the Government is going to implement the Bill so as to make people in the field feel what we Members in this House are doing. What I would like to say, Mr. Speaker, Sir, in connexion with this good Bill, is that as soon as we pass this Bill it would be better for the Minister for Education to make it quite clear the definite date when this Bill will become effective.

Now, Sir, the other point I would like to make is that there are quite a lot of complications and duplications of jobs as far as these Bills are concerned. In almost every Bill, we have a board set up by the Ministry to deal with a particular thing. Mr. Speaker, Sir, I do not consider this necessary at all. If we are to save quite a lot of funds, then I believe that the Ministry of Education could take the whole responsibility within the Ministry of Education, and I am sure that there is no necessity for employing some other people to act as board members, paying them, doing this and that, whereas the Ministry of Education has the civil servants who can do this job. There are quite a lot of people in the Ministry of Education who can advise the Minister on what should be done. Not only that, Mr. Speaker, Sir, I believe that there is a committee composed of Members of Parliament and they can advise the Minister as to what is needed by the people in the field, so, Sir, what is the use of having this complication?

Mr. Speaker, Sir, there is another point which I would like to mention, because I think the Assistant Minister is taking that point very

seriously, because I do not believe that we should continue creating quite a lot of boards with many vacancies and creating jobs for some other people, doing jobs which the civil servants and the Government can do. So, Sir, I would like to ask the Ministry to consider that very seriously and see whether there is any possibility of putting this Bill under the Ministry of Education, which would be advised by the Members of Parliament and also officers of the Ministry of Education on how to put everything into practice.

Now, Sir, the final point which I wanted to make is about the type of education itself. The hon. Assistant Minister for Home Affairs has made it quite clear as to what adult education is and I think most Members here really understand what it is. The only point, which I would like to point out here is this. Although this type of training is going to be given through adult education the country must know whether they are going to receive that service free, or whether, after giving the country a big hope that the Government is setting up adult education, and that every grown-up person will be able to get an education, when we come to the people in the field they will be charged an amount of money with regards to the sort of training which they are receiving. We need to have this stated right at the beginning. Let us not make the mistake now of saying one thing and then going to the field and saying another thing. I believe, Sir, that this must be made quite clear, as to whether there is going to be some fees charged, and if so, up to how much, and I think that will be very important, because when we go to the field, Sir, and tell them that there is adult education which is going to come to you, if we say it is going to be free, and then the Ministry tomorrow thinks that these people must pay some sort of fee, then that is contradictory to what we told the people in the field.

Therefore, Sir, it is high time that this is made clear by the Ministry concerned so as to be on the safe side. Mr. Speaker, Sir, I believe that no Member would oppose this Bill, and since this is the second time it has come to this House, I also believe that the hon. Members will support it wholeheartedly, and that the Assistant Minister must undertake to clarify these points before we pass this Bill.

Mr. Speaker, Sir, with these few words, I beg to support.

The Speaker (Mr. Slade): If no other hon. Member wishes to speak, I will now call upon the Mover to reply.



[Mr. Anyieni]

What would help more would be for us to start from below, and if the Government has any money to spend on adult education, that money should first be spent on educating the son of that man who is too old. A man has his five

[The Deputy Speaker (Dr. De Souza) left the Chair]

[The Speaker (Mr. Slade) took the Chair]

children at home; they are not going to school, then you tell the father to go to school. What is the point? We believe in the future generation. We believe that if I went up to Cambridge or up to Standard VIII, or up to one degree, my son or my daughter should go even further than that. But in this particular respect, what is going to happen is that we are going to try to educate the parents and leave the children at home. It would be better if we guaranteed that the children had education, and then we have given the children education, we should go to the parents and tell them that they should also be educated.

The Speaker (Mr. Slade): That is another matter, though, Mr. Anyieni.

Mr. Anyieni: Mr. Speaker, I am only saying this because an adult does not become an adult unless he was a child, and I am saying that instead of educating the adults, we should educate them while they are still young.

The Speaker (Mr. Slade): I do not think you really can say that on this Bill. Otherwise, you know, we would go all over the place on Bills. To say that there should be some other or additional law when a particular Bill comes along is taking us over a very wide field. Unless you actually object altogether to the principles of adult education; if you are going that, far, of course, you are in order.

Mr. Anyieni: Mr. Speaker, I was not opposing the Bill as a matter of fact. I was trying to put some things which would help. I cannot oppose this Bill, Sir, because I understand that the United Nations have some money which they could give us to help in this adult education and—as such—if I oppose this Bill it would mean that Kenya would not have this money from the United Nations and I think that would be doing a disservice to our country. What I was saying was that we must try to make sure that this will not continue for ever.

Now, Mr. Speaker, I want the Assistant Minister, or the Minister, to be able to explain why this Bill was not brought earlier because—as a result of this Bill coming late—in 1965 the United Nations have not given us any money; there

was no application from Kenya, and even for 1966 no application has been sent in. This has come very late. So, the implementation of this, or any aid which we might receive from the United Nations, may be coming in 1967. The Government should be able to explain why such an important Bill was not brought earlier.

With those few words, Sir, I think I cannot oppose it, though it is late.

Mr. Masinde: Mr. Speaker, Sir, I do not have much to say on this Bill, but as you have already ruled on my colleague who was speaking on this Bill, I just want to bring one point to the Assistant Minister who moved the Bill.

The importance of adult education is well recognized by most of us here, but there are a few points. Before we forget, we should not allow ourselves—particularly the Kenya Government—to be dictated to by various nations outside, who tell us that they are giving us money on condition that it is used for such-and-such a project. I think this is very wrong for our own planning. It would be better for the Ministry of Education, particularly, to apply for loans and the use for the money should be determined by the Ministry itself. But here it appears that we are inserting this Bill just because we have been told by the United Nations that if we had adult education—as in other countries—then we would get this money from the United Nations.

Mr. Speaker, the intention is good, but the way in which we are getting this money is very wrong, because we should first of all go to any nation which is willing to help us with our immediate problems, but I do not think that in this country one of our immediate problems is for adult education, before we can assure the young children of how their future is going to be.

Sir, it is on this that I think the Ministry should consider—though we accept the Bill in principle—whatever funds are available to educate the children who are going to be the future of this country. It is on this principle, Sir, that I think the Minister should consider tabling another Bill which will confirm that whatever money we get should be spent mainly for the young ones, and not for the old who are retiring from the life of this country. Sir, I honestly mean that because a person like myself would not like to go to school if my seven-year-old was at home. I would not like that because I have had my time and I would like to give way for my children to go to school.

It is on this principle that we are going to get a lot of money, but we cannot compare ourselves with some other countries because some other countries have had the opportunity for all their

[Mr. Masinde]

children to go to school. What worries these other countries is how they can best mobilize the education to reach the older people. But, here, Sir, we have a different case, because we have not assured our Kenya people that every child has the opportunity of going to school. Before we can assure the country of that we should not hurry to jump on the old people who are retiring from life and say that they should now go back to school. Any single cent we have, Sir, should be spent for the young children—

The Speaker (Mr. Slade): Mr. Masinde, you are getting away from the merits of this Bill again. We really cannot discuss what ought to be done for the education of children in a debate on a Bill which is for the education of adults. That opens far too wide a field.

Mr. Masinde: Mr. Speaker, Sir, coming to the actual Bill, we want also to know from the Ministry of Education, because they have brought this Bill and at least they have some money to spend from our own resources of revenue.

Mr. Speaker, I think I still consider that I am in order to question how we are raising these funds. Are we only relying on the monies which will come from other nations, or do we have local money here to be spent on this type of education? If that is the case, then the principle, Sir, is very wrong, because if we have been conditioned to the fact that unless we have a programme for adult education then we cannot get money from the United Nations, that I would be able to accept if we had no other programme by which we could make use of this money. But if we are going to use some of the money raised here locally, it would be very wrong before we had even finished the complete development programme for our secondary education in Kenya. We want whatever money we have in that Ministry—the Ministry of Education—to be concentrated on secondary development which is very urgently needed. The Minister is aware of this. But if the money is coming from outside and because of that we have no alternative, then I would say that we accept it.

It is on the same principle, Sir, that I think today the Minister of Education should now enlist the first priority problems rather than sitting there as if they have no problem at all and expecting somebody from outside to do the survey of how this should be developed. I do not think that if the Ministry for Education had enlisted any problem facing this country as far as the educational system was concerned the United Nations would have refused to assist them; and then bring money which only pays for adult education.

Sir, it is on this principle that I think the Bill—I do not know how to term it unless the Minister would reply and then I would understand how we are setting up this Bill and how we are going to run the adult education. At the same time, I understand, there is going to be a board which will run this section of education.

Now, Sir, with regard to this board, we want to know where these funds are going to come from to run the day to day machinery of this board. As we understand it there are going to be officers supervising the educational facilities of the adults, and we want to know when these officers are going to come, and who is going to pay them from which fund, because we do not want money, when we are short of staff—particularly teachers—to be spent on the people who have no interest in learning. For example, my father is only interested in looking after his cattle, and looking after his *shamba*. He does not want to go to school. He would like to see his grandchildren going to school rather than he himself going to school.

So, Sir, that is why I insist, by saying that whatever money we have, and this is what I am questioning because it is a very serious matter, because we have not been told of how much we are going on this—

The Speaker (Mr. Slade): You have, Mr. Masinde, if you have read the Objects and Reasons. As with all Bills, the Government is always required to state what cost it is going to involve; and it is stated here. You say that you have not been told how much, but you are told: not exceeding £1,000.

Mr. Masinde: Mr. Speaker, Sir, I know how much, but the question is from where we are going to get this money, and this is what I am trying to object to with regard to the Bill. Where are we getting the funds from? This is the only reason why I am questioning the Minister concerned.

The Speaker (Mr. Slade): You did say that you were not told how much, and I was just correcting you on that.

Mr. Masinde: Mr. Speaker, Sir, I have tried to enlist a number of questions which I think the Assistant Minister will clarify and if I am not satisfied, Mr. Speaker, Sir, I hope that I will be in order to oppose the Bill when it comes to the Third Stage.

Mr. Speaker, Sir, I beg to reserve my decision.

The Assistant Minister for Home Affairs (Mr. Nyagah): Mr. Speaker, Sir, unlike my friend who has just sat down, I believe that this is the time



[Mr. Anyien]

given the facilities to produce something original? Here is where I think, while loans are being given to other people in business and in other ways, it must be realized that if the Government could help these Africans, we would be able to export a lot of good music to the United States. There are a lot of negroes there who still have the mentality of the African when it comes to music, drama, and so on. They will buy a lot of records and this will give our country the dollars which we need very much from outside.

Now, Mr. Deputy Speaker, I do not know whether the Government is merely going to say writers, because we do not have very many writers, but we have really good music. Not only that, Mr. Deputy Speaker, I have seen somebody, I think from Ukambani, who is selling some very good pictures at home. That man should be assisted; he is a first-class artist. You would really think it is a photograph he is making. You have even seen some time, when the President goes to places, people who can make a picture of, for example, Mzee Kenyatta, and you think it is Mzee Kenyatta himself. These people, if assisted, with that originality, could give, I think, our nation the dignity it requires. I hope that the Government policy will be not so much to copy, copy and copy what has taken place in the United States, in Britain and in India and other places. This should help our Government to encourage our people to go more into the originality of things, to be original, to be more and more African, not more and more European.

I think, in order that we may start this originality—because you cannot have a copyright without being original—and it may be encouraged, the Akamba dancers, for example, should be encouraged to the full, and the music they sing should be protected by copyright, nobody should go and copy it anywhere else. If this is done, Mr. Deputy Speaker, I think this will give pride to our country, because the problem with our country now is that we are copying; we are trying to be Indians, Europeans or this or that. I think Government should go back even to school, when the children are starting Standard I. With this idea of the English medium, Mr. Deputy Speaker, where are you going to get originality and copyright from the English medium? Even my son now who is in the English medium class sometimes cannot even speak to me in Kisii, when he wants to explain something to me, he wants to do it in English. When is this man going to have any

originality in him? There is no African mind. This boy is going to think like a European, he is going to grow up like a European, he is not even going to be a nationalist. So, Mr. Deputy Speaker, in order that we may have this copyright originality, the originality has to be there, and originality has to start from school; encouragement should be given to our people in every respect, in every way, so that we can have talent. We will be glad when the Minister reports that there is a copyright; I think, maybe, it will appear in the official Gazette—"this now is copyrighted"—and this will give our nation the pride that we require.

With those few words, Mr. Deputy Speaker, I wish to support, but before I sit down, I would like to say that even the word *Hatamber* should be copyrighted, because we should not allow people to use this. This was started by the Africans, and we do not want people to use this word for business—

#### QUORUM

Mr. Mutiso: On a point of order, Mr. Deputy Speaker, I do not think we have a quorum.

The Attorney-General (Mr. Njonjo): On a point of order, Mr. Deputy Speaker, the hon. Member has only just arrived and now he tells us there is not a quorum.

The Deputy Speaker (Dr. De Souza): I am afraid he is entitled to do so, and there is no quorum. Please ring the Division Bell.

(The Division Bell was rung)

The Deputy Speaker (Dr. De Souza): We now have a quorum. Continue, Mr. Anyieni.

Mr. Anyieni: As a matter of fact, Mr. Deputy Speaker, I had finished; I did not want to say very much.

With the few words I said, I wish to support.

The Attorney-General (Mr. Njonjo): On a point of order, Mr. Deputy Speaker, I beg to move that the Mover be now called upon to reply.

The Deputy Speaker (Dr. De Souza): In any case, I think there are no more speakers.

Mr. Achieng-Oneko.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Deputy Speaker, I am very pleased with the way the Members have supported this Bill.

The only point which the hon. Members are trying to emphasize is that we should be original. I do entirely agree with them

[The Minister for Information, Broadcasting and Tourism]

because, unless we are original or traditional in our ways, we will not be able to produce or to retain some of our best traditions and music which are now lost. This is why I said in my opening remarks that the works themselves must be sufficiently original in character, in order to be eligible for copyright. This, of course, is an answer to the hon. Members who appeal to me, particularly, that we should be original. Again, I would like to say that this copyright, before this law is amended, is registered in the United Kingdom, and after the Bill has been passed, the registration will be done here, in Kenya. So it will be the work of the Attorney-General to guide and to show people exactly what to do.

Mr. Deputy Speaker, we are not only dealing with writers, we are dealing—as you will see in this Bill—with literary works, with musical works, artistic works, cinematograph films, sound recordings and broadcasts. So we have covered a good field there. I do not think the hon. Members, therefore, should express unnecessary anxiety on this. I feel what they require is covered in the Bill.

Mr. Deputy Speaker, we are going to exploit the talents of our people, and it is our duty to encourage our local singers. I do not think the Congo musicians are better than ours. We are even better than the Beatles, and I can assure the hon. Members that when I was in London the other day, I felt that the Beatles' songs had been copied from Africa or particularly, from Kenya.

We can play better drums than those people who are now earning more foreign exchange for Great Britain.

So, Mr. Deputy Speaker, with those few words, I beg to reply and support.

(Question put and agreed to)

(The Bill was read a Second Time and committed to a Committee of the whole House tomorrow)

#### BILL

#### Second Reading

#### THE BOARD OF ADULT EDUCATION BILL

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, I beg to move that the Board of Adult Education Bill be now read a Second Time.

Mr. Speaker, Sir, in moving the Second Reading of this Bill I wish to refresh the minds of the hon. Members by reminding them of the fact

that this Bill has almost passed all the necessary stages in this House and I do not see any reason, Sir, why I should labour much over bringing all the arguments or other unnecessary points in the Bill, and I am sure the hon. Members had adequate time to discuss this Bill the first time it came up.

All that I wish to do, Sir, is to inform the House that I intend to move some amendments at the Committee stage, in clauses 2 and 7 which amendment was brought to my notice by the Senate which indicated that in clause 2 the Minister has the powers to appoint members of the board, but it also appears to them that he did also require powers to dismiss them. But although this is covered by the Constitution, Mr. Speaker, every Minister who has the power to appoint also has the powers to dismiss. I wanted to make quite clear in the Bill the wishes of the Members of the Senate.

Having said that, Mr. Deputy Speaker, I do not think it would serve any good purpose to go through every bit of this Bill again, since it amounts to mere and unnecessary repetition although it is a matter of procedure that these Bills have to go through the House again. I think the hon. Members will take the liberty of allowing this Bill to pass without unnecessary debates, and if there is any query this can easily be found in the HANSARD.

Having said that, Mr. Deputy Speaker, I beg to move.

The Assistant Minister for Home Affairs (Mr. Nyagah) responded.

(Question proposed)

Mr. Anyieni: Mr. Deputy Speaker, while I do not oppose this Bill, I think there is a lot to be said.

It was only the other day, Sir, when we were discussing free primary education, that the Government said this was very expensive and—as such—the Government was not able to fulfill this at this particular time. Here we have a Bill which is to deal with adult education, but it would have been much better if we had guaranteed free primary education so that all our children would have education. Then we have education for the adults also, who did not have the opportunity of receiving education when they were young. But, at this particular time when we have a thing like this, what will happen is that a few children will go to school and then the others will remain without education. We would wait for them until they are too old, and then we would start to take them to school. I think this is a wrong policy, because it would not help very much.

**[The Attorney-General]**

want, in this country, to protect our young artists and authors who are coming up, with our own legislation. Other developing countries have enacted their own legislation and in the drafting of this legislation we have looked at this other legislation in the newly developing countries like Zambia, Tanzania and Ghana and we have taken in some of the aspects of their legislation which we think will be suitable to our own circumstances. Mr. Deputy Speaker, copyright legislation is very complicated, it does require specialized people who have to examine all this copyright and what we have attempted to do in this Bill is to simplify the procedure and, at the same time, safeguard our writers and artists in this country.

Mr. Deputy Speaker, I beg to support.

Mr. Malinda: Mr. Deputy Speaker, Sir, I would like to support this Bill very strongly, because it reveals a sense of good treatment to the people of this country. Mr. Deputy Speaker, I am very gratified to notice that this Bill, if enacted, will protect especially our people—our young Africans—singers and composers who after composing a very good, beautiful and sweet song, go to an Indian's recording house, have the song recorded and if the tune appeals then these Indians exploit the talent of the Africans by reproducing these records without any limitation and sell the tunes to overseas singers who are much better equipped to produce better music and in that way the work initiated by our Africans benefits people who do not belong here by these songs being reproduced in other countries and being protected by copyright in those countries, whereas the person who composed the song does not get anything. Mr. Deputy Speaker, I am very, very happy to see this Bill being introduced in this House and also I would like, as soon as it is enacted, for it to be brought to the notice of some of our people who are very creative and who need protection for their work. In that way, Mr. Deputy Speaker, they benefit personally, as well as this country if and when money comes from outside the country when any of their work is being duplicated by other artists in other countries.

Mr. Deputy Speaker, having said that I beg to support.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Deputy Speaker, I would like to join my colleagues who have spoken to contribute a little on this Bill which I think is going to be helpful to our country. There is one thing, Mr. Deputy Speaker, which I would very much have liked the Minister for Information to say when he was moving

the Bill, and that is that he has arranged for ways and means of exploiting our young artists in the countryside to collect the necessary art that is there. This Mr. Deputy Speaker, the Minister did not say. I know as I have been one because when I was at school I was very good at drawing, but then that talent has gone, maybe it has now entered into politics, but there are young people of ours that are talented in art whose talent could be improved upon, so that we have artists who could compete with other international artists. Here the young people are left to struggle on their own in order to become known here in Kenya, like the few whose paintings we have and it is apparent that the paintings of our youngsters are forcing their way through so as to be known eventually. We have people with talents not yet developed that are good soloists. The records that we buy from overseas of people singing like Satchmo, of people singing like Miriam Makeba, people like these are here in Kenya. But we have not developed that talent in them and I wanted the Minister to say that he is setting up an organization, maybe through this Bill or through another way in his Ministry, to exploit the talent of art that exists.

I remember when I was at school I used to read the stories told by Aesop, the story teller. This is supposed to be an artist of long standing in another country. Now I am sure in this country too, Mr. Deputy Speaker, we have people who could be story tellers and whom our children would learn later on that so and so or Kamau and Njoroge or Mungai wa Kamau were story tellers, instead of reading about Aesop, the story teller, in history books. So I think that if the Bill has not fallen short the Minister when replying will tell us how he is organizing to train and bring up the hidden talent. To go to the schools and find out from the teachers which boys have artistic talents would be one way of doing this. May be there are singers, one of the Ministers in this House was one of the best singers that I can remember, the Minister for Economic Planning and Development—he was, I remember—because I sang with him in the choir for several years, he was my schoolmate and I know that he was one of the best singers in the school at that time.

Now, these young chaps, when they leave school they struggle to gain this point. We have seen Mr. Deputy Speaker, old people with their *madungu* to play, with their *combanans* to play. The women that sing, they could be soloists like Miriam Makeba, but then we have only to invite the Congolese. Nowadays, Mr. Deputy Speaker, what records have we here that we like? Congolese records? The Congolese people are not better singers than our people, in fact the

**[The Assistant Minister for Agriculture and Animal Husbandry]**

Loos had the talent for singing which is now merging probably into something else and they are losing it. These are the talents, Mr. Deputy Speaker, that we wanted the Minister, when moving this Bill, to tell the House that he is going to exploit, exploit the reserves, to go into the schools and find these talents. I have a young man, Mr. Deputy Speaker, whom I think would have made wonderful paintings for the paintings which are outside this Chamber. He is a boy of Standard VIII, he left at Standard VIII, he did his Kenya Preliminary Examination and passed but he could not go to secondary school. I have tried him with a company here but they think that his talent is not yet developed and they cannot employ him because of that. But he can paint some things that can be seen, only it is not yet perfected and people only want to employ those who have their talents already perfected so that they can paint things for them and not train them, so the Minister for Information and Broadcasting should tell this House that he is initiating places where these boys who have talent can train and to train the older people so that we can have them in our records and museums—I mean to show what they have left behind and the music that they have composed. I do not know if the Minister for Information or anybody in the House, Mr. Deputy Speaker, will tell us that we have music here that has been written by our own people. I doubt it and that, apart from the National Anthem, that is the only one that has been composed. There are good singers here but the people who compose the music are not there and I think that our youngsters should be trained in this. Apart from this, Mr. Deputy Speaker, the Bill itself is most welcome and I think we should not have to depend on the old artists of other countries. The time has come when, with the present generation, we should be able to develop our own artists that are here so that our children will follow in their footsteps that we at this time have made.

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

Mr. Anyieni: Mr. Deputy Speaker, Sir, I also stand to support the Bill, and in supporting this Bill I would like to ask the Minister concerned, who is in the House, to make sure that when a Bill such as this is passed something is done to make it useful to our people, otherwise sometimes a Bill like this is passed and the implementation of the Bill is not effected and as such, the time we spend in this House, discussing and supporting this Bill, is time really wasted.

If we are going to talk of copyright—you see a lot of records, music which are played by some overseas singers—for example Harry Belafonte sings one record and sometimes you hear people like Cliff Richard composing a song which is not really even very sweet to the ear and he has the copyright, and if people want to print this they have to pay him a lot of money and he becomes very rich man. But you will find, Mr. Deputy Speaker, as the other hon. Member has said, that there are people here such as Matthias Mulamba you know, people like that, who have a really good talent, they can play really good music. But the man who takes the copyright is the Asian and it will be found that such people, who are the Africans, though they have the talent they are still very, very poor people, and the man who makes the money is the *Muhindi*, it should be given to that African. What happens is that the African who is a good guitarist comes to Nairobi from the countryside and plays his music, the Indian gives him about Sh. 30, and then the Indian has the music printed—he makes the record—and out of one record that Indian could make Sh. 100,000. This law which you are passing today should make it possible, if an African has played the music, that he should be given the copyright he should be assisted and if we hear good music on the radio, normally you find good music on the radio, our Minister for Information should try and find out who played this music, look for him in the countryside and ask him how much the Indian paid him, because you will find that the Indian paid him only Sh. 20 and the Indian is the man who has the copyright and prints the music and makes money out of it. As such our people still remain poor despite the fact that they have God-given talents and here I hope, that with the passing of this Bill, our Government will be able to make sure that when these people play the records the man who makes the money is the man who produced the music.

Mr. Deputy Speaker, the dignity of our nation is not based on copying, copying from other people and here it is where again our Government should do something.

Before I move from this music you will find Mr. Deputy Speaker, that we have people who can play the guitar very well but because they have no money to buy instruments it is usually the Asian who will buy the instrument and the African goes there only to play and the Asian gets the money.

Here I think also that our Government ought to promote originality. How are we going to promote that originality if our people are not

Mr. Osogo: I see that there is a legal technical point here, Mr. Chairman, I am sorry my friend the Attorney-General did not have a look at it earlier, and I was wondering if, with the permission of the Committee, I could move that consideration of this Bill could be adjourned at this stage, so as that we can look at the legal aspect of it.

May I move then, Mr. Chairman, that the Committee's consideration on this Bill be adjourned until the next sitting day?

(Question proposed)

(Question put and agreed to)

(Consideration of Bill adjourned)

(The House resumed)

(The Speaker (Mr. Slade) in the Chair)

#### ADJOURNMENT OF CONSIDERATION IN COMMITTEE

##### THE IRRIGATION BILL

Dr. De Souza: Mr. Speaker, Sir, I am directed by the Committee of the whole House to report that in considering the Irrigation Bill when it arrived at the consideration of clause 15 of the said Bill, the Committee decided to adjourn the consideration of this Bill to the next sitting day.

#### BILL

##### Second Reading

##### THE COPYRIGHT BILL

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Mr. Speaker, Sir, in moving the Second Reading of this Bill I would like to say that the Bill is a very technical one, and I would like to give certain clarification on the Bill.

Mr. Speaker, previously, Kenya has relied for its Copyright law on the Copyright law applicable in the United Kingdom, and extended to Kenya. For instance, the Copyright Act of 1956 of the United Kingdom was extended to Kenya in 1963, and with minor modifications is, at present, part of the Laws of Kenya. This Act is a highly complicated and technical piece of legislation and it is possible, so I am told, that even in the United Kingdom nobody fully understands what it means. The Act may be satisfactory in the highly developed atmosphere of Britain, where the provision of entertainment is a major industry, and even an important industry capable of exporting entertainment in many forms, particularly entertainment on records. But the Act is not appropriate for a

developing country such as Kenya, which is dependent, to such a large extent, for its entertainment on the importation of recorded works. For instance, the effect of the present Law in Kenya is, amongst other things, responsible for the fact that each year large sums of money leave Kenya for the payment of royalties, which must be paid for every record played by the broadcasting service. Since Kenya does not export records herself, there is no counterbalancing inflow of royalties to offset this amount. The position is not the same in all other countries. In America it is considered that if a record is played over the air this constitutes advertising for the record, and therefore the owners of the copyright for the record should not be paid anything in addition. While not going to this extreme it is considered that Kenya needs copyright legislation more suited to its needs and circumstances. With this in view, Mr. Speaker, the present Bill was drafted and it is considered that in respect of the Voice of Kenya alone, the Act, when passed, will result in a saving to the Kenya Government of approximately £12,000 annually, all of which sum would otherwise leave the country. In enacting this Bill, Mr. Speaker, Kenya will be following the same example of other recently independent countries in Africa such as Ghana, Uganda, Zambia and Malawi. Together with these countries Kenya has received assistance in this respect from Doctor Straschnov who is the legal advisor of the European Broadcasting Union.

The present Bill is largely based on the later and improved pattern adopted by Zambia and Malawi, with modifications made necessary by Kenya's own circumstances as I have already said. The pattern of legislation will enable Kenya to become, or to continue as a member of the Universal Copyright Convention, and perhaps later the Berne Copyright Convention which are world-wide conventions for the protection of literary and artistic work. This will enable us to obtain protection for any works by our local authors and artists which may now or in the future be exported to countries which are also members of the Convention.

With regard to the Bill itself, Mr. Speaker, clause 3 specifies the types of work which will be eligible for copyright, provided, however, that the works themselves must be sufficiently original in character in order to be eligible for copyright.

Clause 4, Mr. Speaker, provides that in order to be eligible for copyright, the author of the work in question must be a Kenya citizen, or be

[The Minister for Information, Broadcasting and Tourism]

domiciled in or a resident of Kenya, and it also specifies the duration of the copyright concerned.

In general, whereas in the United Kingdom, the term of protection afforded by a copyright was based on a period of fifty years, in Kenya this has been reduced to twenty-five years. This will enable us to negotiate new agreements with the Performing Rights Society, and other interested societies, on more favourable terms.

Clause 5, on page 391, to clause 8 of the Bill, in general deal with the nature of copyright, but you will notice that under clause 7 the right to control the production of certain works is excluded in certain circumstances where the interests of the public are concerned. For instance, in the broadcasting of any work if it is intended to be used for educational purposes, or where any use is made of a work by or under the direction or control of the Government or public library or scientific institution, where such use is in the public interest, and where no revenue is derived from such use and where no admission fee is charged.

Clause 8 is intended to meet certain difficulties which have been encountered in the production of films over the medium of television. Such films often include literary, musical or artistic works which could be the subject of copyright, and it is often extremely difficult to ascertain whether the owner of the copyright of such work has authorized the broadcasting of the film in question. The clause provides a presumption that if the work is included in a film then the broadcasting of the work in that film has also been authorized. However, as a proviso to this, the owner of a copyright in any musical work used in such a film, will nevertheless be entitled to compensation for any broadcast of that music.

Clauses 9 and 10 deal particularly with copyright in relation to broadcasting.

Clause 11 also provides that the ownership of copyright is vested initially in the author of the work concerned or where the work is made under the direction or control of the Government or an international organization, then the ownership of copyright shall be vested initially in the Government or in the international organization concerned.

Clause 12, Mr. Speaker, deals with assignment and licences of copyright and clause 13 deals with the infringement and legal proceedings arising out of such infringements.

Clause 14 provides machinery for appeal from the decision of anybody responsible for the granting of licences in respect of copyright, and for

this purpose the Attorney-General is authorized to set up a competent authority to deal with such appeals.

Clause 15 provides for the extension of the application of this Act and therefore for the protection of copyright to works published in or made in any other country which is also a party to any convention of which Kenya is a member, for instance, the Universal Copyright Convention.

Lastly, Mr. Speaker, clause 17 ensures that no copyright shall subsist, except as may be provided under the Act, and that this includes by implication any copyright under the operation of common law. In extension of this, clause 18 provides for the repeal of the United Kingdom Copyright Act in so far as it relates to Kenya.

Mr. Speaker, to summarise, I would only like to say that this technical Bill provides for two very important aspects, that is: if we continue with the United Kingdom Copyright law, we will have to spend some money in order to keep within the copyright legislation as provided for in the law extended to Kenya in 1963.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Dr. De Souza) took the Chair]

Secondly, we would like to have a law suited to Kenya's circumstances and need. It provides that those Kenya citizens who in the future are writers and who may provide such works, will have protection by Kenya still remaining in the world-wide organizations of copyright, like the Universal Copyright Convention. But if we cut off ourselves from being members and continue to pay something to these conventions, it will mean that when we provide our own works by our own people, we will have to apply afresh. What we are intending to do is that when this Bill is passed, we will be able to save the Kenya Government approximately £12,000 which would otherwise have gone out of this country. Again, at the moment, since we do not produce our own work, it is not possible to have a sort of exchange or reciprocal arrangements as in other businesses.

So, Mr. Deputy Speaker, I beg to move.

The Attorney-General (Mr. Njonjo) seconded

(Question proposed)

The Attorney-General (Mr. Njonjo): Mr. Deputy Speaker, I merely want to say very briefly, first of all, that I commend this Bill to this honourable House. As the Minister for Information has just said, we have been following in the past a very complicated and complex legislation which was the United Kingdom's legislation. We

[Mr. Alexander]

at the same time, as I have read from clause 15, the control that Government will have over the activities of these producers and peasants, in determining their number, promoting the marketing of crops and providing for the processing of agricultural produce. How far does the Government intend to go in establishing costs that are attributable to this particular cess? Otherwise, Mr. Chairman, I can see that before ever any individual gets on to this land, he will be put in an impossible position.

I suggest that much of the initial cost will have to be subsidized, will have to be written off by the Government; and I believe that before we go any further with this it would be most useful to have on record what the Government has in mind, so that the board, when it is established, should itself have a very clear idea of this very fundamental and far-reaching financial policy.

Mr. Gichoya: Mr. Chairman, Sir, I have more or less similar problems as the hon. Specially Elected Member has put forward. Here, when one looks at clause 16, one feels sure that the tenant, or the settler, for that matter, will have to bear the cost of providing the basis of any existing or would-be irrigation schemes. Now unless we are sure that the Government will provide money to put those people—I mean, the tenants or the settlers—into a scheme, and that, after these settlers have been put into these schemes they will be allowed a certain latitude to make profit out of their own sweat, then we shall find that the settlers will be financing a project which, in actual fact, is not theirs but is the property of the board.

There is another thing which has caught my eye, Mr. Chairman, and that is that when we agreed to amend clause 14, then clause 14 (3) does not fit properly with 15 (b). Clause 15 (b) states that:

"The board shall be responsible for the development, control and improvement of national irrigation schemes in Kenya."

(2) The board shall have and may exercise all such powers as are necessary to enable it to perform its functions under this Act and, without prejudice to the generality of the foregoing, the board shall have power:

(b) to have vested in it all land forming part of a national irrigation scheme."

Now, 14 (3) states—and the exemption is not even shown here—"In the case of Trust Land forming part of the national irrigation scheme,

the Minister on behalf of the board may take on lease, on terms to be agreed between the Minister and the county council concerned, any Trust Land in such national irrigation scheme." Now unless we amend this part, clause 15 (2) (b), then I do not see where this land which will be vested in, or, rather, leased to the board by a county council is covered. It shows exactly that the land, after it has been leased to the board, becomes finally the property of the board. I would like to have clarification on that one.

At the same time why should we have to tax the same person, who is already paying personal tax, pay-as-you-earn tax, and at the same time contributing to the national scheme on the basis of water rates? There is this cess to be considered. How do we protect this person? I think that if you are paying the water and rate and the cess to the board, you should be exempted completely from paying any of the local taxes or any of the national taxes in the form of Graduated Personal Tax or personal tax or property tax, for that matter. I would like to have clarification on this from the Assistant Minister.

Mr. Osogo: Mr. Chairman, Sir, I could not exactly follow what the hon. Mr. Gichoya was talking about because he went back to clause 14 which I had already spoken about, and referred me to that clause.

Mr. Gichoya: On a point of information, Mr. Chairman, I think I had better give the hon. Minister the information. Clause 14 (3) gives us a position or places exactly the Trust Land in a particular position. When it passes into the hands of the board, it is vested on a leasehold basis. But here, clause 15 (2) (b) says that the whole land is vested in the board and there is no exception, that, after a certain period of time—because this land has been leased to the board—it reverts directly to the original owner. That was one point.

The other point was in connexion with clause 15 where I can visualize someone paying colossal sums of money to the scheme in the form of improvements or water rates, for that matter, and, at the same time, the same person being expected to pay the county council taxes, and the national taxes.

The Chairman (Dr. De Souza): I think we will leave that until we come to clause 16. I know Mr. Alexander touched on this but he was referring to it as an additional argument to his question about the power of the board.

Mr. Osogo: Mr. Chairman, I do not know—on the paper I received I understood that the statement in the column of the amendment

[Mr. Osogo]

would not be read; from what the Clerk of the House gave me earlier on, we decided on the wording of the clause but not on the marginal note.

The Chairman (Dr. De Souza): It is referring to clause 15, 2 (b).

Mr. Osogo: Yes, I know, but in the marginal note we had to cross out two words.

The Chairman (Dr. De Souza): The marginal note is not crossed out.

Mr. Osogo: I see, thank you, Mr. Chairman.

Dealing with the point raised by the hon. Mr. Alexander: Mr. Chairman, I understand the point he raised, but I am told that the capital for any irrigation scheme for the surveys, and for others will come from the Government, and the board is in a position to borrow money, as section 19 states, the borrowing powers of the board, the board can borrow money from the Government and it will be provided here in the House, the different irrigation schemes have always been provided for with initial capital. The cess that is going to be levied in section 16 is the cess for day-to-day running of the schemes, such as the water canals, repairs and new piping material to replace the pipes that are probably worn out and are damaged. But the initial cost, Mr. Chairman, will come from the Government and passed by this House.

Coming to what the hon. Mr. Gichoya has stated, I see there is a point there which I am very sorry I will have to refer to the Attorney-General, because I think that in amending clause 14, this subsection was overlooked. It is given in writing Mr. Chairman, that clause 15 (2) (b) be amended by deleting the word "all" appearing therein.

If we delete that word, Mr. Chairman, then the subclause will read: to have vested in it all land forming part of national irrigation scheme; I do not see how that will relate, legally, to our amendment on clause 14, and I am sorry, Mr. Chairman, I have to refer this to the Attorney-General if he can give us advice on this.

Mr. Gichoya: Mr. Chairman, I could make a suggestion here. Let us accept what the hon. Minister is trying to put, but we add at the end, "except the land referred to by clause 14, (3)."

The Chairman (Dr. De Souza): I am afraid we cannot accept amendments at this stage, Mr. Gichoya, we need to know this in writing. I think Mr. Osogo has made the point.

Mr. Gichoya: Yes, but even after saying that we remove all the land, the mere fact that land, which is involved within the scheme, or involved by the scheme, becomes the property of the board. Definitely it obviously means that every part of every bit of land that is there, unless the language is put in such a manner that there is an exception in so far as this land which had been leased only, reverts back to the owner, after the lease has been terminated, or the lease could be extended later, but what the Assistant Minister has put, if it is allowed to remain so, it makes very little difference or it means the same thing as it used to be before.

The Chairman (Dr. De Souza): Anyway, I will first propose the amendment that has been proposed by Mr. Osogo.

(Question of the amendment proposed)

Mr. Malinda: Mr. Chairman, here I think the Assistant Minister did not get the point at issue. Sir, according to clause 14, (3), we have a machinery whereby the land should be leased to the Minister by a county council, that is fair enough, but then when we come to clause 15 (2) (b), that counteracts the effect of clause 14 (3). Therefore, clause 14 (3) has no effect if clause 15 (2) (b) is put into effect. If the land that has been leased, or if there is any question or any argument about leasing some land, the Minister can turn round and say well, or the board can say well, but we have clause 15 (2) (b) where it is provided that all land, or whatever land even if it is not all, it has to be vested in the hands of the board, that is where, Mr. Chairman, we would like to have clarification, because if clause 15 (2) (b) remains in the Bill, then the effect of clause 14 (3) has no meaning.

The Chairman (Dr. De Souza): Does any other hon. Member wish to speak?

Mr. Gichoya: Mr. Chairman, I think even if we look at the whole thing logically we shall find exactly that the position is covered by clause 14 (1) to (4), and this one I would call it a kind of redundancy when we have clause 15 (b); (b) should be removed completely.

The Chairman (Dr. De Souza): You are repeating yourself, you cannot continue repeating the same thing over and over again.

Mr. Gichoya: I see it in a different way, Mr. Chairman.

The Chairman (Dr. De Souza): You have already said it twice, and I do not think I can let you speak again on the same thing.

(Question that the word to be left out be left out and agreed to)

Mr. Mate: Mr. Speaker, Sir, in view of the fact that the present officer in Meru has to cover such a large area both in mileage and population, would the Government not consider that the Meru problem is rather urgent?

Mr. Nyagah: Mr. Speaker, Sir, the Government does not consider that the Meru problem is more urgent than others. The present probation officer deals with about forty-five cases and it is not the area of the district that matters; it is the number of cases that have to be cared for that matters. I think the hon. Member for Meru Central should congratulate himself for having a very good district where child delinquents are not very prevalent.

Mr. Mate: Mr. Speaker, Sir, would the Assistant Minister not agree with me that the same officer in Meru is not able to visit all the divisions of Meru, but rather concentrates on one division, and that is the division around the town, and that he does not visit Nyambene, Tharaka or even Nusi Division?

Mr. Nyagah: Mr. Speaker, Sir, the Government has not completely ruled out the possibility of a second officer. All that I said is this, there are other areas which are more urgent, which have more priority, in claiming for probation officers, and I think the hon. Member for Meru Central for giving us this information, that the man does not cover his area; the Minister will look into this.

Mr. Mbogoh: Mr. Speaker, Sir, would the Assistant Minister tell the House how many minimum cases are required, so that they can have a probation officer?

Mr. Nyagah: Mr. Speaker, Sir, the minimum number of cases for a probation officer is nil, but if every hon. Member were to help and get this nil return from their areas, then the Government will have a lot of saving in other directions to help the districts by not having to employ this type of person.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

##### SAFEGUARDING OF KENYA PRELIMINARY EXAMINATION PAPERS

The Speaker (Mr. Slade): I would remind hon. Members that on the adjournment today Mr. Barasa is to raise the matter of careless safeguarding of examination papers for the Kenya Preliminary Examination.

Mr. Anyieni: On a point of order, Mr. Speaker, was there not something given a lot of publicity in the papers concerning some of the

statements which the Vice-President made at the Coast? We were given to believe that the question was going to be brought here today. What has happened to it?

The Speaker (Mr. Slade): I am not sure that a matter of this kind can really be raised as a point of order, but the position is that Mr. Balala has given notice of his desire to ask a question by private notice on this matter, and it will be answered tomorrow or the next day.

#### BILL

##### COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

[The Speaker (Mr. Slade) left the Chair]

##### IN THE COMMITTEE

[The Deputy Chairman (Mr. Slade) took the Chair]

##### THE IRRIGATION BILL

(Clauses 2, 3, 4 and 5 agreed to)

(Clauses 6, 7, 8, 9 and 10 agreed to)

(Clauses 11, 12 and 13 agreed to)

##### Clause 14

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Chairman, Sir, I beg to delete the whole of clause 14 and substitute therefor a new clause, which I shall read.

*Designation of national irrigation schemes and vesting of land.*

14. (1) The Minister may, by notice in the Gazette, designate any area of Kenya to be a national irrigation scheme.

(2) In respect of land other than Trust Land in the national irrigation scheme the Minister shall, in accordance with the law for the time being relating to the compulsory acquisition of land, take such steps as may be necessary to acquire the right, title or interest in such land and to vest it in the board for the purpose of this Act.

(3) In the case of Trust Land forming part of the national irrigation scheme, the Minister on behalf of the board, may take lease on terms to be agreed between the Minister and the county council concerned any Trust Land in such national irrigation scheme.

(4) In default of agreement between the Minister and the county council as to the terms of lease under subsection (3) of this section, the provisions of section 209 of the Constitution shall have effect.

##### [The Assistant Minister for Agriculture and Animal Husbandry]

Mr. Chairman, I am told that during the Second Reading of this Bill, hon. Members expressed concern over this section 14. And having consulted the Attorney-General's Chambers, we have agreed to amend it in the manner I have just read out. Here it gives allowance to the Minister to negotiate with the county council for the land which is Trust Land. Trust Land, the House will remember, is the land which was formerly called Crown Land, that is, land invested in the county councils. So if any land of this kind has to be taken for a national irrigation scheme, the Minister will negotiate with the county council on the terms of the lease. It may be 99 years, or 999 years, as they will agree.

But the last part of it, the fourth subsection of that section, Sir, gives the Minister also—if there is a deadlock over any agreement—the right to use the powers which the House has conferred on the President of this country under section 209 of the Constitution, and that will be used. But we hope this situation will not arise, because we think that the national irrigation schemes are in the interests of the local people who live in the areas where they will be carried out.

With these few words, Mr. Chairman, I beg to move that amendment.

The Deputy Chairman (Mr. Slade): I think, Mr. Osogo, that there is one small clerical error here, in subsection (3); it should be "may take on lease." That is what was probably intended.

I see I am right in my guess; the original draft had the word "on" in it.

Mr. Osogo: Yes, it is a clerical error, Mr. Chairman.

The Deputy Chairman (Mr. Slade): I think there should be a comma probably after the word "concerned" in the next line.

Mr. Osogo: Yes, Mr. Deputy Chairman.

The Deputy Chairman (Mr. Slade): Will hon. Members please note those corrections?

(Question of the amendment proposed)

(Question that the clause to be deleted be deleted put and agreed to)

(Question that the new clause to be inserted in place thereof be inserted put and agreed to)

[The Deputy Chairman (Mr. Slade) left the Chair]

[The Chairman (Dr. De Souza) took the Chair]

(Clause 14 as amended agreed to)

##### Clause 15

Mr. Alexander: Mr. Chairman, with regard to clause 15, I wish to ask some questions on the financial implications of this, and in doing so, to relate the question to clause 16 (b) and clause 20.

Mr. Chairman, two of the gravest needs of our country are capital and water, and this Bill reflects, in almost every word that is written, this grave need. It is encouraging that the Government should have brought this Bill at this particular point. However, there is in my mind some anxiety about the financial outcome and implications of the words as written in the Bill at the moment. Clause 15 (2) (g) gives power to the board to determine the number of settlers; subsection (i) to promote the marketing of crops and produce grown or produced; and (j) to provide for the processing of agricultural produce. This does mean that the board, in respect of any promulgated irrigation scheme, can be the be-all and end-all of the particular scheme, controlling the lives of the people almost in every detail.

But, in doing so, clause 16 (b) does enable the board to impose a cess and it says that such cess "shall only be levied for the purpose of meeting the cost of services provided in the relevant scheme." Clause 20 then goes on to say that "The board shall make proper provision for the renewal of wasting assets, for payments of interest and sinking fund charges where appropriate."

Now, Mr. Chairman, I think that before we allow this Bill to pass into law, we should be very clear, and the Government must make it very clear, as to what the financial implications of these words which I have just read out are for the individual grower, the individual peasant, on any irrigation scheme, because I can see that if the cess is intended to cover all the costs, including the initial costs, then the peasants will be encumbered with a responsibility which they will never be able to meet. For example, in any scheme there has to be, obviously, an initial survey. This costs money. There has then to be a feasibility test and report. This also costs money. There are bound to be some failures; not every scheme will be an immediate success. This will cost considerable money.

Now, Sir, in arriving at the cess, and in implementing clause 20, that is, the provision for the renewal of wasting assets, and the payments of interest and sinking fund charges, is it the intention of the Government that these should be recovered in this cess? Remembering

[Dr. Kiiano]

make implications which are not justifiable. As I said, it is because of the inadequacy of the tobacco grown in Kenya that we find it necessary to buy more tobacco from our neighbours in Uganda and Tanzania, and I am not able, Mr. Speaker, to see how the British American Tobacco Company could deliberately restrict the Kenya producer, in order to benefit the Uganda producer. I think they want tobacco from Uganda and Tanzania and from Kenya, and as the hon. Member who raised the question originally has indicated, they are even giving fertilizers to our people to increase production.

Question No. 98

"MADE IN KENYA" MARK FOR LOCAL MANUFACTURE

Mr. Jamal asked the Minister for Commerce and Industry to tell the House whether he was aware that many goods manufactured in Kenya did not bear any "Made in Kenya" mark. If he was so aware, would he then consider issuing directives to manufacturers to do so.

The Minister for Commerce and Industry (Dr. Kiiano): Mr. Speaker, Sir, I beg to reply. I am aware that many goods manufactured in Kenya do not bear the inscription "Made in Kenya", and I fully agree with the hon. Member that they should do so. I shall take this suggestion into effect and I shall, immediately on leaving here, send a circular to the Kenya industrialists to this effect.

Mr. Jamal: Mr. Speaker, Sir, would the Minister give us an assurance that, in spite of his directives, people do not insert this trade mark for various reasons, will he consider bringing this as a matter of law? Would he enforce this by way of law?

Dr. Kiiano: Mr. Speaker, Sir, I do not like too many laws with too many policemen checking on everybody's behaviour, but if, after I issue this circular (whose copy will be put in every hon. Member's pigeon hole), if say after a month or two nothing has happened, I shall then report to this House.

Question No. 99

AUTOMATIC TELEPHONE EXCHANGE FOR KISUMU POST OFFICE

Mr. Jamal asked the Minister for Works, Communications and Power if the Minister could tell the House when it was proposed to extend Kisumu Post Office to accommodate an automatic telephone exchange which had been promised would come into operation in early 1967?

The Assistant Minister for Lands and Settlement (Mr. Gachago): Mr. Speaker, Sir, on behalf of the Minister for Works, Communications and Power, I beg to reply. I am pleased to inform the hon. Member that East African Posts and Telecommunications Administration have plans in hand to start extending the post office building at Kisumu for an automatic telephone exchange in February 1966.

Mr. Jamal: Mr. Speaker, Sir, could the Assistant Minister tell us why, in spite of the fact that the Government year starts in July, this extension has been postponed until February next year?

Mr. Gachago: Mr. Speaker, Sir, the reason why this postponement has been necessary is because the installation of the automatic exchange itself will depend on the receipt of the equipment which was not delivered from overseas about three years ago, and as this equipment is being made to order, it is not certain when it will be ready, but it is hoped that it will be ready and work will start in February next year.

Mr. Jamal: Mr. Speaker, Sir, arising out of that answer, will the Assistant Minister tell us that if there is a delay in delivering the equipment, what is holding up the Administration in starting the building of the exchange?

Mr. Gachago: Mr. Speaker, Sir, I have already said that the work will start in February, pending the arrival of the equipment.

Question No. 101

SOCIAL WORKERS IN MERU

Mr. Mate asked the Minister for Labour and Social Services if the Minister could tell the House how many social workers were at present working in Meru and what were their ranks and standard of training.

The Assistant Minister for Labour and Social Services (Mr. Odera-Jowi): Mr. Speaker, Sir, I beg to reply. Although certain voluntary agencies employ social workers, the official position is that the responsibility for employing and maintaining them rests with the county council or local authority. I am informed that the Meru County Council does not employ any social worker, therefore the second part of the question does not arise.

Mr. Mate: Mr. Speaker, Sir, what can the Ministry do to influence the Meru County Council or anybody else to make sure that there are social workers in Meru District?

Mr. Odera-Jowi: Mr. Speaker, Sir, already my Ministry has sent circulars to all local authorities, impressing on them the importance of employing social workers, and this is the maximum we can do.

Mr. Shikuku: Arising from the reply by the Assistant Minister to the effect that the employment of social workers is the responsibility of the county or the local councils, can he tell the House whether the Government has not accepted the present Constitution, namely the question of centralization, and so is it not the responsibility of the Central Government to help such areas which cannot afford to employ social workers, in order to promote the whole country as a whole?

Mr. Odera-Jowi: Mr. Speaker, Sir, the Constitutional change has not affected in any way the province of responsibility of my Ministry, everything remains as it was.

Question No. 92

PLANS FOR LANDLESS PEOPLE

Mr. Odera-Sar asked the Minister for Lands and Settlement whether, in view of the fact that the numbers of landless people in Kenya were not known because land consolidation was not yet completed in all districts, and in view of the fact that the Government was settling only those few people from the places where the consolidation of land was completed, would the Minister tell the House what plans the Government had for the landless people who would come forward as a result of the land consolidation in other districts, where consolidation was still to be completed.

The Assistant Minister for Lands and Settlement (Mr. Gachago): Mr. Speaker, Sir, I beg to reply. It is not true, Mr. Speaker, Sir, that the Government is settling only those people from places where land consolidation is completed. There is also no proof that many people are rendered landless as a result of the work of land consolidation. In fact, Sir, more people, who could not have possessed any land of their own under the system of communal ownership of land, do possess land after land consolidation, leaving only a few, who at any rate, never had any right to the land owned communally by a clan.

The present policy, which has been followed for a considerable time, is to give priority to the landless labour on farms which are purchased for settlement. Applications from others, who are landless, are considered each according to its own merit. The Government has stated that, depending on the availability of funds, it will continue purchasing the remaining mixed farms which are still in the hands of Europeans for allocation to Africans. As plots become ready for occupation, the people who are landless as a result of land

consolidation or otherwise, will be invited to apply for them, and their applications will be considered in the normal way.

Mr. Ngala-Abok: Mr. Speaker, Sir, will the Assistant Minister assure the House that the Commission of Inquiry which has been jointly appointed by the Kenya and the British Government to look into the problems of land consolidation will also look into the question of landless people as a result of land consolidation, and that a solution will be found to such people?

Mr. Gachago: Mr. Speaker, Sir, each commission which is appointed either by this Government or by any overseas Government has terms of reference and the commission will continue to do exactly what it is required to do under the terms of reference.

Mr. Ngala-Abok: Mr. Speaker, Sir, is this problem of the landless people after land consolidation included in the terms of reference of the commission which I am referring to?

Mr. Gachago: Mr. Speaker, Sir, I invite the hon. Member to read the terms of reference of the commission.

Question No. 102

MORE PROBATION OFFICERS FOR MERU

Mr. Mate asked the Minister for Home Affairs if the Government would consider posting two more probation officers to Meru in view of the increase in juvenile delinquency and the size of the district.

The Assistant Minister for Home Affairs (Mr. Nyagah): Mr. Speaker, Sir, I beg to reply. The Government does not have any plans for building an approved school in the Meru District in the future. The establishment of approved schools in any area depends on the volume of juvenile delinquent cases—

Mr. Mate: On a point of order, Mr. Speaker, Sir, this is question 102.

The Speaker (Mr. Slade): I think you have the wrong question there, Mr. Nyagah.

This is Question No. 102.

Mr. Nyagah: Sir, I do apologize, and I crave the indulgence of the House.

The Government has already a probation officer in Meru, and the Government does not think it fit to provide an extra probation officer in Meru until the needs of the more needy areas, such as Western Province and Coast Province and Rift Valley, have been met.

**The Speaker (Mr. Slade):** No, it is not in order unless the Ministry took more than the allotted time for answering. I do not know whether that was so; I think I would have heard of it if it was so. I should take no notice and continue, Mr. Mutiso.

**The Assistant Minister for Education (Mr. Mutiso):** Mr. Speaker, Sir, I beg to reply. Only one class, and not three, was suspended at Kenyatta College Secondary School Division, from 19th to 25th October 1965, because they walked out on two members of staff. As the highest discipline must be maintained in our best schools, this action of insubordination by the students could not be countenanced by my Ministry without taking appropriate disciplinary measures.

**Mr. Kall:** Mr. Speaker, Sir, will the Assistant Minister agree with me that this occurrence occurred as a result of lack of a headmaster in the school?

**Mr. Mutiso:** No, Sir. This did not occur because of the lack of a headmaster in the school because, Mr. Speaker, by that time we had an acting headmaster of the secondary division.

**Mr. Ngala-Abok:** On a point of order, Mr. Speaker, Sir, the Assistant Minister does not seem to have answered part (b) of the question, or does he intend to answer it later on?

**The Speaker (Mr. Slade):** Possibly, but that is not a point of order.

You have finished answering have you, Mr. Mutiso?

**Mr. Mutiso:** Yes, Sir.

**Mr. Ngala-Abok:** On a point of order, Mr. Speaker—I do not know whether this is again a point of order.

**The Speaker (Mr. Slade):** Then I should not take a chance on it. You are getting on rather dangerous ground.

**Mr. Ngala-Abok:** Mr. Speaker, what I wish to know is how he has answered part (b) of it, because he has not answered it.

**The Speaker (Mr. Slade):** No. That may be so, Mr. Ngala-Abok, but you cannot raise that as a point of order. You are on very dangerous ground by continually rising on what you should know to be false points of order. I have given several warnings lately about this, I am not going to give any more.

**Mr. Gatiguta:** Mr. Speaker, Sir, could the Assistant Minister answer part (b) of the question?

**Mr. Mutiso:** With regard to part (b) of the question, Mr. Speaker, I beg to give the following answer. A new, capable and experienced headmaster was appointed to act at Kenyatta Secondary School Division with effect from the 23rd October 1965. The training college principal acted as headmaster of this school on a temporary basis after the former headmaster had retired earlier than had been anticipated.

#### Question No. 74

##### REMOVAL OF EUROPEANS FROM PRIVATE COMPANIES

**Mr. Shikuku** asked the Minister for Commerce and Industry whether he could tell the House what he was doing to remove some of the Europeans in private firms who were hindering the progress of the Africans and who still looked upon the Africans as inferior.

**The Minister for Commerce and Industry (Dr. Kioko):** Mr. Speaker, Sir, I beg to reply. The Government has taken action to tighten immigration control so that expatriates are not employed when in fact local people are available. Furthermore, the Government has also brought about increased Africanization in the private, commercial and industrial sector through talks with business managers and proprietors, but I must say that there is still a great deal more to be done.

Africanization is an urgent matter which the Government is pursuing effectively but which is complicated by the non-availability, sometimes, of large enough numbers of high and middle-level manpower and, particularly, top level technicians and specialists. Kenya has ample numbers of unskilled and semi-skilled manpower, but not enough of the highly skilled personnel. We must, therefore, retain some of those expatriate skills which we need until skilled Africans are available to take over the particular jobs.

I do not know how many Europeans in private firms are hindering African progress, but I believe the number is small but if the hon. Member has come across some isolated case of a European who retains the Verwoerd-type mentality, he should report it immediately to the appropriate authority.

**Mr. Shikuku:** Mr. Speaker, Sir, whereas agreeing with the very elaborate and very convincing reply by the Minister, would he agree with me that any time an hon. Member calls upon him and gives him a list of those who are hindering the progress of the Africans in private firms, he will take action and such action will be published for the interest of the people of Kenya?

**Dr. Kioko:** Mr. Speaker, Sir, when it comes to deporting people from this country, this is in another portfolio.

**Mr. Masinde:** Mr. Speaker, Sir, is the Minister aware that the Africanization—as it is called—in private firms is only meant for the sake of publicity of such firms and they are given such posts as public relations officers? What is the Minister doing to see that we get proper people into managerial positions?

**The Speaker (Mr. Slade):** I think that is a different question. We will go on to the next question.

#### Question No. 97

##### EXPORT OF TOBACCO BY KENYA

**Mr. Mbogoh** asked the Minister for Commerce and Industry when he thought that Kenya would be able to include tobacco as one of her exports.

**The Minister for Commerce and Industry (Dr. Kioko):** Mr. Speaker, Sir, I beg to reply. It is unlikely that Kenya will become an exporter of tobacco in the foreseeable future. Kenya's soil and climate is not conducive to the production of quality tobacco in large quantities, excepting for certain isolated areas in Central and Eastern Provinces. At the present time, Kenya imports most of its requirements from Uganda and Tanzania and, as the production problems here in Kenya seem pretty insurmountable, it is expected that we will continue to import, not export.

**Mr. Mbogoh:** Mr. Speaker, can the Minister tell this House exactly how many tons of tobacco Kenya produced last year?

**Dr. Kioko:** Mr. Speaker, Sir, that is a very relevant question; it does usually come to my Ministry, but I do not have the figure today. Could I provide the figure to the hon. Member tomorrow or the day after tomorrow?

**Mr. Mbogoh:** If the Minister does not know the tobacco production figures in Kenya, does this not disclose negligence on the part of the Kenya Government in that they should, at any rate, be able to tell whether it is possible to grow enough for export as well as for local consumption?

**Dr. Kioko:** Mr. Speaker, Sir, I think the implication of the supplementary question is entirely wrong. The figures are available. As a matter of fact, if I went out of this Chamber, I could get the figures within two minutes. But the point I am making is this; that whatever the amount is, we have found it so little that we have had to go to our friends in Tanzania and in Uganda to get additional tobacco in order to feed

the Nairobi tobacco factory. Therefore, everybody knows today that we are importers of tobacco, not exporters.

#### Question No. 97 (a)

##### TOBACCO COMPANY'S DIRECTION OF PLANTING, GRADING, ETC.

**Mr. Mbogoh** asked the Minister for Commerce and Industry why the tobacco company was allowed to direct planting, grading, buying and manufacturing of all the tobacco in Kenya.

**The Minister for Commerce and Industry (Dr. Kioko):** Mr. Speaker, Sir, I beg to reply. The tobacco company operating in Kenya does not direct planting, although it is vitally concerned with the grading and buying of tobacco, for it is a commercial manufacturing enterprise which must maintain its high quality standards.

In actual fact, as the principal buyer of locally grown tobacco, the company, through its leaf officers, gives invaluable advice and assistance to farmers, because it must assist farmers to ensure that the tobacco grown will be acceptable, since they are the market for the tobacco. The company, by concentrating on high quality requirements, brings proper techniques to the notice of those farmers interested in growing tobacco. In order to maintain quality, a system of grading must be operated which benefits the industrious farmer, so that he can obtain a higher price for his best leaf.

**Mr. Mbogoh:** Mr. Speaker, Sir, arising from that reply, is it not true that the British American Tobacco Company is advancing fertilizers and some planting loans to the growers so that they can grow this and they do this at a very high cost? Why is the Government not doing anything?

**Dr. Kioko:** Mr. Speaker, Sir, the British American Tobacco Company is a market for the tobacco and if the buyer, who is a tobacco company, assists our people in growing good tobacco, I do not think we have anything to complain about.

**Mr. Anylen:** Mr. Speaker, Sir, in view of the fact that tobacco can be a very good cash crop, would the Minister not agree with me that this British American Tobacco could restrict the acreage planted in Kenya in order to safeguard the acreage planted elsewhere and if he agrees with me on this, will the Government take steps to control the amount of planting and not to allow this to be in the hands of foreigners who might do something to interfere with our economy?

**Dr. Kioko:** Mr. Speaker, Sir, while agreeing with the hon. Member that we must always be very watchful, on the other hand we must not

Mr. Warlithi: Mr. Speaker, Sir, will the Assistant Minister tell us in what way this gentleman behaved which was a breach of security.

Mr. Argwings-Kodhek: Mr. Speaker, Sir, I think the hon. Member for Othaya-South Tetu has known the case of this person over a long period, and the way he behaved. It is also known, Mr. Speaker, Sir, that this man organized a sort of organization, called, I think, the Nyeri African Congress—

Mr. Masinde: What is wrong with that?

Mr. Argwings-Kodhek: Its purpose was not only to attack Kanu but to attack members of Kanu who did not agree with him and also to attack this Government.

Mr. Gatuguta: Mr. Speaker, Sir, since this is a matter of great national importance, that people should not be restricted or be denied their freedom without any good reason, can the Assistant Minister tell us now the particular incidents that happened to warrant the restriction of this person?

Mr. Argwings-Kodhek: Mr. Speaker, I would like the chairman of the Transport Licensing Board to write a letter to—

Mr. Ngala-Abok: On a point of order, Mr. Speaker, is the Assistant Minister in order in referring to the Member for Kikuyu, mentioning his post, which has no connexion with his political functions in this House?

The Speaker (Mr. Slade): No, I have only recently asked Mr. Kodhek to refer to hon. Members by their constituency, and not by their other activities.

Mr. Argwings-Kodhek: I withdraw that, Mr. Speaker.

The restrictee knows the reasons why he was restricted. Cases like this come forward from time to time for review with a very intelligent panel. I certainly cannot divulge any reasons for restricting one particular person, which will create a precedent on security matters, which would make us open to having to divulge this information in connexion with all sorts of restrictees and detainees.

Mr. Khalif: On a point of order, Mr. Speaker, what is the position when, following your ruling, a Minister or Assistant Minister, for that matter, takes the privilege of that ruling, so that he makes an allegation and does not substantiate? What is the position then?

The Speaker (Mr. Slade): I do not think I can add to what I said in that ruling. One has to rely on Ministers not to abuse the privilege; it is a privilege which we have to allow to them.

Mr. Anyieni: On a point of order, Mr. Speaker, if the Minister abuses the privilege, what do we do?

The Speaker (Mr. Slade): Nothing, except make a mental note of it, if you think he has.

Mr. Masinde: Mr. Speaker, Sir, arising from one of the Assistant Minister's replies, in view of the fact that in this country we still allow a person to form a party and, in this case, we have been told by the Assistant Minister that this person who was restricted without trial, had organized what is called the Nyeri District Congress, and he was opposed to the Government and to the Members of Kanu. If these are the reasons, would it not be in order for the Assistant Minister to tell us that Government now has decided not to have more than one party, and, as such this person was to be detained without trial?

Mr. Argwings-Kodhek: Mr. Speaker, it was the President himself who said here, not long ago, that we shall not legislate for one party as such, but if you have a party, you must not use it to undermine the authority of the present Government. We will not allow this, even if the person who is conducting or organizing that party is Wanjohi Mungau. Therefore, Mr. Speaker, Sir, the person Wanjohi Mungau knows why he was restricted; if he behaves himself—his case came for review only recently and it was decided by the people who know him better than we do that he should still remain there until he rehabilitates himself.

Mr. Warlithi: Mr. Speaker, Sir, is the Assistant Minister aware the Congress he is referring to was formed in 1959 and was dissolved in 1960 when Kanu was formed and, knowing that this person was detained just last year, is it not true to say that he is now being detained for no reason?

Mr. Argwings-Kodhek: Mr. Speaker, Sir, that is not the only thing known about Wanjohi Mungau. Many things are known about him, including his connexions with people like Baimungi in the past.

#### Question No. 105 (a)

#### RECRUITMENT OF SOMALIS FOR SECURITY FORCES

Mr. Khalif asked the Minister for Internal Security and Defence why it was that no Somalis had been recruited to the Security Forces, namely, army, police or prisons, since the attainment of independence in Kenya.

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): Mr. Speaker, Sir, I beg to reply. No Somalis have been recruited into the Armed Forces since

[The Assistant Minister for Internal Security and Defence]

independence, because it is a regrettable fact that a number of them defected to the *Shifita*, taking their arms, ammunition and valuable information with them.

A number of other Somali soldiers applied to be discharged, rather than fight their kith and kin. In these circumstances, it seemed unwise and a security risk to recruit more Somalis, because, even if they were loyal, they would be distrusted by their fellow soldiers.

Mr. Khalif: Mr. Speaker, Sir, it is unfortunate that some Members consider this matter so lightly. Mr. Speaker, Sir, does that answer imply that the loyalty of the innocent and law-abiding Somalis in the North-Eastern Province is being doubted by the Kenya Government?

Mr. Argwings-Kodhek: No, Sir.

Mr. Khalif: Mr. Speaker, Sir, arising from the Assistant Minister's latest reply, how does he tie up his statement that the law-abiding Somalis are not being doubted, when he said here, just now, that they are not being recruited because their loyalty is being doubted because some of them have defected from the army?

Mr. Argwings-Kodhek: I could do it in many ways. The first is this: In the Kenya Army at the moment, we have quite a number of Somali non-commissioned officers and Somali officers to date—and we do not doubt them—but the ones who defected, Mr. Speaker, Sir, in fact, we have recovered some of the guns with which they went across to Somalia.

Mr. Amin: Mr. Speaker, Sir, arising from the Assistant Minister's reply, will the Assistant Minister tell the House whether it is the policy of this Government that every Somali—whether he is loyal to this Government or not—is regarded as an ordinary *Shifita*?

Mr. Argwings-Kodhek: I have said before, and I will say it again, that this Government does not subscribe to the syllogism that all Somalis are *Shifitas*, that this man is a Somali, therefore he must be a *Shifita*. We do not consider that.

Mr. Ogie: Mr. Speaker, Sir, because of this continued exclusion of Somalis from the security forces, is the Assistant Minister aware that the Somalis—have come to the conclusion that we are not only discriminated against, but treated as third-class citizens?

Mr. Argwings-Kodhek: No, Mr. Speaker, I would not like the hon. Member to get that view, or to let anybody think that is our view. We do not consider Somalis as third-rate citizens. In fact,

I hate to hear somebody calling himself a Somali instead of a Kenyan, because we are all Kenya citizens and we must work together. If anybody discriminates against himself by calling himself a Somali, or a Tanzanian, that is not the fault of the Government. Let us call ourselves Kenyans and fight for Kenya.

Mr. Khalif: On a point of order, Mr. Speaker, Sir, I would like to seek your guidance on this. In view of the fact that this matter is extremely serious, would it be in order that I call—as the Member for Wajir North—for a Presidential Statement because the Somalis cannot be led blindfolded? You call us one time a citizen, another time you call us *Shifita*—

The Speaker (Mr. Slade): Order! Order! You have raised your point of order and the answer is, no, you cannot call for a Presidential Statement. You can pursue the matter on adjournment.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

#### UNSATISFACTORY REPLY TO QUESTION NO. 105(a) RECRUITMENT OF SOMALIS FOR SECURITY FORCES

Mr. Khalif: Mr. Speaker, Sir, I wish to raise this matter on adjournment.

#### ORAL ANSWERS TO QUESTIONS

##### Question No. 96

#### SUSPENSION OF CLASSES AT KENYATTA COLLEGE

Mr. Kari: On a point of order, Mr. Speaker, I think the Ministry delayed this question deliberately, so as to make some amendments, and then to bring the question today when they knew that they had corrected some mistakes. However, I beg to ask the following question:—

Could the Minister for Education tell the House why—

(a) three classes at Kenyatta College had been suspended; and

(b) whether it was true that the principal of teachers' training at the college was also the acting headmaster of secondary school, and if the answer was in the affirmative, why?

The Assistant Minister for Education (Mr. Mutiso): On a point of order, Mr. Speaker, Sir, would not like the hon. Member to say that the Ministry deliberately delayed this question, when it has just appeared on the Order Paper today?



**[Mr. Argwings-Kodhek]**

and sometimes to the person of the President himself, that person shall not be licensed to hold a meeting in a country ruled by the Kenya Government.

**Mr. Gichoya:** Mr. Speaker, Sir, arising from the Assistant Minister's reply, is he trying to hide some of the facts? Does he mean to tell us exactly where these speeches made by Mr. Kenneth Kingori were inflammatory and also whether the intention of the Government is to deny the party officials the liberty to address people at public meetings?

**Mr. Argwings-Kodhek:** Mr. Speaker, Sir, Mr. Kenneth Kingori is not the only party official, and the Government is not victimising Kenneth Kingori. It is Kenneth Kingori who is victimising himself. He must refrain from using language which is abusive of the Government or unjustly critical of this Government.

**The Minister for Health and Housing (Mr. Otende):** On a point of order, Mr. Speaker, would my hon. colleague not agree with me—

**The Speaker (Mr. Slade):** Oh, no, order, Mr. Otende! That would not be a point of order.

**Mr. Mbogoh:** Mr. Speaker, arising from the Assistant Minister's reply, would he consider publishing this speech as an example of a bad speech for all of us to understand what it is?

**Mr. Argwings-Kodhek:** I would certainly not, Sir, wish to publish an example of a bad speech, as made by Kenneth Kingori, but I would tell hon. Members again that any speech which unfairly criticises the Government without suggesting anything constructive; any speech which denigrates the person of the President or his Ministers; any speech which attempts to undermine the authority of this Government, and the authority of Kanu, is an objectionable speech.

**Mr. Kagga:** Mr. Speaker, Sir, arising from the Assistant Minister's reply, and in view of the fact that Mr. Kenneth Kingori is the secretary of the Nyeri Kanu Branch, does not the Assistant Minister agree with us that this is against the freedoms which he has just told us the Government believes in?

**Mr. Argwings-Kodhek:** I certainly do not agree that it is against the freedom of anybody or against the Constitution, Sir. The officer in the field at Nyeri is, I might say, the eye of the Government at Nyeri. He decides on the security situation. He finds out that every time Kenneth Kingori makes a speech, there are disturbances. He knows that Kenneth Kingori is holding certain meetings, some of which are of a very secretive nature, and then he finds out that if Kenneth

Kingori addresses a meeting at Ruringi Stadium—and usually he does not like those, he goes behind closed doors—then sometimes he discovers that this man is going to hold another cowardly meeting to talk nonsense. He is in the field; he is entitled, under the Constitution, to say: "Kenneth Kingori, this time you will not have a licence." And we support him.

**Mr. Warithi:** Mr. Speaker, Sir, the Assistant Minister has said that whenever Mr. Kingori holds meetings, disturbances follow. Can he quote an instance of a disturbance which has happened after such a meeting?

**Mr. Argwings-Kodhek:** Mr. Speaker, I am not quoting instances, because the hon. Member himself knows about these particular meetings and Mr. Kingori himself knows about these particular meetings.

**Several hon. Members:** We want to know.

**Mr. Argwings-Kodhek:** If it is in the interests of Mr. Kingori and of the Member for South Tetu, then I shall answer.

**POINT OF ORDER****SUBSTANTIATION OF ALLEGATIONS**

**Mr. Shikuku:** On a point of order, Mr. Speaker, I am seeking your ruling on this. When a Minister speaks in this House, he speaks on behalf of the Government; and if he says anything and is questioned about it, is it not in order for him to reply? If he refuses to reply, after he has said something, what can the Members do in this House, because so far the Assistant Minister has told us that there were some seditious words uttered by Mr. Kingori, but when questioned about them he has refused to reply? Again now he talks of secret meetings and disturbances, but he does not want to amplify that. What can we do to such a Minister?

**The Speaker (Mr. Slade):** Hon. Members can be required to substantiate anything they say or imply, either by question or by answer to a question. The Minister has not actually been asked to substantiate on this occasion, but he could be asked, as a point of order.

**Mr. Anyleni:** Mr. Speaker, Sir, on a point of order, the Assistant Minister has made a very serious allegation that Mr. Kingori is holding secret meetings, and that is why he has not been given a permit to hold any public meetings. Would the Assistant Minister substantiate this, in view of the fact that Mr. Kingori is not here to defend himself? Would he substantiate this in this House and inform the House what Mr. Kingori has said and where he has held these secret meetings and what steps the Government has taken?

**Mr. Argwings-Kodhek:** This is exactly one of those things which I would never divulge, Sir.

**Several hon. Members:** Point of order!

**The Speaker (Mr. Slade):** Order! As hon. Members know, our Standing Order is that Members required to substantiate what they say must either substantiate or withdraw. But I did deliver a Considered Ruling on this question about a year and a half ago, to which I would refer hon. Members—it is in HANSARD—where I recognized that there are occasions when Government cannot disclose its evidence for what it alleges, on the grounds of security. And I did rule then that if a Minister, who must be accepted as being a responsible person, is prepared to say in this House that, strictly on the grounds of security, he is not able to divulge the evidence on which he is basing the allegation, he must be allowed to do so.

**Mr. Kodhek:** has not actually said that that is the reason for his refusal to give the grounds for his allegation, but if he does say so the House must, I think, accept that.

**Mr. Kodhek:** you must substantiate, unless you give that particular ground.

**Mr. Argwings-Kodhek:** Mr. Speaker, I will go back to the main part of my answer. The first line of my answer referred to the "prevailing security situation". Further in my answer, in the second paragraph, I said, "About three months ago Mr. Kenneth Kingori consistently delivered inflammatory speeches in public meetings in Nyeri which were likely to lead to a breach of the peace. The licensing officer considered that further issues of licences for Mr. Kenneth Kingori to address public meetings would not be in the public interest."

**The Speaker (Mr. Slade):** Yes, but what Mr. Anyleni asked you to substantiate was further things that you said in answer to supplementary questions in particular, I think, the allegation that this gentleman was holding secret meetings.

**Mr. Argwings-Kodhek:** I said that because of security reasons prevailing in the area, I cannot divulge the evidence.

**Mr. Anyleni:** On a point of order, Mr. Speaker, the Assistant Minister did state very clearly in this House that this gentleman was holding secret meetings at night. And now when we ask him to substantiate, he tells us about the public meetings. What we are asking for is details of the secret meetings at night, which this gentleman is alleged to have held. If the Assistant Minister cannot substantiate, cannot state the dates the nights, when these meetings were held, then he should withdraw.

**The Speaker (Mr. Slade):** Order! I would again refer hon. Members to the ruling I gave on this particular point—a Considered Ruling—which you will find in HANSARD. And in the light of that ruling, the Assistant Minister is in order.

**Several hon. Members:** Point of order!

**The Speaker (Mr. Slade):** No more points of order on this one.

**Mr. Gichoya:** Point of order, Mr. Speaker—

**The Speaker (Mr. Slade):** On this one?

**NOTICE OF MOTION FOR THE ADJOURNMENT****UNSATISFACTORY REPLY TO QUESTION NO. 94: PUBLIC MEETINGS IN NYERI**

**Mr. Gichoya:** Before we proceed to the next one, I would like to raise this matter on an adjournment.

**Mr. Warithi:** On a point of order, Mr. Speaker, I was intending to raise this on adjournment myself, and I think I have the right to do so.

**The Speaker (Mr. Slade):** Yes, quite right. Order! I would refer hon. Members to the ruling I gave on this last Friday. Mr. Warithi has the first claim to raise this on adjournment.

**ORAL ANSWERS TO QUESTIONS****Question No. 95****DETENTION OF MR. WANJOHI MUNGAU**

**Mr. Warithi** asked the Minister for Internal Security and Defence—

(a) why had Mr. Wanjohi Mungau of Muhite Location, Nyeri District, been detained without trial; and

(b) when was he going to be released.

**The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek):** Mr. Speaker, Sir, I beg to reply. First of all, I would like to explain that Mr. Wanjohi Mungau is not detained but restricted. There is a whole lot of difference between restriction and detention.

Secondly, I would like to inform the House that the Government has legal powers under the Preservation of Public Security Act to restrict persons who have conducted themselves contrary to the interests of national security. Mr. Wanjohi Mungau falls in this category and he will be released when the security situation warrants it and when I am satisfied that he will no longer be a subversive influence in his home district.

Mr. Khalif: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

**SELF-DETERMINATION FOR KASHMIR PEOPLE**

THAT in view of the threat to international peace as a result of the current war between India and Pakistan; and being aware that this has been sparked off as a result of the delay in settling the Kashmir problem, this House urges the Government of Kenya to use its respectable offices and influence the Government of India to allow self-determination to the people of Kashmir as the first and only step towards normalising conditions in the area in order to avert global conflict.

Mr. Kiser: Mr. Speaker, Sir, I beg to give notice of the following Motion:

**APPOINTMENT OF CHIEFS AND DISMISSAL OF CIVIL SERVANTS**

THAT this House, noting with deep regret the delay in the appointment of chiefs in this country, especially in the Coast Province, recommends that all civil servants responsible for such delays be dismissed forthwith.

Mr. Oseu-Nyalick: Mr. Speaker, Sir, I beg to give notice of the following Motion:

**DIVISION OF CENTRAL NYANZA DISTRICT**

THAT in view of the abnormal size and population of the present Central Nyanza District, and having regard to the wishes of the people residing there, this House urges the Government to divide it into an Eastern and Western District, the former having its headquarters at Kisumu, and the latter having its headquarters at Siaya; and to introduce such a legislation for amendment of the Constitution as may be necessary for that purpose.

**ORAL ANSWERS TO QUESTIONS**

*Question No. 75*

**SPECIAL PERMITS TO EXPATRIATES**

Mr. Shikuku asked the President whether he could tell the House how many expatriates had been given special permits to stay in this country because of their skill and knowledge of work which was useful to the Africans who were understudying them.

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): Mr. Speaker, Sir, I beg to reply. In the first place, I wish to clarify a situation which arose last Friday morning which was—as you know—regretted that we did not have the answer here ready. I have checked up with my offices and apparently they,

in fact, sent a letter to the Clerk of this House on the 19th, and a copy of that letter was sent to the President's Office reallocating this question, but it is unfortunate that it came under the Ministry of Defence.

However, I wish to reply as follows: noting first of all the words in the question "because expatriates, because of their skill and knowledge of work". There is no provision whatsoever for issuing special permits to stay in Kenya for expatriates because of their skill and knowledge. Therefore, the answer to the question before the House is "No" as far as the public service is concerned.

Mr. Shikuku: Arising from the Assistant Minister's reply, and apart from the skilled expatriate, is he aware that the word "expatriate" means also any strangers in this country who might be sitting on other jobs in this country without any skill?

Mr. Argwings-Kodhek: Of course I know what the meaning of expatriate is, and I would rather tell the hon. Member to find out if he really understands what that word means.

Mr. Shikuku: Is the Assistant Minister aware that he has not replied to my question and he has confined himself to expatriates, and so could he now reply to my question: the question is this. Is the Assistant Minister aware of the fact that there are expatriates in this country without any skill, who are sitting on jobs which would otherwise have been done by the people of this country?

Mr. Argwings-Kodhek: No, Sir.

Mr. Ngala-Aboki: Mr. Speaker, Sir, in view of the fact that the Assistant Minister says that there are no such special permits, will the Assistant Minister then tell us if there are such people that are retained in this country, because of their skill and knowledge, sitting on jobs which could otherwise be taken over by Africans?

Mr. Argwings-Kodhek: I just do not like the word "sitting". The Public Service Commission and the Government of Kenya which keep on a very steady pace—an accelerated pace I must say—of Africanization, is always watching the situation as it comes and goes, and there is Africanization going on. Expatriates, that is to say the non-Kenya citizens, are still working for the Government, our people who are working for the Government, because they are able to do the job, and as soon as we can be provided with local people who know the job certainly will take over those jobs. Now, the present staff, at the moment, continues, Mr. Speaker, Sir, on their

**[Mr. Argwings-Kodhek]**

normal terms and in various places during the current term of office, they are being understudied by Kenya citizens.

Mr. Anyieni: Mr. Speaker, Sir, arising from the Assistant Minister's reply, in view of the fact that the deadline for becoming a citizen of this country is on 12th December, would the Assistant Minister give this House an assurance that when that date comes, any expatriate found in any Ministry or any company, all of them will be removed *en masse* to give Africans a chance to take over those positions?

Mr. Argwings-Kodhek: It is not a question of giving Africans a chance. The Africans who are able to do the job have been given and are being given jobs to do, and I certainly cannot accept or cannot commit the Government that on 12th December, all those people who are non-citizens will be kicked out. We certainly will not do anything *en masse* and certainly, we will not Africanize for the sake of blackenization.

Mr. Shikuku: Arising from the last reply by the Assistant Minister, is he aware that these very expatriates are the people in charge of such work that he is telling the House are being understudied and as such, they are the people to recommend who is to take over and therefore, they have not considered having the Africans understudying them and taking over from them, but they want to stay here for as long as they can?

Mr. Argwings-Kodhek: The hon. Member for Butere is certainly not aware that all the top jobs, that all the Permanent Secretary jobs, all executive posts, and all Ministries are held by Kenya citizens, they are the people who decide, not an expatriate underlying somewhere in an office.

*Question No. 94*

**PUBLIC MEETING IN NYERI AND SECRETARY-GENERAL OF KANU**

Mr. Werilithi asked the Minister for Internal Security and Defence if he could tell the House why Mr. Kenneth Kingori, the Secretary-General of Kanu, Nyeri Branch, had been refused permission to address public meetings in the Nyeri District since September 1965.

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): Mr. Speaker, Sir, on behalf of the Assistant Minister in the President's Office, I beg to reply: The issue of licences to hold public meetings is always subject to the prevailing security situation, as the hon. Member should know. If any licensing officer felt that, if a particular person addressed a

meeting in an area, such a meeting would be a threat to security, he would be entitled, by law, to refuse such a person permission to address or to hold a meeting.

About three months ago, Mr. Kenneth Kingori consistently delivered inflammatory speeches in public meetings in Nyeri which were likely to lead to a breach of the peace. The licensing officer considered that further issues of licences for Mr. Kenneth Kingori to address public meetings would not be in the public interest. As soon as the licensing officer is satisfied that Mr. Kingori will not incite the people, he will be granted a licence if he applies. Mr. Kenneth Kingori has not applied for any licences to hold a public meeting in the last two months.

Mr. Warilithi: Mr. Speaker, Sir, the Assistant Minister has told us that the person in question here delivered inflammatory speeches, can he tell us, in a few words, the contents of these speeches which are said to be inflammatory?

Mr. Argwings-Kodhek: Mr. Speaker, Sir, the hon. Members who do not know my friend, Mr. Kingori, are shouting that Mr. Kingori is telling the people the truth. It appears to me that they do not even know that Mr. Kingori is a Kanu official or, at any rate, was. He must have been abusing his position in the speeches which he has been delivering. Mr. Speaker, Sir, any speech which attacks the Kanu Government and the people responsible in that Kanu Government is not in the public interest and will not be licensed.

Mr. Kagglia: Mr. Speaker, Sir, as the Assistant Minister has not replied to the question, will he tell this House why the Government decided to ban him from speaking, instead of charging him if he has committed any offence?

Mr. Argwings-Kodhek: Mr. Speaker, Sir, the Government believes in the freedom of speech even to this day, and one of those people who had been licensed very often to hold and to deliver speeches has been Mr. Kingori, but he has abused that licence.

Mr. Anyieni: Mr. Speaker, Sir, arising from the Assistant Minister's reply, will he tell us a few of the words which were uttered by Mr. Kenneth Kingori which were considered by Government to be inflammatory, and would he also tell us as to whether such speeches have been made elsewhere?

Mr. Argwings-Kodhek: Mr. Speaker, Sir, I am quite sure that the particular paragraphs to which the Government takes exception have not been made by any person elsewhere. If any person will be audacious enough to make such inflammatory speeches, like being abusive to the Government

[The Assistant Minister for Works, Communications and Power] deficit in any branch of the railway line, in any territory, that Government has to meet the deficit in order to pay to the East African Common Services Organization. This in terms of shillings will be to the tune of Sh. 4 million. Mr. Speaker, Sir, I would like to ask the Members to think a little carefully about that figure which we would have to get out of the kitty of this Government, which could have gone into other development.

The committee's report laid down, Mr. Speaker, Sir—if the hon. Members would listen—before the Legislative Council—which was in the past—in 1957, concluded that the construction of this branch line would be grossly uneconomical, but suggested, Sir, that there was a pressing need for road improvement.

Mr. Agar: On a point of information, if the Assistant Minister will give way, Mr. Speaker, Sir, I would like the Assistant Minister to be aware of the fact that during the Legislative Council in 1957 the main consideration of development and possibility, the emphasis was being made on the European settled areas and not on the African areas. If the Government had taken a different line of placing importance on African areas, then why should we use this figure?

The Assistant Minister for Works, Communications and Power (Mr. Bomett) These are economic facts, Mr. Speaker, Sir, and it does not matter whatsoever whether we were talking of 1957 or whether we were talking of today because, Sir, the position has not altered, and up to this moment, when we are speaking, the development of the area, as far as agriculture is concerned, and as far as export and import of the area are concerned, it is not going to be economical to build this railway line.

The Government of the time accepted these findings. The findings of the committee suggested that we would have a deficit on account of this line to the tune which I have already stated above. This present Government also accepts these findings and is, therefore, pressing forward for the

improvement of road communications between Ahero and Kisii, Kedowa and Sotik, Sotik and Kericho, and access roads to Homa Bay in the 1964/70 Development Plan programme which will provide first-class transport roads into the Kisii Highlands and Homa Bay which will be able to cope with the expanding economy of the regions mentioned.

I hope that the Mover of the Motion had one ulterior motive and that is the motive to see that the line is served adequately in so far as communication is concerned, since, Mr. Speaker, Sir, it has been pointed out that the Government is planning to see to it that the roads are developed in the 1964/70 Development Scheme, and I believe, Mr. Speaker, Sir, that he will be contented with this Government view which is prompted by nothing but the fact of the hard economic facts. Mr. Speaker, Sir, it is not a question of the colonial— This Government has a duty to this country to see that whatever projects are put forward to the country and the people are going to be feasible.

The Speaker (Mr. Slade): Have you much more to say, Mr. Bomett, because it is time for the interruption of business.

The Assistant Minister for Works, Communications and Power (Mr. Bomett): I still have some things to say, Mr. Speaker, Sir.

The Speaker (Mr. Slade): Would you like to continue when we resume this debate?

The Assistant Minister for Works, Communications and Power (Mr. Bomett): Yes, please, Sir.

#### ADJOURNMENT

The Speaker (Mr. Slade): It is now time for interruption of business. The House is therefore adjourned until Tuesday, 7th December, at 2.30 p.m.

*The House rose at thirty minutes past Twelve o'clock.*

Tuesday, 7th December 1965

The House met at thirty minutes past Two o'clock.

[The Speaker (Mr. Slade) in the Chair]

#### PRAYERS

#### ADMINISTRATION OF OATH

The Oath of Allegiance was administered to the following Member:—

James Charles Nakhwanga Osogo.

#### COMMUNICATION FROM THE CHAIR

##### DEATH OF THE HON. G. H. KERRE

The Speaker (Mr. Slade): Hon. Members, it is with deep regret that I have to inform you of the news which has only just reached me, that Mr. George Henry Kerre, Member for Elgon Central, died in hospital at Bungoma today.

Mr. Kerre was not a conspicuous Member of this House, but he was faithful in his attendance and I think he was one who preferred to listen, and to learn by listening, rather than talking a great deal. He certainly was a man of exemplary behaviour, both in the Chamber and in the precincts of the building, and was a man of considerable charm of character. He will be sadly missed by all of us.

We extend our sympathy to his family and to his constituents.

I would ask hon. Members to stand for a moment in silence in respect for his memory.

*(Hon. Members stood for one minute in silence)*

#### PAPERS LAID

The following Papers were laid on the Table:— East African Common Services Organization— East African Income Tax Department Report for the period 1st July 1964 to 30th June 1965.

Sessional Paper No. 1 of 1965/66—Amendments to the Standing Orders of the House of Representatives, Kenya (as proposed by the Sessional Committee on 11th November 1965).

*(By the Vice-President (Mr. Odinga))*

The Kenya Tea Development Authority Annual Report and Accounts for the Kenya Tea Development Authority for the period 1st July 1964 to 30th June 1965.

*(By the Assistant Minister for Agriculture and Animal Husbandry (Mr. Osogo) on behalf of the Minister for Agriculture and Animal Husbandry (Mr. McKenzie))*

#### NOTICES OF MOTIONS

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, I beg to give notice of the following Motions:—

##### SPEAKERS' COMMITTEE: ESTABLISHMENT OF

THAT, subject to the concurrence of the Senate, a Committee to be known as "The Speakers' Committee", and to consist of Members of both Houses appointed by their respective Sessional Committees, be established as a Standing Committee for each Session to advise the Speakers on matters concerning the maintenance of order, the convenience of Members, the control of strangers, and general regulation of affairs in Parliament Buildings.

##### SESSIONAL PAPER NO. 1 OF 1965/66: AMENDMENTS TO STANDING ORDERS

THAT this House makes the amendments to the Standing Orders of the House of Representatives set out in Sessional Paper No. 1 of 1965/66.

The Speaker (Mr. Slade): I think, Mr. Odinga, it may be better if, for the convenience of the House, we break that last Motion into two or more Motions and deal with the proposed amendments separately. We can easily arrange that tomorrow.

Mr. Bala: Mr. Speaker, Sir, I beg to give notice of the following Motions:—

##### PLACING OF K.P.E. STUDENTS IN SECONDARY SCHOOLS

THAT this House, being aware that pupils in Standard VII and Standard VIII in Nyanza and Western Province sat for K.P.E. this year and the fact that the number of these pupils could not reasonably be accepted in the secondary schools in Nyanza and Western Province, this House calls upon the Government to state the formula on which these pupils will be placed reasonably into secondary schools in Kenya.

##### REMOVAL OF CERTAIN CIVIL SERVANTS

THAT, this House being aware that political party members and leaders are being discriminated against or mistreated in Government services, this House calls upon the Government to remove, from public services, those officers who are either discriminating against or mistreating staunch members and leaders of the political party.

[Mr. Agar]

Government tries to protect the farmers. In those countries, again, the farmers are not in the majority, but even if they are in the minority the Government always tries to help them.

Now here, if you take the factors which make us try to urge the Government to build a railway through Kisii, Kericho and South Nyanza, you will find, Mr. Speaker, that the population in this area is over 2 million people. We do not have an industrial centre in that area, so most of our people there are just people who depend on farm products, and with all the Government's efforts now to develop agriculture, to spend a lot of money and to borrow a lot of money, we have to see that this is going to be fruitful. This is why transport and communication as a means of developing economy has to be prearranged. No plan of agricultural development can be successful in those parts of Kenya unless there is a railway line.

Mr. Speaker, Sir, the area is quite big. Considering South Nyanza from the Tanzania border in Muhuro Bay up to Homa Bay and then coming into the Kisii highlands, and over to Kericho, up to Kedowa, the nearest railway station—we find that this vast area must be served by a railway line to help the farmers transport at a cheaper cost.

When the President of Kenya, the hon. Jomo Kenyatta, was touring South Nyanza we drove him all along the roads, the bad roads and the good roads, and he said, "This is a granary of Kenya which has never been looked into." He said that in an area, only in one constituency, "There is enough land and potentiality to produce sugar and maize to feed the whole of Kenya."

The tea development is now extending into Kisii, so there will be an increase in the tea production. There is going to be pyrethrum produced more and more in Kisii, and we are now extending coffee production into South Nyanza and when I spoke to an agricultural officer recently he told me that South Nyanza—beginning from Kabondo up to Migori—could produce just as much coffee as was produced in any other parts of Kenya. So, Mr. Speaker, we want the Government to consider this very seriously, and if they want to assist the area in developing the agricultural economy in this country, we have to have cheap transport for these things.

A farmer cannot afford to pay a higher cost because farm products have always fetched a lower price—the prices change—and the owner of a lorry or the owners of buses whose supplementary costs like petrol keep on going up will

always charge you high. As the hon. Anyieni has said—and this is a very big factor—why should our farmer have to pay more from his home by lorry to a railway station only about 30 to 100 miles away; he pays three or four times as much as from that area to Mombasa. We have to get a railway.

If we consider the question of money, I think the mileage is not too long, the area is not too complicated and the Government could easily survey a reasonable and cheaper line.

The maize production is increasing tremendously in these areas. African farmers are taking more and more to scientific farming. They produce more maize now and they are going to produce even more. Again, they want fertilizers. Now, Mr. Speaker, tell me how farmers can import fertilizers from Nairobi, or from Mombasa, or from where they are produced, by lories or by buses? It is so costly that the farmer ends up in debt. We want railway line to help the farmer. The sugar products, cotton, poultry products, you cannot export your eggs in lories because they break when they are loaded and unloaded all the time. A railway would help, it would be a stable way of transport, safer, and even more regular.

We have no quarrel with the road in that area, Mr. Speaker. All the roads are temporary roads and when it rains they are spoiled. I think, apart from Government being prepared to tarmac some roads there, which would take a long time and it is quite costly, the Government should first build the railway to let the people in that area have help, and this is urgent. We want the Government to survey this and start work on it straight away and if the will of this House is to be followed—if this Motion is carried—the project of building a railway to this area must be of primary consideration.

We know, Mr. Speaker, that this project was there even under the Colonial Government; the project to build a railway into South Nyanza was there under the British Government. They only delayed this because when nationalism climbed to the height then the British were going away, they decided to leave it. Now, we do not want to leave it as the British left it because they knew that they were to go away. I know that the Minister will acknowledge that the project of building the railway to South Nyanza was there before.

Mr. Speaker, we are going to develop more mining of copper and gold in South Nyanza. I do not see how we will transport those things in any form if we do not have railway lines exploiting those areas.

[Mr. Agar]

As the Mover of the Motion says, Sir, importing farm products, farm machinery like tractors and others, involves a lot of cost if you lift them by lories or other means of transport. They cost so much that when you pay for the tractor you pay almost another Sh. 1,000 for transport. Now, if we could get them by railway we know that it would help the farmer to lower the cost.

So, Mr. Speaker, the economic factors and the potentiality in that area are all arguments. Apart from the cost of building a railway, these factors point to one thing; that if we want to develop that area properly there should be a railway line starting from Kedowa, through Kericho District, parts of Kisii, into South Nyanza and having a terminus at Homa Bay. We know that by doing that Kenya, will have gained—even if it means long term paying back, but it will pay—and the use of the railway in this area will never decline because there is no substitute for the transportation of farm products which better than the railway project.

The Assistant Minister for Works, Communications and Power (Mr. Bomett), Mr. Speaker, Sir, this Motion—apart from the request by the Mover, Mr. Soi, the Member for Bomet—has also done very well indeed because it has united the Kipsigis and the Kisii and the Luos who are normally in friction, so it has done a very good thing.

Apart from that, Mr. Speaker, Sir, I would like to say that the sentiments expressed and the words we have heard from the Member who moved the Motion, and from the Seconder, and also the Member from Karachuonyo, are very welcome indeed because they are prompted by the need to see that their areas are developed.

There is no doubt that this area in question is a very productive area and there is no doubt that it is an area where people are quite willing to work hard, and in fact, are willing to support the economy of the country. But, Sir, I have this to say, that the Members are no doubt aware that the hon. Member for Bomet raised this question in this House on the 23rd April this year, which I answered at the time. Hon. Members were then satisfied with my reply that the construction of a branch line to Kisii was not economically justifiable and—

Mr. Anyieni: On a point of order, Mr. Speaker, Sir, the hon. Minister is representing the views of the hon. Members. He is stating, Mr. Speaker, Sir, that when the hon. Soi asked a question in this House in connexion with the railway line, that the Minister replied satisfactorily

to the Member now raising this Motion. Is that not misrepresenting the views of the Members, because he is saying that we contradicted ourselves?

The Speaker (Mr. Slade): No, you cannot get up on a point of order to say that another Member is misrepresenting your views. You are entitled to say that he is misrepresenting what you have said in this debate, that is lawful; but the misrepresentation of views, no.

The Assistant Minister for Works, Communications and Power (Mr. Bomett): Mr. Speaker, Sir, I say that when I answered that question on that day the House was satisfied.

The Speaker (Mr. Slade): That is entirely a matter of opinion, of course.

The Assistant Minister for Works, Communications and Power (Mr. Bomett): Mr. Speaker, Sir, I said the hon. Members were satisfied with my reply, but the construction of the branch line to Kisii was not economically justified and indicated their approval that road communications to the areas concerned should be improved.

I will now amplify the reply made at that time. The question of building a railway line from Kedowa to Kisii—and it would help if the hon. Mover would listen—has been considered from time to time over the past thirty-five years, and a very full investigation of the economic feasibility of such a line has been made by the Kenya Government and the East African Railways and Harbours.

Firstly, I should mention, because of the difficult terrain in the vicinity of Lumbwa, that it would not be possible to take the railway from this point, but it would be possible to take the line from Kedowa through Kericho and Souk to Kisii; and this is the line which has been investigated. A line extending from Kisii to Homa Bay has not been investigated, but such a line is technically feasible. In 1935 a committee was set up to examine the economics of this line, and took evidence from agricultural and commercial interests in the South Nyanza and Kericho Districts, and detailed information was collected of production and consumption, estimate and probable import and export level. The committee envisaged the construction of a branch line of some 85 miles which would cost something in the region of £3.15 million. They estimated that such a line would incur a deficit in the region of £220,000 in 1960, another £212,000 in 1965 which would have to be reimbursed by the Kenya Government to the Railways. The House, of course, should realize that wherever there is any

[Mr. arap Sui] most of the people are finding it so expensive to buy a tractor in Sotik, because a tractor transported from Nairobi by lorry to Sotik would cost a lot of money. The factory people would have to recover the money they paid for transport.

A farmer who wants to buy a tractor will have to spend a lot of money to go by bus to Nakuru or Nairobi. If I had to buy a tractor here in Nairobi for my farm and transport it by rail to Sotik, it would cost me very little money, because the transport is very cheap. This farm machinery is very important to the development of an area which provides the food that is required by the people of Nairobi, of every part of Kenya. We have to consume fuel because we are farmers. We have to use a lot of diesel, but the diesel that we use at Sotik and Kisii costs a lot, almost double the Nairobi price, because this is transported by other means but not by train. If I could buy two drums of diesel from Nairobi and transport them to my place by train, I would get a very low price.

Mr. Speaker, there are other things, such as development of chickens.

The Speaker (Mr. Slade): I am afraid that is the end of your time, Mr. arap Sui.

Mr. arap Sui: I am very sorry, but I think I will cover some of the other points during my reply, Mr. Speaker. However, I think I have mentioned many things which would help the Ministry to approve my Motion.

Thank you very much.

Mr. Anyieni: Mr. Speaker, I wish to thank the hon. Member, the Member for Bomet, who has thought it fit to introduce this very important Motion in this House. It is now proper, now that he has the railway from Kedowa to his constituency at Sotik, somebody from Kisii should pull it from there up to Kisii, and I see that one hon. Member from South Nyanza is here: he will pull it from there up to Homa Bay or wherever he wants it in South Nyanza. Mr. Speaker, this is the proper *Harambee* spirit that we want, and I think we should thank the hon. Member who took the first move to introduce this Motion.

Mr. Speaker, I do not want to anticipate what the Minister's reply is going to be to the points which have been put forward by the hon. Member who moved the Motion, but if the reply is going to be the same as the replies we have been getting to the questions we have been putting to the Ministry, then I think that it is high time the Assistant Minister, who is Specially Elected, realized that what we are doing is giving information about the problems in the countryside, and

it is the duty of Members like ourselves to bring these problems which beset our people, and it is the duty of the Government to struggle to implement some of these suggestions which the hon. Members from different areas are bringing to this House.

Now, Mr. Speaker, concerning the rail, I do not see why Government say that they do not have a way of paying for the rail. No Minister like him can say here that Kericho is not a productive area, because Kericho is known. When you drive there, you can see miles and miles and miles of tea; you can see miles and miles of maize. The people there are very, very hard-working, they are not loitering and, as a matter of fact, you will not find very many of them walking around the streets of Nairobi; they are doing their work. This applies to the Kericho people, the Kisii people, even the South Nyanza people. Those you find here are *makoras* who may be born here. But the people of the countryside are working hard and all they want is for the Government to give them encouragement.

In Kisii District, for example, Mr. Speaker, they produce about 50,000 bags of coffee every year and that coffee is transported by road to Kedowa. Kedowa is about 90 miles from Kisii, and from Kedowa to Nairobi is about 160 miles. It costs more to transport our coffee 90 miles than it costs to transport it 160 miles from Kedowa to Nairobi, which means that we are spending a lot of money on the road. The roads are not very good and even if they were good, it should be realized that the owners of these vehicles are not the African people. The owners of these vehicles are, maybe, Indians or Arabs. The man who pays for this transportation is a poor farmer in the countryside of Kisii who is my voter, and if it were not for his vote, I would not be in this House and nobody would have known there was a man called Anyieni.

Mr. Speaker, we pay Sh. 3 per bag to transport coffee from Kisii to Kedowa, which means that it costs us per year Sh. 150,000 to transport coffee only. Kisii produces approximately 100,000 bags of maize per year. Because maize is a little heavier, we spend about Sh. 4 transporting our maize from Kisii to Kedowa or from Kisii to Kendu Bay. That, Mr. Speaker, makes that Sh. 400,000. These are only two crops. Now Kisii District is going to plant tea. There is a tea factory being built at ..... and it is also going to cost us a lot of money to transport this tea to the nearest rail line.

I do not see why the Government cannot do something about this.

[Mr. Anyieni]

We have had Ministers going round making speeches, saying that the Government has done a lot. The Colonial Government built all the rail that we have in Kenya. From the time we achieved our Independence, how many miles of rail have the Kenya Government built? Not even ten yards. This is why the people in Kisii, for example, are saying, "Oh, the *mzungus* were all right," because if it were a *mzungu* who was continuing to live here, by now the rail line would have been in Kisii. I contend that the Kenya Government, instead of going round praising itself, saying, "We have done a lot," even if they do not do anything for the Kisii people— The Kisii people are not asking for money for famine relief, they are very hard-working, and they were blessed by God to be on good land. You have told them to go back to the land, they are already on the land, they are working, and all they want is that the line should come home, so that for what they produce they can get the maximum amount of money into their pockets. I do not think that the people will expect anything less than that.

Now, as regards passengers, the Assistant Minister only needs to go to the Overseas Touring Company to see how many buses are going that way. Sometimes they think there are only two buses, then they bring another one, then they bring another one, and there are still more people travelling. Even at Kisii sometimes you have people waiting for the Overseas Touring Company bus there. It is full from South Nyanza, and so the people cannot come to Nairobi. Now, what do you want? If we have the crops and the people to carry, what do they want so that they can bring the rail? I heard the Member for Butere saying there is nothing there. There is a rail line to Butere, and that should be taken up and carried to this area, because there is nothing there; the area is very dry. Maybe the people will want the rail for food to go there. But how will the food get there without having the rail to the area where the food is produced? So, Mr. Speaker, we demand that our Government should be able to do something, not to go around praising, praising nothing.

Now, Mr. Speaker, Kaunda is going to build a line from Tanzania to Zambia, a very, very long line, and Kaunda went to every part of the world. The Chinese are going to help, the Americans are going to help a little, the British are going to help. If there is a justified cause for borrowing money, it is to build a rail line because it is going to save your money. A rail line is not something for which you are going to borrow money and then, when you come and build it,

after five years it is old. No, it is something you can build and for another 100 or 200 years to come it will still be there. So you can go and get a lot of money, bring the rail up to Kisii, and after twenty years you will have repaid the loan and will have nothing to lose.

Mr. Speaker, I would hope that the Assistant Minister is going to say they have accepted. We have a lot of money from Britain in the form of loans. We have no loans from Russia, we have no loans from America, we have no loans from China. Why do you not go there and get some loans to build the rail line? You could get it from France. I drive a Citroen and many Members here drive Peugeots, so why do you not go to France and ask them to give you a loan. If they do not want to give you a loan, you stop the Citroens and the Peugeots that they send here.

Mr. Speaker, I believe that the hon. Member will not stand up here and start saying that the Government has no money. We know the Government has no money to build a rail line, but you are going to get £18 million from Britain; I do not know what you are going to use it for. To come and buy out farmers? If you can borrow money from Britain to buy out the *mzungu* farmers, why can you not get money to build a railway line for the people?

The Speaker (Mr. Slade): Your time is up, Mr. Anyieni.

Mr. Anyieni: Thank you very much, Mr. Speaker.

With those few words, I beg to second the Motion.

(Question proposed)

Mr. Agari: Mr. Speaker, Sir, as Mr. Anyieni has said, the line is now going to be completed from Kisii. Recent scientific and technological developments in the world have shown that without railway lines farmers cannot be served at a fair cost. We know that the farm products are subject to a lot of fluctuations in the world markets and the people who depend on farming as their means of livelihood and as their means of cash economy must always be protected by governments. This has become known all over the world. We are always in an unfair position when we compete with people who live from industrial incomes.

As one of our Ministers said recently in Rome, at the Food and Agricultural Organization of the United Nations, he said that the farm products have trends of declining in prices and for industrial products the prices are getting higher and higher. This means that the farmers are suffering and are always at a disadvantage. In many countries which are more developed than Kenya the

[Mr. arap Soli] main source of our income, our wealth, our food and many other things.

Now, Mr. Speaker, Sir, if I could probably begin with Kedowa. The whole of the area is an agricultural area and very important crops, such as tea, maize, potatoes and many others, are grown. Now, Sir, on reaching Kericho, we have the main source of the main export of Kenya, tea. Kericho, therefore, should not be avoided by the people who develop the railway line. Beyond Kericho, Mr. Speaker, Sir, we go through Buret, which is a rural area, but which is also very fertile. It could describe Buret as the biggest source of maize production in the whole of the country, because even this year, when it was so dry, only Buret produced maize, and also Sotik, where it fed its own population and the population of Kenya, and an amount of maize which is in the district, but is awaiting to be sold to the people who are hungry is still lying in the district, but the people cannot export it through cheap means of communications.

Now, Sir, on reaching Sotik, I would like to describe the Sotik Bomet agricultural products, and wealth. Sir, if you go to Sotik it is a well-known fact that it is a very big dairy area, but there are so many other important crops, such as maize, potatoes and so on. Now, Sir, let me say something about maize, before I go on to other things. I would like, though, to mention all of them first maize, potatoes, beef cattle dairy produce which is cream, milk, butter, pyrethrum, tea, passion fruit and coffee, and several others which are not as important as the ones I have just mentioned.

Now, with maize, Mr. Speaker, I would like to say that this is a very important crop in the country. It is produced by every inhabitant of areas like Sotik, Bomet and other parts of Lower Buret. Nowadays, maize is produced not only for consumption but also for commercial use. Commercial-minded people in the Sotik area are producing nearly three-quarters of this product from each of their private plots. This is sold to other people; this is a very important development as far as farming goes.

However, the maize which is sold to the Maize Marketing Board fetches very little price because of transport. Now, the Maize Marketing Board sends lorries and so in the transport of maize a lot of money is used. In some cases the price has had to be lowered to Sh. 27 whereas the present price is Sh. 32. However, the money that is received by the farmer is very little because the bulk of it goes towards transport. If there was a railway line from Sotik to

Kericho, where you have the offices of the Maize Marketing Board, then transport would be very cheap. The farmers could easily put their bags of maize on to the train and thus they would save some money.

I come now to potatoes. This is becoming a very important product in Bomet Division. I feel this is the leading producer of potatoes and I do not think there is any other place which can compete with Bomet Division as far as the growing of potatoes is concerned. We produce potatoes all the year round but the price we get is only Sh. 12 per bag. This is because the traders, Asians and Kikuyus in some cases, come to Bomet and buy the potatoes at a very low price. Why? Because they still have to pay for transporting these potatoes to Nairobi by lorries, and this is very expensive. Now, if there was a railway line at Sotik, the producer could bring the bags of potatoes to the station, put them on to the train and this would cost very little to transport the potatoes to Nairobi. Here, in Nairobi, a bag of potatoes can fetch as much as Sh. 25 to Sh. 40. This is a very high price, but it is due mostly to the cost of transport. Potatoes are demanded by people all over Kenya. So, the sale of potatoes would pay for the development of the railway line.

Beef cattle come next. We produce a lot of cows in Bomet and Sotik. This was there even before the departure of the European farmers who really produced many, many beef cattle.

Dairy produce comes after that. Now, Sir, the cream and the milk are being transported to Molo, Nakuru and Kericho. The price of cream is usually very low but because the people who are transporting it use expensive means of transport, lorries, Land-Rovers, and such vehicles, the prices have to be increased. If however, there was a train, then any person who wanted to put one hundred gallons of cream on the train would be prepared to pay a little money. So, instead of sending the money into the pockets of the people who do not work very hard, this money could be spent on development of the railway line. We must see that money goes first into the pockets of the farmers, the people who work hard to produce this cream and milk. Milk is produced in very large quantities because if a dairy farmer wants to survive he must be able to sell enough to get some money. The market for this milk is in Nakuru, Nairobi and other big towns beyond Kericho. We cannot send all our milk to these big towns I have named because most of the money, we would get would go towards paying for the transport.

[Mr. arap Soli]

So, what we are asking the Government is help us. We would flood the market of Nakuru and Nairobi with milk that we produce. At the moment we are separating it and selling some of this to Kenya Tea Company. We would like to sell more than we do.

Another product which is very important is pyrethrum. This is produced in parts of Bomet and in Kisii. This product is processed in Nakuru, in Nairobi and a few other areas. It cannot be processed in any part of Kericho, Sotik, Kisii or Homa Bay. We want to transport this product cheaply to the processing areas. Everybody knows that this product is available in large quantities in Kencho. This is another item that would go towards paying for the cost and development of the railway line.

Tea is produced in Kisii, many parts of Sotik, Kericho. The line would pass through Kericho and so these products could be transported very cheaply. From Nairobi, tea could be exported to other parts of the world. Producers of tea nowadays consist not only of settlers but a number of Africans, the poor people who want to increase their wealth. They want to work hard to increase the wealth of Kenya, too. They want to feed the nation. They would like to sell their products at a very suitable price.

Mr. Speaker, there is a tea factory at Litein and people who are now beginning to grow tea in Kisii, parts of Sotik and Bomet would like to transport their tea to this factory at a reasonable price. With the profits they get they would be able to meet the cost of the railway development. Tea is a very important product and one which is required by people in all parts of the world.

Many times when I have raised this question in this House, Mr. Speaker, the Ministry of Communications has not been able to put the proper estimates before the Government and it has told me that the cost will not be paid by the local economy. This is nonsense. So, the Ministers who are here should listen when I am telling them of the agricultural productivity of the area. I want to assure them that they will, in fact, double the profit when compared with the cost of the railway line with the local economy.

Now, passion fruit is another important product, it is also an important export of Kenya. We have a factory in Sotik which only processes the passion fruit and then bottles it. This is exported and could fetch much better prices if the transport costs were not as high as they are at present. So, a railway line would be very helpful indeed. This is something that Kenya is going to be proud of.

Kenya is going to be very proud when it exports passion fruit because it has more of this than any other country. We want to attract other countries to build better factories in Sotik in order to process this kind of fruit. We must have a cheap means of transport.

Another very important Kenya product, which is largely exported, is coffee. This, again, is produced in Kisii, in parts of Sotik. We have so much that it should be exported.

Sir, the export of all these important crops would pay for the cost of development of the railway line. Parts of Kisii, again, are producing a lot of maize, pyrethrum, tea, passion fruit, bananas, which are always exported by expensive means of transport. These, plus the products in Homa Bay, are very important.

Mr. Speaker, in case the time catches up with me before I finish the very many things I have to say in support of my Motion, I should hurry up. I should also come to the question of the population of the area or of the three areas of Sotik, Kisii and Homa Bay. Bomet, for example, has almost 200,000 and Kisii, I think, can even double that, and in Homa Bay there are so many other people. All these people are controlled by the central administrative part of Kenya, which is Nairobi, and they have a lot of things to do in Nairobi, and they want to travel from Homa Bay, Kisii, Sotik and parts of Buret to Nairobi, but nowadays they come by buses which are very expensive. They want to travel by train, which will really reduce the cost of travelling to one-eighth of the present cost. These people are moving constantly from Homa Bay, Sotik and Kisii to Nairobi, and they would be paying a lot of money towards the cost of building the railway line.

The Minister should not just say that the economy in the area will not pay for the cost of the building of the railway. This is not true. The Ministry should consult the East African Road Authority, they should go to the Kenya Tea Development Authority and see all these facts which I am mentioning to them, and they should go to all the factories which are processing all the products which I have mentioned. They should go to the Kenya Meat Commission of which the present Minister is a member. They know a lot of beef cattle come from Sotik. The economy of the area covered by the route will pay the cost, it will pay for the whole thing, probably double, and it will encourage other areas. People are moving there by buses and they would always be transported by trains.

Another thing, Mr. Speaker, is the importation to the area of farm machinery, such as tractors, lorries, and spare parts for the tractors. Nowadays,

**[The Assistant Minister for Education]**

are in that category, Sir? This is what we find difficult. We do not say that we are not moving forward to introducing free primary education; we have already decided to establish a commission to study and explore ways and means of finding out whether it is possible at this moment to introduce free primary education, and sooner or later, Sir, the hon. Members will hear the Government decision, and I can assure them—as I said earlier—that the Government has no quarrel with this Motion. This is our intention, and I hope that the Members will not become perturbed over our being a little slow because we must really cut our cloth according to our pockets.

**The Speaker (Mr. Slade):** It is time now for the Mover to reply. We must first dispose of the amendment.

*(Question that the words to be added be added put and negatived)*

*(Debate on the original Motion resumed)*

**Mr. Mbogoh:** Mr. Speaker, Sir, to start with I would like to think for the time being that the Assistant Minister who was replying to this Motion made a very, very grievous mistake of stating whether knowingly or unknowingly that it is impossible to give a seven-year free education. This goes very far into the country and everybody in Kenya today will know that the Minister for Education has only empty slogans and he is running away from his own responsibilities right now, and in that case we are going to ask the Government to amend our manifesto where it was said that we would give seven years free education to the people of Kenya, and in that case amend and say that the Government has failed in giving seven years free education to the people—

**The Assistant Minister for Education (Mr. Mutiso):** On a point of order, Mr. Speaker, is the hon. Member not trying to misrepresent my views when I said that the Government is moving towards its promises and we have already decided to establish a commission to study and explore ways and means of whether primary education—

**The Speaker (Mr. Slade):** I do not think so. He is commenting on your statement that free primary education is not possible at the moment.

**Mr. Mbogoh:** Mr. Speaker, at present in Kenya it seems that the Ministers will not consider this question of free education and, in that case, it would be better if the Minister could make a statement one of these days in the House and

say that the manifesto has been amended to read that the Kenya Government does not give the country any free education, except to the rich.

**Mr. Speaker,** this policy of giving free education to Forms V and VI is so awkward that it is quite difficult to understand exactly where that mentality came from, because one thing there, Sir, is that you cannot put the cart before the horse. Likewise, on the policy of education, you cannot tackle illiteracy from the top, you must tackle it from the bottom. To start tackling illiteracy from the top is a very big mistake which the Government at present must be aware of.

**Mr. Speaker,** we have seen—according to the Ministry's commissions which they claim to be forming and which we do not need just now as we do not need a commission on a word which we have pledged to the public—even in the mixed schools how many of our young Africans from the ordinary class level managed to go to those top classes in the mixed schools. You find that the hon. Mutiso's children will go to those mixed schools, the hon. So-and-so, Minister So-and-so, the big money magnates manage to take their children there; but if I took my child there I would not be able to pay. And, in that case, if the Ministers are denying that there is any class division in Kenya today, let us have even one Minister's child in the bush school anywhere in Kenya. Let us see one in Kajengo School today. All of them are right at the top at the Prince of Wales or these great, great mixed schools and nursery schools: even from the nursery school level where the fees are quite high and I cannot afford them.

**Mr. Speaker,** I think this must be taken into consideration when everything is being planned in this country. That shows again that the reason why these children have to be taken to very high secondary schools is because it is almost impossible to get the proper education at the lower level schools—I mean the bush schools—let me say my secondary school away in Embu there. That school cannot give the same education as is given by the high level secondary schools, like the Prince of Wales, and in that case a job that a chap from the Harambee secondary school would get would be the lower one and this chap who has education from the Prince of Wales or from the Alliance High School, or from the mixed schools, would go and get the top job because he was in a top school and that, again, creates the class system which is the thing that we are trying to avoid.

**Mr. Speaker,** the Embu people in general, and in particular, have accepted to have their taxes raised and they have accepted to pay as much as

**[Mr. Mbogoh]**

the can, and Kenya as a whole has also accepted that, to see that this education at Standards 1-7 is free today in Kenya, and not simply to pay the taxes they are paying and then have this money paying for the foreigner's children. Most of the children who are in Forms V and VI are not actually Kenya citizens' children, lots of them belong to the expatriates and they will be educated in those classes and then fly back to their countries, to India, to England and all sorts of other countries, so that that money is wasted.

**Mr. Speaker,** when free education comes in Standard 5, then from Standard 1 to Standard 7, then one of the best things that we can have in this country, though the Government says that they cannot at any rate do that, I would like them to meet this demand half way. For example, if the Government was to take into its custody all the Harambee secondary schools, this would be meeting the demand half way, and that is what the people want. The people would say "Yes, we see that though it is starting from the top it has been cut at the middle and not at the top absolutely, and so we can expect those of our people who have our children up to Standard 7 to go to a Government secondary school without any problem." But at the present it is away from that and everything itself is away from the people themselves, and in that case, Mr. Speaker, Sir, all this question of the Government giving us the top form education is not what we asked and we need much more than that. In fact, Mr. Speaker, Sir, you find in the lower classes that the fees are a bit lower and if the Government voted Sh. 20 million less for the lower classes this would benefit very many more people at the top form levels. This would benefit those people who have no means of earning and, in fact, they would be able to earn something to pay their taxes instead of taking all their time in trying to get money to pay for the school fees.

**Mr. Speaker,** Sir, when the Assistant Minister was speaking, he was saying that there was a difficulty in raising teachers, but, Sir, he has not told the House as to whether he was speaking in terms of raising teachers after higher school certificate level or at the secondary level, because what these teachers do is that if they are educating higher secondary students free they need one thing. They should sign a document, those which were educated at the higher school certificate level, and they should also be told that if they complete their two years free education they must begin teaching. If that is the case, then, Sir, I feel that the Government would be helping the country. But, Sir, it is most likely that after getting these people for the two years, the next thing

would be seeing these people going out into the world, but not going out to teach, but just to get big salaries and being of no help to the country, but just to themselves. Mr. Speaker, Sir, after that the statement by the Assistant Minister becomes null and void and in that case, they are not helping anybody to raise teachers in this country.

**Mr. Speaker,** Sir, the Minister was speaking about the shortage of teachers, too. But, Sir, what is the Government doing to combat this shortage? What I see at present is just a few teacher training colleges in Kenya, with just a few teachers being trained. Would it not be up to the standard to at least build one teacher training centre in every district? If they did put it at that level, Mr. Speaker, Sir, then we would hope that this shortage of teachers would not be sung any more. There would be another song and not about the shortage of teachers.

**Mr. Speaker,** Sir, with these few remarks, I beg to move.

*(Question put and agreed to)*

**MOTION**

**RAILWAY FROM KEDOWA TO HOMA BAY**

**Mr. arap Soi:** Mr. Speaker, Sir, I beg to move.—

THAT in view of the former development in Solik, Kisii Districts and Homa Bay, this House urges the Government to arrange for the building of the railway line from Kedowa through Solik, Kisii to Homa Bay to cater for the farmers and traders along the route.

**Mr. Speaker,** Sir, I am glad to be able to move this very important Motion in this very important House. Mr. Speaker, Sir, during the main speech of the President I did not read anything with regards to development of the railway in the whole country, and after reading this speech and knowing that the railway development has been neglected, I feel that it is very important and decided to move this Motion. I hope the Government will revise their arrangements or their plans for building railways and developing communications in the country.

**Now, Mr. Speaker,** Sir, the route I am asking for is a very short line from Kedowa, which is just near Lumbwa Station through Kericho; through Solik and Kisii to Homa Bay. Now, Sir, the main reason why I asked for this road is because of the wealth of the area along the route. Mr. Speaker, Sir, most of the Members, and most of the people and people in the Ministry know about the fertility and the wealth of the route. Now, Sir, the whole area is the

[The Minister for Education] trained teachers. Of the 1,091—I would appreciate it if you accepted the facts and saved the interruptions; when you require the facts, you should at least have the courtesy to listen to those facts, and then challenge them. Therefore, I say—

The Speaker (Mr. Slade): You must remember to address the Chair, Mr. Koinange.

The Minister for Education (Mr. Koinange): They should then challenge them, Mr. Speaker.

Mr. Speaker, of the 7,091, only 10 were Africans, and about 6,018 are totally untrained teachers. 18,000 have reached high school, Makerere, and have only two years of training. Therefore, if we want to get 25,000 teachers, it will require £12 million. These teachers are those who take courses and teach in primary schools, which roughly comes to 1½ million of the school-going children. Now, to get this first of all we have to get these teachers. To train teachers, again, Mr. Speaker, if you go to existing high schools you will find that in the schools that we have there is definitely a shortage of 380 teachers of science and mathematics.

This is the sum total of the problems which involve the Ministry of Education in seeing what is the weakest part of our education, which we must help, and by helping that part, then we will have a foundation of good schools.

Now, Mr. Speaker, we have already had one year of our Republic, which we are celebrating on 12th December. If you look at the sum total of what we have done in the Ministry of Education, in all these schools, even the Members will appreciate that the effort of one year is commendable, and all that we want is for the Members to co-operate with the Ministry of Education in the programme which exists and not to be emotional. If they co-operate, then we can pull together on this, but if they say, "Let us start at the top and the bottom, rich and poor", and such emotional things, Mr. Speaker, Sir, the problem will not be successfully solved.

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, I would like to take this opportunity to try and enlighten the hon. Members who have spoken—

Mr. Gichoya: On a point of order, Mr. Speaker, it has become a daily routine here that the Minister is not willing to tell us the Government policy but the Assistant Minister—who is not a Cabinet Member—is supposed to reply to us. What can we do, Mr. Speaker?

The Speaker (Mr. Slade): Nothing, except draw attention to the fact, and you cannot do that as a point of order.

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, although the hon. Member is trying to imply that the Assistant Ministers cannot speak for the Government, this is the administration of the Government, and it is up to the Government to decide who replies on behalf of Government.

Mr. Speaker, Sir, starting off on the points raised by the Mover of this Motion, I would like to say quite frankly that the Government has no quarrel with the intentions of this Motion. In fact, the Mover of the Motion did say that he had no quarrel with what the President said when he announced to the country the introduction of free education in the higher Forms of V and VI. But again, Mr. Speaker, he went on to say that the Government, when elected into power, did promise the country free primary education, and that he wanted the Government to accelerate its plans to implement those promises. Mr. Speaker, I think the Government has always been on its toes to try and fulfil its promises. It is true that the Government, during the campaign period, did promise through the Kanu Manifesto that it intended to introduce free primary education. This intention, Mr. Speaker, has not been forgotten; in fact, the first step that we have taken to introduce free education in higher forms is a clear indication of the Government's awareness of its promises.

Further to that, Mr. Speaker, the hon. Members are quite aware that immediately the Government did appoint a commission on education to study ways and means of fulfilling some of these promises. As a result, Part I of the Education Commission's Report, which was headed by Professor Ominde, has already been tabled in this House and discussions did take place. Also, Mr. Speaker, this was followed by Part II, and I have already laid a Paper in this House on that, which we are waiting to debate in the next few days.

Mr. Speaker, if the hon. Members could look into the Part II Commission Report, they would see that most of the promises, as far as education is concerned, which the Government did make to the country, are contained in that report. Further to that, we have at this moment, Mr. Speaker, appointed a commission of inquiry to study further the recommendations of the Part II Education Commission Report, as far

[The Assistant Minister for Education] as primary education is concerned. The Members are well aware that our manpower requirement is not fundamentally based on primary education but on secondary education, and this is—

Hon. Members: Question, question.

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, the hon. Members might question this, but this is a fact. The hon. Members in this House insist that we should Africanize some or most of the technical jobs in the Government. Now, do these Members sincerely say that we should Africanize these posts with people with Kenya Preliminary Examination qualifications? Certainly not, Mr. Speaker. We need people with secondary education, and this is why the Government thought it necessary to lay greater emphasis on secondary education, and this is why we considered, on our own part, Mr. Speaker, that secondary education should be given top priority, as far as the education of this country is concerned. We have moved further, even to investigate whether or not the introduction of free primary education is practicable.

Mr. Speaker, one point is very, very clear here. For instance, the hon. Member—I think this was the Mover of the Motion—did say that free education in Forms V and VI is going only to benefit the children of the Ministers. Now, Mr. Speaker, I am surprised to see the ignorance of the hon. Member when he tries to allege that the school-going children in the higher forms are the Ministers' children. Mr. Speaker, here I have a record of the children who are getting secondary education this year, the total is 47,870 children. I want the hon. Member—

Mr. Anyieni: On a point of order, Mr. Speaker, is it in order for the hon. Member to misrepresent the views put forward by another hon. Member? When the Mover moved this, Mr. Speaker, he said this will benefit the children of the Ministers, of the Members of Parliament, of the rich people and Permanent Secretaries. Now, is it in order for the hon. Member to deal with only Ministers as if the hon. Member said Ministers only?

The Speaker (Mr. Slade): No, what other Members say must always be correctly represented when it is answered. It rather depends on what Mr. Mutiso is going to say next as to whether there is real misrepresentation here, but I am sure Mr. Mutiso remembers, in fact, what the Mover said.

The Assistant Minister for Education (Mr. Mutiso): Precisely so, Mr. Speaker. In fact, I was going to mention that—and it is quite obvious—47,000 children cannot belong to Ministers alone, and this is what I was going to elaborate.

The Speaker (Mr. Slade): Yes, Mr. Anyieni was quite right to make the point that the Mover did not say the Ministers alone; he said it was the children of Ministers and the people like them, the rich people. He gave Ministers as an example only, and not exclusively. One must be fair to him.

The Assistant Minister for Education (Mr. Mutiso): Now, Mr. Speaker, I quite agree with your ruling and I did not intend to misrepresent the views of the other hon. Member, but I wanted only to clarify that today we have 47,870 children doing secondary education. If the hon. Member says that these belong to Ministers and rich people and others, who are these others, Mr. Speaker? This definitely includes even the poor people, because it is true that when a child cannot be in a position to pay for his school fees, there is in the local government provision for him to apply for bursaries, and also in the higher forms children are given bursaries by my Ministry, for them to study or pursue their education. This is what the Government can do at the present moment and, Mr. Speaker, one thing to which I would like to draw the attention of the hon. Members is this. The hon. Makokha, when speaking, gave as an example his father. He said that he had about twelve wives and that these wives had at least two children each. Mr. Speaker, let us take, for example, that every wife has about seven children, this, Mr. Speaker is going to mean about eighty-four children of one particular person who pays only one Graduated Personal Tax, and perhaps his father may not be in a position to pay for his taxation. Do we honestly mean to say, Sir, that all these children have to be educated from the taxes of the bachelors? If this is the position and if the hon. Members agree to this, then we have no quarrel, and let us know—out of the 8 million population of this country—how many people pay for their taxation annually; let us know how many do not pay and therefore we could work out exactly whether the primary education can be afforded by the country at this present moment.

Mr. Speaker, nobody denies that the free education should not be introduced. There are problems which the hon. Members are not aware of, and the example of Mr. Makokha's father is clear evidence of this. How many of them



[Mr. Malinda] the responsibility of the Central Government because that Central Government which is ruling this country was elected under this manifesto. According to the manifesto, Mr. Speaker, the population was promised free primary education.

Now, having done that, Mr. Speaker, I come to the question of finance. Sir, maybe the Ministry of Education will say, "Well, this will cost a lot of money." Fair enough, I understand and I agree that this will cost a lot of money. Sir, what is happening now? Where is the money that is running the present primary schools coming from? The only thing Government should do is to be in a position to direct, dish out and regulate the money, the expenditure of this money in a way that this money is equitably distributed throughout the country and so enable the children all over the country to go to school without paying fees. Maybe this will mean that instead of a child paying Sh. 50 by way of school fees, this amount could be added to the taxes of the people. If a parent has to pay Sh. 50 for a child and he has three children, he knows that by paying only Sh. 50 by way of additional tax, that would give his three or four children free education. I do not think this will raise any quarrel.

Going on from there, Sir, I would also like the Government to be in position to get all the taxes that county councils are supposed to allocate for education. This should come into the hands of the Government, and from there the Government should be able to distribute this money equitably throughout the country and thus be in a position to give free education as was promised.

Mr. Deputy Speaker, without labouring any longer on that point, I would like to move the amendment.

Mr. Makokha: Mr. Deputy Speaker, in seconding the amendment I would like to assure the Minister for Education that as we speak, we speak the minds of the people. It is no use deceiving the Government or even the President that the people of this country are happy ever since they heard that free education was going to be introduced at Forms V and VI. They are not. People would have appreciated, and they are still waiting to hear that free education will start from Standard I because literacy starts at the lowest standards, not at the top. So, I feel that this was a very queer way of doing things, of starting at the top, starting with people who do not need free education at all.

The reasons why I say this is because in the past in this House the various Ministers have given excuses when they were asked questions, saying

that this is the responsibility of the county councils or of the provincial councils. So, we do not wish to leave any loopholes. We want the Government to amend that part of the Constitution which needs amendment, so that the Government can take over the whole responsibility for education in this country.

[The Deputy Speaker (Dr. De Souza) left the Chair]

[The Speaker (Mr. Slade) resumed the Chair]

We do not want this confusion as we had the other day, for example, when teachers in some districts were asked to leave while teachers in other districts carried on teaching and receiving their salaries. This happened when the teachers went on strike.

We want the Minister to state when the Government is going to take over all education and in doing so that will give free primary education, by instalments, if necessary. Let the Minister tell us that by such-and-such a year Standard I will be free, then by such-and-such a year Standard II will be free, and so on. This will lessen the question of expense.

This announcement shows me that the Government is not realistic, or the people in the Cabinet do not know what is really going on around the country. The reality is that people have heavier burdens to carry as far as education is concerned at lower levels. Let me take my father's example. My father is a polygamist, he has twelve wives with an average—~~as I speak~~ now—of two children per wife at school, either primary or intermediate. Now, three of my sisters are at intermediate boarding schools and each one is paying Sh. 300 yearly by way of fees. Those in primary schools are paying an average of Sh. 50 per year. So, in one year alone, my father is supposed to pay at least Sh. 2,000 by way of fees, excluding food and clothing. The burden is extremely heavy. This goes to prove that the parents are poor but although they are poor they have children. As you know, Mr. Speaker, the educational system, as we have in Kenya today, provides for elimination because the burden is so heavy on the parents. You have children eliminated either by examination or by poverty, because the latter group cannot afford the fees. In the end you have only the cream. This cream is supposed to receive free education. Because the system is wrong it gives the richer person an opportunity; the cream that gets to the top are the children of the rich people. You hardly hear of the poor children reaching the top, Forms V and VI. Therefore, Sir, I would like the Minister for Education to inform the President that the whole country is very disappointed, very

[Mr. Makokha] and it is very difficult for them to thank the Mzee and say that his announcement was beneficial to the country.

I would end by asking the Minister for Education to give us a target. I would like him, when he comes to reply, to tell us definitely when he thinks we are going to have free primary education so that the country can get ready. We do not want to be taken unawares as we were when free medical services were announced. On that occasion the Government was not ready, the county councils were not ready, and they found themselves without drugs. Therefore, Sir, with free education, this being a very special subject, we would like the Ministry to tell us that in such-and-such a year we are going to get free education for Standard I, or for the whole primary section, so that the parents, with the spirit of Harambee, will start building extra schools and will start recruiting extra teachers. In this way, when the time comes the same Government cannot turn round and say it is not possible to give free primary education because they do not have sufficient teachers or buildings.

In fact, Mr. Speaker, Sir, I have always held the view that it was entirely wrong for the Government to encourage Harambee secondary schools instead of encouraging Harambee primary schools, particularly in the building of more schools, in order to accelerate free primary education.

Mr. Speaker, Sir, there is also another problem as well as free primary education. I understand that the Minister, when he stands up to reply, may bring up the question of teachers. Mr. Speaker, Sir, as far as I am concerned, we have a lot of Kenya Preliminary Examination boys and girls who cannot get any jobs at all in this country and I hold the view that these ex-Kenya Preliminary Examination students can teach very well any Standard I, whether they have been trained as teachers or not. Therefore, the Minister should not stand up and say we do not have teachers to teach our children or to give our children free primary education.

With these few words, Mr. Speaker, Sir, I support the amendment.

(Question of the amendment that the words to be added be added, proposed)

The Speaker (Mr. Slade): I think it will be best if the debate on this amendment is combined with debate on the main question.

I would point out that the Mover is due to reply at 11.25. It is now 11.05. If you want your full twenty minutes, Mr. Koinange, you ought to speak very soon.

The Minister for Education (Mr. Koinange): Mr. Speaker, Sir, we have arranged for my Assistant Minister to reply to this Motion, but I want to make a few remarks on this Motion in general.

The Speaker (Mr. Slade): So, it is Mr. Mutiso who will claim the twenty minutes then?

The Minister for Education (Mr. Koinange): Yes, Sir.

The first point, Mr. Speaker, is that I am extremely happy that the Members have taken such a great interest in education and I want to take this opportunity of thanking them because, with all sincerity, they have kept our Ministry of Education extremely busy and because they have invited them to visit our various constituencies to look into the questions and problems of the Harambee secondary schools. We are also happy that they have expressed appreciation of what the President announced on the 20th October about Forms V and VI.

The points I want to make to general are these. One, when we think of education in this country, we are thinking in terms of the peoples of this country, we are thinking in terms of the peoples of this country the rich and poor, of all nationalities, who are citizens of this country—and I mean that most firmly in practice. By that I mean this, Mr. Speaker. If we are really sincere in telling the people that we want you—non-Africans—to be citizens and they join us and become citizens for good or bad, through thick and thin, in struggle and in happiness, in sharing the fruits of this country, then he or she who becomes a citizen must feel that he has a full, unreserved right to enjoy the fruits of this country, of which he has definitely said he is a citizen. Because of that, Mr. Speaker, when we are reviewing the educational policy of this country, we are exercising a broad view on one ground: that the people who are true citizens of this country, whom we can call on at any moment, have their constitutional right and practical right to enjoy in full the fruits of this country. I want to emphasize that point firmly, Mr. Speaker, because it is the policy of this Government.

The second point, Mr. Speaker, is this. When it comes to education, we never move away from the party manifesto at all, but we have to see things from the practical point of view. I have repeated in this House, some time back, something about the report of Professor Ominde, which was put to the House. If you look at page 49, you will see that of the 25,000 teachers in primary schools, only about 1,091 are really

[Mr. Kaggia]

before their children even pass the Kenya Preliminary Examination. Therefore, Mr. Deputy Speaker, Sir, I think this is the time, and this Motion gives the Government the chance to tell this country what it is doing, whether it is creating a society of the rich or whether it is the Government of the people which is interested in the welfare of the people, because as it has been said by many speakers on this Motion, Sir, this offer of free education which was announced has not helped the people who mattered, who are the majority of this country, the people who have fought for this country and who have suffered for years to secure the independence of this country which we now are enjoying.

Mr. Deputy Speaker, Sir, if I may now speak for the Central Province, which is one of the areas which has been very badly hit by the Emergency, in which the majority of the inhabitants were fighting for independence, many of them in the forests, in the detention camps and so on, and as a result of the Emergency regulations and restrictions, many of our people became poor. Many of these people, even those who were not detained, are not able to pay their fees. The other group is the group which came from detention without any money, they found that there was no property left at all, and their children are today going without education. Now, Sir, when the Government tells us that they have given free education from Form V to Form VI this means that they have given free education to the children who belong to rich families, like Njiri's family, the European families and the Asian families. But, Sir, what we want to know is what the Government is doing for the other children. What, Sir, has the Government done for Kimathi's and other freedom fighters' children? Therefore, Sir, we would like to hear from the Government that this Government is not for the poor, but it is for the rich, and then we will have to reconsider our position, because we have made these pledges throughout the country hoping that we are forming a Government to govern the people, which is going to consider the interests of the people. Mr. Deputy Speaker, Sir, in the African socialism it says very clearly, that the Government will see to it that not a single child is denied education, because the parents cannot pay the fees. What has the Government to say to this? We have heard so many stories given by various Ministers as they go touring round the country telling us that since Kenya became independent it has done so much, and done this and that. But, Sir, when you consider this specifically we see that the people who

really fought for independence have not benefited from anything since Kenya became independent. We can take a few examples of this, for example, we are told every now and then that the Government is promoting Africans, and Africanizing this and that and the other post, but when we come to see who these people are taking these appointments, we see that many of them are the sons of the home guards—

The Deputy Speaker (Dr. De Souza): Mr. Kaggia, I would like you to confine yourself to education.

Mr. Kaggia: Mr. Deputy Speaker, Sir, I am saying this because during the colonial times there were people who had chances of getting education and these are the people who were supporting the Colonial Government. Many of the people who were not supporting the Colonial Government who could not get jobs, could not get any businesses and as a result their children could not get any education. So, Sir, we hoped that after independence that the times would be reversed, that the Government would try to help those people who were not helped by the colonialists. But, Sir, we have found out that it is the other way round. The Government is promoting the same people to higher positions and we are told that Government is Africanizing and giving *madaraka* and so on. But, Sir, when we come to employment, for instance, in the forces, the recruits have to have school certificate or K.P.E. Who has school certificate in this country today? It is the children of the people who supported the colonialists who were fighting against us. The people who were fighting against the colonialists had no chance, and their children did not go to school, and as a result they cannot get jobs. Therefore, Mr. Deputy Speaker, Sir, I feel that the Government must have specific proposals to see that this gap between the colonial supporters and the freedom fighters is lessened, so that the poor people, the people who really matter, the ones who voted for us, are given the facilities to attain jobs and other things, and one of these facilities is for the Government to see that the poor children go to school, and the only way to do that is to give free primary education.

It is alleged, Mr. Deputy Speaker, Sir, that the City Council of Nairobi, was trying once either to reduce fees in schools in Nairobi or to start by instalments giving free education, and it is said that the Government refused this. So, Sir, I would like the Minister to give us a specific answer as to whether the Government has changed its policy, or whether the policy of the present Government is to say that we go on

[Mr. Kaggia]

paying and increase the fees, or whether it is adhering to the pledges given to the people of this country. I was surprised, Mr. Deputy Speaker, Sir, when I heard that the City Council which is quite a wealthy local authority was trying to do this and the Government interfered. We would like to know why.

Mr. Speaker, Sir, the other thing which I would like to say is that we are told by Ministers every now and then that the Government is doing everything it can to fight the three enemies, poverty, illiteracy and disease. But, Sir, I am afraid to say that since we became independent I have not seen a single sign from the Government fighting these enemies. What they are doing is that they are creating a higher class of Africans who are already highly educated, ignoring the majority of the poor people who cannot even write or read. This is contrary to our pledges and our policy.

Therefore, Mr. Deputy Speaker, I would like to hear from the Minister whether the policy is changed if it is not changed. I would like to hear from him that from now on we are going to have something, either a reduction of fees or free education for a few standards in the primary schools.

I beg to support.

Mr. Malinda: Mr. Deputy Speaker, it is true that there is no dispute at all either in the Ministry's circles or anywhere in this country to the effect that the Kenya African National Union promised the masses, when they went for election, that when Kanu came into power they intended to give free education for every Kenya child for seven years. That is an established fact and nobody can dispute it.

However, now, at this moment, we are told that Forms V and VI are going to get free education. If one looks at the number of years that those children who are in forms V and VI, the years they have been in school, it will be found, Mr. Speaker, that they have been in school for more than seven years; in fact, they have been there for ten to eleven years. So, Forms V and VI are the twelfth and thirteenth years. This is something which does not give the true picture of what Kanu promised the people. If Government intended to give free education, and it meant to fulfil the promise that the party gave to the people, then these two classes ought to have been Standard I and II in primary schools. Mr. Speaker, while viewing this gesture with gratitude, I maintain that it

is a good thing but at the wrong time of development of this country. This should have come years after the seven years' free education had been given.

I know that perhaps when the Ministry of Education replies it will say, "Well, there are two big obstacles to instituting free education in primary schools". One, there is the constitutional barrier, and to which the Government cannot do anything until this barrier has been removed. I will deal with this point later. Second, they may say, "Well, free education for seven years in primary schools for all the school-age children in Kenya will cost this Government a fantastic amount of money." They may quote a figure of £10 million or £20 million. I will also talk about this later.

Now, I want to deal with the first barrier that the Ministry of Education might bring forward as being one of the reasons why they should not give free education to primary schools. Mr. Speaker, in that connexion I wish to introduce an amendment to this Motion.

After the words, "the Government to", I wish to insert therein, "amend section 102 of the Constitution and"

I think it is of vital importance that before we go any further with the discussion of this Motion, we must give the Government the power to be in a position to institute the feelings of the country and see that the promises which Kanu gave to the country are fulfilled; this can only be done through amendment of the Constitution.

With your permission, Sir, I want to quote section 102 of the Constitution. This is with regard to the legislative powers of provincial assemblies or provincial councils. I quote: "Subject to the provisions of this Constitution, a provincial council shall have power to make laws for the peace, order and good government of the provincial or of any part thereof with respect to any matter specified in Part I or Part II of Schedule I of this Constitution." Now, it is that Schedule to which amendment has to be made. Schedule I, Part I, of the Constitution, sub-paragraph 7, under the matters that are within the exclusive legislative competence of provincial councils says, "Primary, intermediate and secondary education (including technical and trade schools) but not the following schools or institutions, that is to say:—", and then follow ten institutions. Government should have the overall authority and the responsibility of providing primary education. It should not be an exclusive responsibility of provincial councils; it should be

[Mr. Masinde]

As the hon. Member put it, it is also necessary that whether we like it or not we have to accept one thing and that is that we have poor people who do not have anything. How do you expect these people to afford even Sh. 10 per year for a child to go to a primary school? Where do you expect such people, from places like the areas which have been hard hit and in which I understand the President has been distributing free maize for the famine relief— These people have children at school and they have been hard hit, and if they expect to get free food, how would they be able to raise money to enable their children to go to school? Today I hope the Minister will also tell us that in those areas which have been hit by famine the children will be exempted from paying school fees. Possibly, this will be an example of the fact that Government is now realizing the problem of the people in this country. We have had people here—including our own Ministers—who have moved their children from the usual African schools and taken them to big schools like Delamere, girls schools like the Kenya High School, like Nairobi Primary School and they are paying about Sh. 3,000 per term, or Sh. 1,500 per term. Now, these are the people who are draining the riches of this country, who should be taxed more instead of paying school fees for their children in order to subsidize those parents who do not have any money to enable even a single child to go to any school.

Sir, from time to time we have had Ministers visiting various places and whatever they say here, they have now completely avoided what they said before the elections, though it is not the time for electioneering. But, at the same time, people are always reminded of what they expected from the Government. We told our people that it was because we were not independent that we had to suffer. We told our people that it was because the Europeans were governing this country that we had to pay higher school fees, but, unfortunately—and I am glad the Minister is here—when we became independent, school fees went up by ten per cent. Why was this necessary? We have not been told. Was this the promise of reducing school fees or exempting those who could not pay school fees from paying these fees? Sir, it is on this principle that we do not want mere explanations, let us be told that our Government has failed. Now, those days when Europeans said that it was impossible to have African children mixing with the Europeans and some of them decided to send their children overseas, but after Independence they realized that the Minister for Education did not do anything about the educational system, except he said that the European

schools were open. But they were not open. They were open for those who have better incomes, the rich people, the permanent secretaries, the Ministers, the Members of Parliament, those who have better incomes. Then, because of that, the very *Mzungu*, the very *Mhindi* says that "Kenya is wonderful, Tanzania is going to chaos, Julius is doing worse than good," and everybody now, from Tanzania, Uganda, all the European children have come to Kenya because they know that their children are going to sit together with the children of the Ministers, Heads of State, but this is not what we wanted. We wanted education for our people; all of them, we did not want classes. When we fought for Independence, some of our colleagues were possibly in Europe, some of us were here, we saw how we were tortured, we wanted equality as far as education was concerned.

Sir, unless we are told what is going to happen this question of running about is going to cause our Government to lose popularity; and, of course, in some quarters our Government has lost very much popularity. In Nairobi, itself, Mr. Speaker, what people are noting in our country is that the other day, when we had His Excellency, the hon. Kaunda, we had the African children from all the schools in Nairobi moved out and they had to parade here to cheer the coming of His Excellency, the hon. Kaunda, to Nairobi. But what happened to all European schools? Nairobi schools, like Nairobi Primary, Delamere, all these schools? None of these schools came out, which means that here is a definite discrimination, that a *Mzungu* child and an Asian child, and a rich man—like myself—child would continue to learn in spite of who is visiting the State. Why did they not come out?

The Deputy Speaker (Dr. De Souza): Mr. Masinde, I think you are going away from the Motion. I think you must stick to the terms of the Motion.

Mr. Masinde: Mr. Deputy Speaker, Sir, it was necessary that I mentioned this, because these are some of the things which are happening, but they are happening just because we do not have equality in education. But what is important is that we have said that one of our diseases is ignorance, and how are we going to eradicate ignorance in this country if today we cannot afford to educate the young people who are going to be the pillars of this country?

You cannot determine a good scientist by the family he or she comes from. Even if the father is very rich, then that is what counts, because if the family is poor then the children cannot do anything. That, Mr. Deputy Speaker, Sir, is

[Mr. Masinde]

why we say that we should not deprive the younger generation from getting education. Today, we know very well that we have a great number of people who are unemployed, and this is also known by our Government, but we want to know what the Government is doing to alter this situation, and see that those children whose parents have no means of income get a good education. What is the Minister doing? These are the things which the Government should act upon very quickly. We do not want any excuses. We will even pay more taxes for those people who cannot pay taxes, but at least we should get free education. We do not want to have any excuses at all. Those people who are sending their children to those big schools should be asked to pay three times the amount to enable some money to go to these poor people so that they will be able to send their children to get free education. Unless this happens, Mr. Deputy Speaker, Sir, it means that we are continuing with what was happening before, because the Europeans did not want all our children to go to school. They wanted some of them to remain behind, not to get any education, and become cooks, houseboys and chauffeurs, but, Sir, is this what we want now?

Mr. Deputy Speaker, Sir, what we want is for everybody to have the opportunity. We do not want classes created like this, we want them created through competition where the pupils work hard, pass their examinations and then take up some profession because they have the opportunity right from the beginning. But, Sir, to be told, even myself, by the President, that we have Form V and Form VI as free education is complete lies, because we have been there. Those who went to Makerere had the first preparatory two years free, and this was Form V and Form VI. The Minister knows this that they did not pay, and it was only yesterday that we have Form V and Form VI in the various schools and then they introduced this. We do not want these slogans which are not paying. We want the Minister to tell us how many African students are in the Form V and Form VI, and how many Asians and Europeans are in Form V and Form VI. The majority of these students are those whose parents are not interested in this country, they are only getting their education and benefiting from the sweat of this country, and then they will eventually run away. Mr. Deputy Speaker, Sir, it is on this principle that the Minister must now even tell us to pay for Form V and Form VI, but

that the primary education must be free, because without that it means that we are not looking ahead.

The Deputy Speaker (Dr. De Souza): I am afraid your time is up.

Mr. Masinde: Mr. Deputy Speaker, Sir, I beg to second.

(Question proposed)

Mr. Kaggwa: Mr. Deputy Speaker, I very strongly support this Motion, and I would like to say from the outset that this Motion has come at a very timely time, because the country has been wondering, since the President announced this free education from Form V to Form VI, whether the Government was implementing the Kanu Manifesto, the Sessional Paper on African socialism, or what was happening, because when this pledge which was being made during the election, the intention, which is very clear in the Kanu Manifesto, and also in the Sessional Paper on African socialism, was to try and help those children whose parents cannot pay the fees. This was to try and fight illiteracy in this country, and it is very clear in those two documents that this pledge was made to see that when it is implemented the Government would see that not a single child in this country would be denied the chance to have an education, because his or her parents were poor. But, Sir, when this announcement came, although it is intended to bluff the country, or to show that if the Government was implementing some of its pledges, many of us were shocked to see that instead of the Government doing something to help those poor children who could not go to school, the Government is trying to help those boys who are already educated, who are already capable of getting good jobs. Sir, if this had been done by a colonial Government, we could have understood it, but to have this done by an African Government, our own people's Government, one cannot understand it, because some of the Ministers and many of us in Parliament here have come from poor families and have known the difficulties which have been facing our children for many years, and we expected our Ministers to see this, and see that they should help the people who needed help, and not the people who are already well up, because, Mr. Deputy Speaker, Sir, it is quite clear that any boy or girl who gets to Form IV must come from a wealthy family, because the parents have been able to pay for their education up to Form IV, but the people who are poor, and there are many of them in this country, many of them exhaust their little resources

[Mr. Mbogoh]

"We have no money." When you go to the Government for remission for poor women's children, they say that they have no money. Now, where will these people get the money? This will require one thing or the other: either this Government accepts the responsibility of these children or leaves it like that and allows the Minister to stay a Minister and the son of a forest fighter to go back to the forest and fight, because there is nothing else.

An hon. Member: To fight who?

Mr. Mbogoh: To fight the son of the Minister. Some people's fathers are well trained forest fighters, so the sons can do the same; and the Ministers have their sons well trained as administrators, so it will be a fight between the son of the administrator and the son of the forest fighter.

Mr. Speaker, at present when you go to a secondary school, you feel very great pity when you find that there are some young men who have proved their worth to be in a secondary school, but after being there for one year, they find that they cannot pay their fees, and so they are told that they have no alternative but to leave the secondary school. When such a young man goes round to all departments, including the Ministry, looking for anything that they can help with, they tell him, "Well, you can go back to your father and ask what he can offer to you for further education, but not the Ministry." But when he was being expelled, it meant that his father could not go farther than that; that was the end of his resources. After all, there must be something wrong somewhere, where the policy is made, because if a child is very bright and he is known to be one of the best chaps who might help this country later on, the Government should consider ways and means of helping such a child who cannot get the fees for himself, because his father is too poor.

In fact, in my own constituency, there is a secondary school which is run by the Government just now, and during the last week or two I have seen about thirteen boys—one or two of them from Form III—being expelled from school because they cannot raise the fees for this year. Mr. Speaker, this is so terrible to think about, I have tried to help quite a number of these children, but how far can I go? If I manage to educate three children who are not my own children—if I educate mine, my sister's and some others—then how far can I go, except to raise a few shillings and leave them to go their way? Mr. Speaker, African socialism allows that and

I have been a proper African socialist in that I have managed to pay fees for quite a number of children who could not do so.

Mr. Speaker, the Assistant Minister who is asking me where they are will be advised to stop asking such questions because we know what he is doing about that, and we know he is not taking any trouble when such children are expelled.

Mr. Speaker, Kenya will remain short of teachers as long as the children are allowed to go out just like that, because when Kenya trains teachers, let us say from Higher School Certificate level, you find that most of them, when the Kenya Government pays from Higher School Certificate level, do not come out and become teachers because teachers are not well paid; they just go out into the world of business and join firms because they have higher pay. Then the next morning you hear that the Kenya Government is importing teachers from America, and these are simple School Certificate fellows who come and spend a few months here and then go to teach in the secondary schools. Why could the Government not then get our own secondary school fellows, pay for them and let them come and take up those posts and teach instead of importing those people.

Mr. Speaker, Sir, I think that is a very grave point that this Government should shelve its responsibilities like that, and to do so would lead to disaster later on.

We have been attacking the Rhodesian Government, Sir, on their own system of governing, that they have been suppressing an African every time because an African is either black or poor, and in Kenya, Sir, there is coming a time when everybody will think that this Government is too Smithic. What happens here is that this super class of people will come to the point of what we call the caste system, and—again—here, everybody will not like it. Sir, another point here is that we understand here in Kenya there are some tribes who had education first, and when they had this education first, in all the Ministries they are the permanent secretaries, they are the under-secretaries, they are the district commissioners, they are the district officers, they are the police officers and they are everything. When this happens you find that other tribes, the smaller tribes, who were not developed by the imperialist Government, also need to be given the priority—especially in education—to come and share the fruits of our independence. But instead, they are colonized by these tribes, and now these tribes

Mr. Mbogoh—

[Mr. Mbogoh]

who were developed by the imperialists intentionally, are colonizing other tribes and they do not want them to rise up even one inch to govern with them. And, Sir—

Mr. Gatunga: On a point of order, Mr. Speaker, could the hon. Member substantiate this statement that in this country there are certain tribes colonizing other tribes? Are we still having colonialism in this country?

The Speaker (Mr. Slade): I do not think that such a very vague statement as that is capable of substantiation. If the hon. Member was to be more specific, then I think he would have to substantiate any more specific allegation, but this is something pretty vague and is more a matter of opinion than of fact. I would have said, so far.

Mr. Mbogoh: Mr. Speaker, even if I were allowed to substantiate, I would have done so, but it is not necessary. When I was speaking about this one it was actually in good faith that I said that these tribes are colonizing others and they are pressing them down simply because these other tribes have no educated people in the Ministries to go and see what is happening. In that case they give themselves preferential treatment, they give themselves everything, including education, including whatever is needed in the country. You find that even in employment it is difficult for some tribes to get employment in the Ministries because they have nobody to support them there. Mr. Speaker, I think this should stop and the Government should look into the possibilities of at least uplifting those tribes which have been left behind educationally.

Mr. Speaker, the policy of who has will be increased twofold and who has not will be robbed of what he has, according to Jesus Christ, in education is wrong. Mr. Speaker, this cannot build the educational system of a country because this will mean that the Mutisos, the Odhiambos and Kamasu will have to take everything that there is and then the Mbogohs and the Godanas will have nothing. What I mean by this is that if everybody is allowed to contribute according to his ability and receive according to his own needs, I think this policy in Kenya education will be more sensible than to just allow some few tribes to swallow everything that there is and then leave out those people who cannot get anything. In fact, this also includes the old women, the mothers of the children who were left by their husbands, who were killed in the Emergency, who cannot raise a cent and who depend on charities, these people will be benefited by this and unless the Government then is prepared to give them a chance I

feel that this will not be a Government of the people, it will not be for the welfare of society and the just government of men, but it will be just for the welfare of no society and just government of men.

Mr. Speaker, we all need education and we are paying taxes according to our ability, and I do not see why a super class should be established in Kenya for the people who can pay taxes, who pay as much as they can pay, while we are going rotten where we cannot get schools or get our children to go for further education.

In finishing this part, Sir, I am calling upon the Government to revise its educational system to avoid these mishaps and the Government should be sympathetic with those people who fought for freedom, those people who have nothing to eat even now, those people who are depending on charity, who are depending on maize from America because they cannot raise enough money to cultivate a one-acre plot, those people who are weak, who are even lame, and yet they want their children educated.

Instead of giving them a chance, of their children being able to have even their secondary education free, the Government jumps at the top and says that the Minister's child shall get education, the capitalist's child shall get education, the permanent secretary's child shall get education, and this will all be free and you shall come to rule the sons of the freedom fighters and the sons of the dead ones and the sons of the poor. That is very wrong, Mr. Speaker.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Dr. De Souza) took the Chair]

Mr. Deputy Speaker, what I feel now is that I will stop there, so that I can give my friends a chance also to express themselves, but at the last I will have another chance to see that everything is done properly.

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

Mr. Masinde: Thank you very much, Mr. Deputy Speaker. I also thank the hon. Mover of this Motion.

The Motion is clearly stated here. From time to time we have called upon the Minister of Education to tell us specific plans of what he is doing towards bringing about free primary education. I am glad that today the Minister has registered his presence; we have been wondering whether he was in the country or away from the country. We hope that today he will be able to tell us what he has done for the past two years to see that we get free primary education.

**[Mr. ole Tipis]**

Having said that, Sir, I think the Assistant Minister for Natural Resources and Wildlife has done a bit of homework. The only quarrel I have with him is that he went on mentioning sums of money which have been spent on water development in various parts of the country. Now what I choose to ask him is, why if he was so clever, he did not mention specifically how much money has Government spent for water development in the Narok District. He just gave us a lump sum, he mentioned the question of the £5,000, which to my knowledge was donated by the German Government, not by the Ministry, not by the Kenya Government. This money was spent for laying a pipeline of one mile but no engine was installed to pump the water. The water went through this pipeline through force of gravity. So, we fail to understand, especially the people from Kilgoris, Trans Mara, how so much money was spent. We want to know what is the balance of this money, what amount. You cannot just lay a small pipeline of one mile and spend £5,000. This is impossible. In addition, for the information of the Assistant Minister, Sir, the water there has more or less broken down. Despite the fact that this was a direct donation and the Assistant Minister tells me we do not maintain the pipeline what and has his Ministry granted for this particular scheme?—

I do not want to dwell very much on this point but I would like to say this, and most categorically, too, that our Government should at least have a crash programme as far as water development is concerned. I said in my opening speech that the fact that water is the basic ingredient of human civilization and modern development, we should pay more attention to this. Nobody can dispute this. We are not going to have some parts of Kenya left behind simply because, as we are told here, to conduct a water survey is a very expensive exercise. No. This will not do. We are part and parcel of Kenya and we should benefit the fruits of whatever is there for the whole nation.

The Assistant Minister went on to mention about the Chepalungo area getting a certain amount of money. What he forgot is this: Chepalungo comes under the Kericho District and not the Narok District.

An hon. Member: Teach him geography!

Mr. ole Tipis: Another point he raised was that it will depend on the will of the people and also on what the people of that particular area will contribute towards the cost. We have no quarrel with. The quarrel is, does the

Assistant Minister want to tell me and the House that the will of the people in those dry areas, waterless areas, is against water provision? No, not a bit. They are human beings, they cannot live without water, their livestock cannot live without water. So the will of the people does not come into it. You provide them with water and see whether they will throw it away. They want water very badly. They are suffering through lack of water facilities.

An hon. Member: What are they going to do with them?

Mr. ole Tipis: For instance, they are going, Sir, to better their lot. Their cattle are dying through lack of water. They become sick and that kind of thing. So, you provide them with water.

Now, in short, Mr. Speaker, I would like to say this. It is no good trying to blame the local people.

An hon. Member: Do they take baths?

Mr. ole Tipis: You cannot bath in sand, if you know what you are talking about. So, Mr. Speaker, you cannot blame the local people. What we would like to see is a grant-in-aid or a loan from the Government, and the local people will come in, wholeheartedly, to help themselves. You did not tell us how much you have offered. You never did. You have offered it to Chepalungo.

So, Mr. Speaker, I hope that the Government, having accepted this Motion, are going to act and act very quickly. Also, since the Assistant Minister mentioned this question of the irrigation scheme, let them irrigate those drier areas and let the people contribute to the national economy of the country. We have had acceptance of a lot of Motions. On this one, I hope, Sir, that they are going to act. The amount allocated to the Rift Valley Province—which the Assistant Minister mentioned—of £19,600 is just like a drop in the ocean, considering the size of the whole province: thirteen districts and the rest of it.

So, Mr. Speaker, without worrying the House, let us hope that Narok—instead of voting the whole figure for the province—will be allocated some money for water development, and it will not be quoted that this was sent to Chepalungo and other areas, whereas nothing has been done for Narok.

I beg to move, Sir.

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

**Resolved accordingly:**

THAT this House urges the Government as a matter of urgency to introduce speedier measures of stabilizing the nomadic inhabitants of Kenya way of life by providing them with water facilities in order to enable them to change their present nomadic way of life, and thus paving the way for these people to contribute their fair share in the economic development of our nation.

**MOTION****FREE PRIMARY EDUCATION**

Mr. Mbogoh: Mr. Speaker, Sir, I beg to move the following Motion:—

THAT this House notes with gratitude the President's announcement of free Higher School Certificate Education in Kenya and urges the Government to accelerate its efforts to institute a free primary education as quickly as possible as promised by our Kanu manifesto.

Mr. Speaker, my motive in moving this Motion is not to force the Government to abide by its pledges. When we were elected to this House this was our manifesto and on page 4, where we have three children walking together—one European, one Asian and one African—I will quote what the manifesto states:—

"Your children's education. Having raised a healthy family, your concern will be to see that your children have adequate schooling"—and in very bold letters—"Kanu intends that every child in Kenya shall have a minimum of seven years' free education."

Now, Mr. Speaker, having voted Kanu into power and now having it as the ruling party in Kenya, everybody in Kenya expects that the Government will not just shelve these responsibilities and say that the Government is not Kanu—sow and that this manifesto is forgotten.

Mr. Speaker, the other day the President announced that Kenya is going to get two years' free education at the higher school certificate level. Mr. Speaker, people of this country do not agree with the President on that announcement because what they say is this. In this country only the children of the rich are able to get up to school certificate level. The children of the people in the streets are unable to get even above Kenya Preliminary Examination standard. So, Mr. Speaker, here we will see that this announcement was, one, for the Ministers who are able to educate their children up to that level; and, two, for the local capitalists, Asians

who have big shops. Permanent Secretaries who have big salaries, and Europeans in general who can manage to pay for this education.

Mr. Speaker, as the President was mentioning that there were more than a million children in our schools in Kenya today, you will find that about three-quarters of this million are children who belong to families who are unable to raise their education up to school certificate level. Mr. Speaker, I challenge the Government right now to check one by one in this country and see what number of that group of children get up to school certificate, so that they can get that two years' free education. Mr. Speaker, most of these children are sons and daughters of the freedom fighters. You will find that during the Emergency many of the parents were killed and their children now are at school. These cannot go up to school certificate level because there is no money even to go above the Kenya Preliminary Examination.

Mr. Speaker, what is the Government going to do for those children because if it was, let us say, up to secondary school level, then those people who have means would try their level best to get their children up to Standard VII level and then try to get this free education up to Standard VIII? They would sell all that they have, they would do all within their means to see that their children get up to Standard VII, but now eleven years' education, so that you can get a two-year education free, is so impossible in Kenya today that it is only going to benefit a few, and this will now create a super class of human beings, because your own father is a Minister and you are the most educated child in Kenya. Well, then those people whose fathers are not Ministers, who are not Permanent Secretaries, those who are unlucky not to have had rich fathers will remain low and poor for the rest of their lives, and those who are rich will stay rich for the rest of their lives; and this will create a division of class in Kenya which will never be tolerated by anybody. Mr. Speaker, this is so terrible and it is not very sensible to have such classes.

Mr. Speaker, again, if the Minister is going to reply to this debate, I will require him to tell this House how many children belonging to the poor men of this country—let us say Kanu officials who have been serving the party since the party was formed and freedom fighters who were living in the forests—are at school, even at Standard VII level. Most of these, Mr. Speaker, cannot even get to Standard VII because they cannot get the fees. When you go to the county councils for remission, they say,

**[The Speaker]**

Amendment proposed:—

That the Motion be amended by deleting the following words:—

"Masai" in the second line; and "the Masai" in the fifth line; and inserting in place thereof the following words:—

"nomadic inhabitants of Kenya"; and "these".

(Mr. Lorema on 12th November 1965)

*Resumption of Debate on first part of amendment interrupted on 12th November 1965*

The Speaker (Mr. Slade): Before calling on Mr. Jan Mohamed to speak I would remind hon. Members that there are only twenty minutes left for this debate, so the Mover will have to reply in ten minutes' time. We are, at present, considering the amendment of the Motion which appears on the Order Paper. We must consider that in conjunction with the main Motion, and I take it that in the remaining ten minutes Mr. Jan Mohamed will reply both to the Motion and to the amendment.

The Assistant Minister for Natural Resources and Wildlife (Mr. Jan Mohamed): Mr. Speaker, Sir, I think the Mover of the Motion will have to reply after I have spoken.

The Speaker (Mr. Slade): That is quite right. You have to give the Government's point of view.

The Assistant Minister for Natural Resources and Wildlife (Mr. Jan Mohamed): Mr. Speaker, Sir, when the House adjourned the other day, I was trying to explain to the hon. Mover of the Motion what has been done, and what is being done, about water development both in Kajiado and the Narok area. I see that the hon. Mover has left the House, but anyway the last time I told him that in the Kajiado District the sum of £75,000, or over £75,000, was spent in the last two years for water development. The hon. Mover was more concerned about the Narok area, and I wanted to tell him why much work has not been done in the Narok area.

Mr. Speaker, Sir, the difficulty has been that the people in the Narok area have not been very co-operative. Although some water development was carried out, firstly for the Kilgoris township for which a sum of £5,000 was raised as a fund by the Prefect Apostolic of Ngong, Monsignor de Keeper and I would like to coinvent the Government's sincere thanks for this generous gift which made it possible to have a water supply for Kilgoris Township.

Mr. Speaker, Sir, also a further £3,000 has been issued to the County Council of Narok to spend on other water supplies in the area. During the year 1964/65, £3,000 were available, as £1,000 grant and £2,000 loan for the construction of dams in the Chepalungo area, but, Sir, the Narok County Council were unable to take this offer, probably due to their financial situation.

Now, Sir, as far as water development is concerned, this depends on the wish and the will of the people. The Government has to function through the administrative machinery and many times, in this House, while replying to the questions, I have emphasized on this point. In every district there is the district development committee

it is now called the district development committee which was formerly known as the district agricultural committee—and there is also the provincial water authority. Now, Sir, on the district development committee, some members those who sit on the county council as well as the district development committee, and it is for the hon. Members to see that whatever water developments they need in their district is first conveyed to the district development committee which in turn will pass it on to the provincial water authority.

I would like to take this opportunity, Mr. Speaker, Sir, to clarify a point. The nomadic tribes termed in the amended Motion, are about one-and-a-half million people, or about 18 per cent of the total population of Kenya. However, Sir, these 18 per cent of the people occupy 70 per cent of the total land in the country, and it would be absolutely impossible to carry water development in the whole area with such a thin population. I think the hon. Masinde had made a point while he was speaking on the Irrigation Bill, and that was, how are we going to economically use the land or have the water supply made available in this area. This is the biggest problem as it stands.

However, I would like, briefly, to say what is being done in the different areas which are termed to be the nomadic areas. In the North-Eastern Province, the Ministry of Agriculture and Animal Husbandry plans to spend about £44,000 to improve and augment the stock watering facilities. My Ministry is spending about £35,000 on the Daxey tractor units programme for de-silting the existing tanks and dams, and when it is possible the construction of new ones. The Range Management Division of the Ministry of Agriculture plans to spend about £4,000, most of which will be spent on water supplies. As far as the Rift Valley Province is concerned, Mr. Speaker, the Ministry of Agriculture and Animal Husbandry, through the Range Management Division, plans to spend about £19,800 on developing group ranches and

**[The Minister for Natural Resources and Wildlife]**

a further £23,700, through the Department of Agriculture as part of the proposed £70,000 on smallholder irrigation plots. My Ministry intends to spend approximately £7,500 on rural water supplies in the nomadic tribal areas of this province. For the Eastern Province the Ministry of Agriculture and Animal Husbandry, through the Range Management Division, plans to set up several group ranches at a cost of not less than £7,500, of which a major proportion will be spent on water supply. In the Coast Province, plans are being prepared by the Ministry of Agriculture to develop the nomadic areas, and the implementation of these plans will be subject to the agreement and co-operation of the Orma-Gala people.

Now, Mr. Speaker, Sir, water development is a very, very expensive item. I have heard in this House during other debates, a Member suggesting, or even resenting the spending of money for survey. Sir, water development can never be carried out without proper planning and proper survey, and the survey itself is a very expensive item, leave alone the development of water.

There was also a suggestion by the hon. Winitshi about the overall Development Plan. Sir, though the provincial water authority who, in turn, will get the district development committee to look into it, we have requested for an overall plan so that we shall be able to get details from all the provinces which will provide details for what water development is to be carried out in each district. However, as far as water development is concerned, it will also depend on the will of the people and the contributions which could be made by the county councils. I would, therefore, earnestly request the hon. Members to speak to the people, make them pay their taxes so that the county councils have enough money, and they could in turn provide part of the finance. My Ministry, through its water department, is always prepared to assist those areas which are prepared to assist themselves. We have the Water Department and its staff which is always available, and whenever a request comes to us, through the appropriate authorities, the Ministry will be too happy to assist in carrying out the technical side in which the survey, the planning and the siting will be carried out. At the same time, depending on the availability of funds, and also depending on what each area is going to contribute, Government will be too happy to carry out any possible water development plans.

Mr. Speaker, Sir, the Irrigation Bill was introduced in the House and once the Irrigation Board

comes into being, this will also prove of great assistance as far as water development for irrigation purposes is concerned. On the other hand, my Ministry, through the Water Department, will always be prepared to help and carry out as much as can possibly be done.

Sir, I beg to move.

The Speaker (Mr. Slade): It is very near now for the Mover to reply. We must dispose of the amendment. The question now before the House is that the word "Masai" in the second line, and the words "the Masai" in the fifth line be left out of the question, that is, with a view to inserting other words which are stated on the Order Paper.

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

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

The Speaker (Mr. Slade): As we have no time now to debate this, I will put the question.

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

*(Question of the Motion as amended proposed)*

The Speaker (Mr. Slade): It is time for you to reply now, Mr. Tipis.

Mr. Ole Tipis: Mr. Speaker, Sir, in replying to this Motion I must first of all thank all hon. Members who have really contributed so much in support of the Motion. However, I would like to place on record that pretence is always a dangerous game. Why I say this is because the Mover of the amendment, although I have no quarrel with the amendment, I am national-minded as most hon. Members know, has been the champion of his own West Pokot small empire. Since his election to this House he has talked of nothing else, both in question time as well as during debate on Motions, except West Pokot. So, I am just a bit annoyed and disappointed that he saw fit to feel that it is a sin for me, Member for Masai, to mention the Masai people. There has been absolutely nothing to prevent him from moving a Motion as usual, dealing specifically with West Pokot.

Mr. Speaker, I think the Motion as amended is quite acceptable to us. We are out to build one nation and, of course, in my opening speech I did not exclude mention of those other areas which are arid, semi-arid, and whose people are more or less nomadic. This is clear and if any Member doubts what I am saying, he can read it in HANSARD.

**Mr. Ole Tipsis:** Mr. Speaker, arising from one of the hon. Minister's replies, is he aware that in the Rift Valley we have thirteen districts, and—if I may remind him—the area is so vast that the population is as great as in any other province? Is he also aware that one of the Ministries of this Government pretended that there was equality in the distribution of funds as far as community development was concerned, whereas some provinces have three districts, two up to six, and is it fair that—

**The Speaker (Mr. Slade):** Order. We cannot have a great speech, Mr. Ole Tipsis, just ask a short question.

**Mr. ole Tipsis:** The question is are thirteen districts to receive the same share as a province with only two districts? Is that fair distribution?

**Mr. Sagini:** Mr. Speaker, he is—I think, referring to the Ministry of Labour and Social Services. I do not know, I think he should go and speak to the Minister. The question here was a general one with the emphasis on the economic development of the Rift Valley Province, and now he is trying to single out the Ministry of Labour and Social Services. I think the best thing for him to do would be for him to go and see Mr. Mwendwa.

**The Speaker (Mr. Slade):** We could pursue this matter for a very long time, but we do not have time today, I am afraid.

#### Question No. 75

##### SPECIAL PERMITS TO EXPATRIATES

**Mr. Shikuku** asked the Minister for Internal Security and Defence whether he could tell the House how many expatriates had been given special permits to stay in this country because of their skill and knowledge of work which was useful to the Africans who were understudying them.

**The Speaker (Mr. Slade):** Who can answer for the President?

**The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek):** Mr. Speaker, I think I had better explain because this question was directed to us, but we passed it on to the Office of the President as early as the 47th of last month. It is unfortunate that it has not been brought forward.

**The Speaker (Mr. Slade):** You mean that there is some confusion between the two Ministries over the answering of this question?

**The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek):** It appears so, yes, Sir, because the word "permit" is, I

think, the only one which implicated my Ministry, but as far as giving passes and permission to work in Kenya, no passes are given, but that is the work of the Director of Personnel which comes directly under the President. It was passed on to them and I am sorry it has not been brought forward.

**The Speaker (Mr. Slade):** It is certainly very unsatisfactory to the House when a question appears on the Order Paper and after due notice there is no one to answer it. Could we ask you Mr. Kodhek to make it your business to see that someone is here to answer the question on Tuesday?

**Mr. Kodhek:** I will definitely make sure of that.

(Question ordered to be brought up again)

#### MINISTERIAL STATEMENT I

##### NATIONAL FREEDOM FROM HUNGER CAMPAIGN

**The Minister for Agriculture and Animal Husbandry (Mr. McKenzie):** Mr. Speaker, Sir, I wish to make a statement on the subject of our National Freedom from Hunger Campaign.

Hon. Members are aware that we are at this moment, dealing with relief of famine in certain areas of the country. This is not the first time we have had to do so. Famine has often afflicted our country during the last sixty years. In fact, somewhere in Kenya is always on the verge of having a famine, and for many years our annual estimates have included, as a matter of course, a vote for Famine Relief.

We, in Kenya are not alone with this famine problem. It faces the world as a whole. The problem is one of population growing faster than the production of food is growing, so as was said by the famous Swedish economist, when giving the McDougall Lecture at the Food and Agriculture Organization two weeks ago, in the near future the whole world faces the problem of malnutrition, and some areas especially of the overpopulated countries, starvation.

There is only one answer: that prevention is better than cure. Even if cure, by way of famine relief is still possible, a decade or two hence, when the whole world may run short of food, it is still a poor substitute for prevention of famine and malnutrition. The people of every country must be helped to produce, even in bad years, at least all the food that they themselves need; and, in good years, a surplus that will feed the hungry elsewhere.

#### [The Minister for Agriculture and Animal Husbandry]

The United Nations have become aware of the urgency of this world-wide challenge and, during the past five years, their Food and Agriculture Organization has built up an International Freedom from Hunger Campaign—a campaign to prevent famine and malnutrition throughout the world—a campaign which will have to continue, and grow in strength, for many years to come.

The essential structure of this campaign is co-operation between nations; and co-operation, within each nation, between Government, voluntary organizations, and the public as a whole.

To that end, Mr. Speaker, every nation has been asked to establish its own National Freedom from Hunger Committee. In the more prosperous countries the sole function of such committees, at present, is to raise money for the assistance of countries such as ours; which they are doing on a more generous scale than most people appreciate. In countries such as ours, however, these committees have a greater task: the task of making the public aware of their danger, stimulating public effort, educating the public in ways of defeating famine and malnutrition, fostering projects for increased production of food, and making the best possible use of the financial assistance which is coming from generous donors overseas, a task which cannot be performed by Government alone.

It was for these reasons that, early this year, I and my Ministry initiated the formation of our own National Freedom from Hunger Committee of Kenya, which was formed on the 15th March, this year with the following objects:—

- To co-ordinate all efforts, whether by Government or by voluntary agencies, in a campaign to combat hunger and malnutrition or their causes in Kenya.
- To examine, in consultation with Government and voluntary agencies, specific projects for this campaign, and to recommend such projects to prospective donors.
- To raise funds for this campaign, and to supervise the disposal of such funds.
- To educate the people of Kenya with regard to causes of hunger and malnutrition and their elimination.
- To stimulate public interest and support for the campaign.
- To co-operate with Freedom from Hunger Committees or similar organizations of other countries in campaigns against hunger and malnutrition or their causes elsewhere.

That committee which consists of voluntary organizations and leading public figures, including Members of this House, and which is managed by their chosen representatives in combination with representatives of the Ministries most concerned, is now very active, and has received the full support of His Excellency the President, and the Government, as an essential stone in the building of our nation.

Having explained the need, Mr. Speaker, of our participation in the International Freedom from Hunger Campaign, and the place of our own National Freedom from Hunger Committee in that campaign—especially as it affects our own country—I wish to record that this committee has the blessing of Government as a national institution, and to ask everyone—Ministers, Members of Parliament, and public alike—to co-operate in its endeavours. The future success of the endeavours of our own committee, depends to a very large extent on the donations which we will get from donor countries.

May I end this statement, Mr. Speaker, Sir, by wishing you in your capacity as chairman of the Freedom from Hunger Committee and all our members the best success in your endeavours.

#### NOTICE OF MOTIONS FOR THE ADJOURNMENT

##### SAFEGUARDING KENYA PRELIMINARY EXAMINATION PAPERS

**The Speaker (Mr. Slade):** I have to inform hon. Members that there are matters to be raised on the Adjournment next week. On Tuesday, there is a matter to be raised by Mr. Barasa of the careless safeguard of the examination papers for the Kenya Preliminary Examination.

##### KENYA GOVERNMENT SPOKESMAN

On Wednesday, the matter is to be raised by Mr. Muliro following on Question No. 40, which was raised by Mr. Obok, concerning the role of the personality of the Kenya Government Spokesman. That will be on Wednesday, 8th December.

#### MOTION

##### WATER FACILITIES FOR MASAI

THAT this House urges the Government as a matter of urgency to introduce speedier measures of stabilising the Masai way of life by providing them with water facilities in order to enable them to change their present nomadic way of life, and thus paving the way for the Masai people to contribute their fair share in the economic development of our nation.

(Mr. ole Tipsis on 12th November 1965)

## Question No. 67

## AFRICANIZATION: BRANCH MANAGER, EAST AFRICAN CARGO HANDLING SERVICE

Mr. Omar asked the Minister for Works, Communications and Power if he would tell the House why the post of branch manager of the East African Cargo Handling Services, Mombasa, had not been Africanized. Also, would he state the reasons why some high posts such as senior section superintendent in the same service were filled by non-citizens, who always renewed their contracts

**The Assistant Minister for Works, Communications and Power (Mr. Bomett):** Mr. Speaker, Sir, I beg to reply. So far, no suitable African candidate has yet become available for the post of Branch Manager, Mombasa. The post of Branch Manager, Mombasa, requires an intimate knowledge of all aspects of cargo working in the administrative and operational fields. The latter can only be obtained effectively from actual practical experience gained by working through all sections.

Of the fifteen established posts of superintendents, only six are filled by non-citizens. The non-citizen holders of the established senior operation posts are, with one exception, employed on continuing terms of service, not on contract. The one contract appointment expires in September 1966, and a replacement for him, who is a citizen, is under training.

**Mr. Somu:** Mr. Speaker, Sir, could the Minister tell me why those students who were sent to the docks in London to train for such posts and who have now come back have not taken up these posts?

**Mr. Bomett:** Mr. Speaker, Sir, if the Member was listening carefully, he would have heard me quote a sentence in which I said that this work is specialized work in which you cannot depend on theoretical knowledge only, but the officer must undergo effective and long period of actual practical experience which is necessary for doing the work.

**Mr. Shikaku:** Mr. Speaker, arising from the Assistant Minister's reply, could he tell the House whether they have placed any African under this person who, he claims, has a lot of experience, to understudy him with a view to taking over the job?

**Mr. Bomett:** Mr. Speaker, Sir, the answer is yes. An African is shortly to be appointed Assistant Branch Manager, Mombasa.

**Mr. Mbogob:** Mr. Speaker, the Assistant Minister has just said that to Africanize that post needs many years of experience. Can he tell

this House exactly how many years experience is needed for an African to undergo a course, so as to take over from the non-citizen?

**Mr. Bomett:** Mr. Speaker, Sir, it depends on the individual ability to grasp the job and to be able to discharge the duties. This is a very important section of the economy, because it is the gate of all the exports and imports of the country. Therefore, Mr. Speaker, Sir, I say it is very important that practical experience is gained by working through all sections of the cargo-handling department.

**Mr. Kali:** Mr. Speaker, Sir, is the Assistant Minister aware that we have Africanized more senior posts—more important posts—than that of the so-called manager of the Cargo Handling Service, and that it is because of tricks which have been played by the expatriates to renew contracts every year to block the Africans?

**Mr. Bomett:** I cannot accept that, Mr. Speaker, Sir, and I take exception to the words used by the hon. Member, saying the "so-called"; it is not a question of the "so-called". This is a manager. All that I am saying, Mr. Speaker, Sir, as I said before, is that this post is being understudied and we are going to appoint an assistant branch manager who will work his way and study under this man and take over eventually. It may be in one year, it may be in six months, but it depends on how the assistant branch manager will continue working under this man.

**The Speaker (Mr. Slade):** We will go back to question No. 59 now.

## Question No. 59

## DEVELOPMENT FOR RIFT VALLEY TRIBES

**Mr. arap Bly** asked the Minister for Economic Planning and Development if he was aware that Rift Valley Province was inhabited by a higher proportion of less-developed tribes than any other province in Kenya. If so, what major steps were being taken to pull up these unfortunate Kenyans by his Ministry and by the Government as a whole.

**The Minister for Local Government (Mr. Sagini):** Mr. Speaker, Sir, on behalf of my colleague, the Minister for Economic Planning and Development, I beg to reply. The Government does not accept that the Rift Valley Province is inhabited by a higher proportion of less-developed tribes than any other provinces of Kenya and, in this connexion, I invite the attention of the hon. Member to my reply to question No. 2466 on the 13th of October.

**[The Assistant Minister for Local Government]**

The Government is, nonetheless, taking a number of major steps to develop the Rift Valley Province and, in particular, I would invite the hon. Member's attention to various projects which feature in our Development Plan. The hon. Member will be aware of the high priority which the Government attributes to the development of the fisheries potential at Lake Rudolf. Until recently, the isolation of the lake and extreme climatic conditions have made it difficult to explore the full marine resources of the lake, but steps are now going ahead vigorously to expand and develop the Lake Rudolf fisheries. At present, action is in hand to recruit experts in fisheries development from a number of overseas countries, and they will assist the very valuable work already being carried out by the Department of Fisheries.

The hon. Member will appreciate the natural obstacles to development which face the Government when much of the Rift Valley Province is inhabited by tribes such as the Masai and the Turkana, who are essentially nomadic and pastoral and who are not easily receptive to new ideas and social institutions.

The Government has for some years made concerted efforts, particularly through community development and education schemes, to improve the standard of living of these tribes and to bring them within the framework of our Development Plan. Under our present Development Plan which takes us up to 1970, nearly £300,000 has been allocated for community development projects in the Rift Valley Province alone. This sum includes provisions for multi-purpose country training centres, community education mobile units, self-help projects and grants for adult literacy promotion.

Nearly £4 million has been earmarked for the improvement of communications. A proper network of all-weather roads will go far to open up the more remote parts of the province and to permit the growth of a healthy trade, particularly in commodities such as fish, cattle and livestock.

The development of agricultural resources features prominently in our plans for the Rift Valley Province. In Turkana District, an extensive scheme of irrigation works for settled and cultivated areas has been proceeding for some time, with the assistance of the Food and Agricultural Organization of the United Nations. The aim has been to establish pilot farms by substituting river irrigation for pump irrigation.

It is also the intention of the Government to appoint a range management specialist in Turkana to advise on the best methods of improving the level of the animal husbandry and the production of livestock commodities. The hon. Member will, no doubt, be aware of the wide international market which could exist for exports of meat and meat products from Kenya once a sufficiently high level of quality and grading has been obtained. It is in connexion with livestock development that the Government has sought the assistance of the United Nations Special Fund.

Development in the Rift Valley clearly cannot proceed apace unless adequate facilities are made available for promoting the health and welfare of the people. Almost £1 million has been allocated to improve medical amenities in the province over the planning period. We are expecting the number of hospital beds to rise to 685 by 1970 and the number of health centres to show a similar increase. This is a high target by all national standards and indicates the Government's firm attention to further the development of the Rift Valley as quickly as social and economic circumstances will allow. The expenditure on secondary education alone, is planned to total £2,685,000 under the current Development Plan.

I trust that these examples will suffice to assure the hon. Member of the Government's strong commitment to accelerate the development of the Rift Valley. I would appeal to the hon. Member as well as other Members from the same province to spare no efforts in promoting the spirit of self-help which could have a significant contribution in the development of the province.

**The Speaker (Mr. Slade):** I would remind all Ministries of the right which I have mentioned on previous occasions of answering by written reply a question put down for oral reply, if they find that the answer has to be very long. This is a very obvious example of where that right should have been exercised.

**Mr. arap Bly:** Mr. Speaker, Sir, arising out of the long and marathon answer which the Minister has given, would he tell us what projects have been particularly laid down for Kencho and Masai in order to eradicate a bit of the imbalance?

**Mr. Sagini:** Mr. Speaker, Sir, I think the hon. Member must be aware. This question was very wide indeed, he said "is the Minister aware that the Rift Valley Province...?" Now he comes down to his area and Masai.



[Mr. Mbogoh] this House exactly what steps were taken to redress the imbalance, because previously only Kanu areas were being given scholarships to go overseas? Now what has the Ministry done now that Kadu have crossed the Floor?

Mr. Mutiso: Mr. Speaker, Sir, if the hon. Member was listening, I am sure he would not have repeated the same thing which I have just answered here. I have just stated very clearly that immediately after Kenya attained independence and as soon as Kadu crossed over to the National Union, we set up a selectio board and this selection board includes Members of the former Kadu group, and if there is that practice in the selection board, then I think the former Kadu Members could challenge that in the selection board.

Mr. Tanui: Mr. Speaker, Sir, in view of the fact that it was common practice to give Kanu scholarships, could the Assistant Minister, in order to balance the manpower going overseas, offer some scholarships to former Kadu areas right away?

Mr. Mutiso: Mr. Speaker, Sir, I am sorry, I cannot authorize that action to be taken, because that would be furthering the Kadu ideology, and since this does not exist, we have one National Union Government, and all these scholarships are given purely on merit, and the less developed areas are given priority. Therefore, Sir, there is no question of allocating special scholarships for the former Kadu-dominated areas.

#### CONSIDERED RULING

MEMBER WISHING TO PURSUE MATTER ON AN ADJOURNMENT: UNSATISFACTORY REPLY TO QUESTION

The Speaker (Mr. Slade): We must go on now, but before proceeding with questions today, I would like to refer to a point which was raised by Mr. Anyieni yesterday concerning interruption of supplementary questions by a Member rising on a point of order to say that he wishes to raise the matter on an adjournment. What I said yesterday in reply to Mr. Anyieni was quite correct as regards past practice, but on further consideration, I am so much impressed by his point that I think we have to alter the practice. After all, we must regard the right of pursuing a question on adjournment as belonging primarily to the Member who asked the original question, and it is not fair to him, either that supplementaries should be cut short by some other hon. Member rising to say that he wishes to raise it on adjournment, which could indeed be abused, or that some other Member should usurp his right of pursuing the matter

on adjournment. So, whatever the practice has been in the past, in future I shall not allow any hon. Member to intervene in the course of supplementary questions to say that he wishes to raise the matter on adjournment, except the hon. Member who has asked the original question, and likewise, when we come to the end of supplementaries or I say that we have to move on, I shall not entertain any other Member saying that he wishes to pursue the matter on adjournment, unless it is quite clear that the original questioner does not wish to do so himself. I am grateful to Mr. Anyieni for raising this point.

Mr. Mbogoh: On a point of order, Mr. Speaker, arising from your ruling given just now, would that affect the business already passed before today or will it take effect in the future?

The Speaker (Mr. Slade): For the future.

Mr. Muliro: On a point of order, Mr. Speaker, I find that this ruling will be unfair to the House, because once a question is asked in this House it is in the interest of the whole nation as such. The point which might militate one Member to raise the matter on adjournment may not be in the mind of the Member who asked the question. However, I think the Member who asked the question should be given the chance to second the Motion on adjournment so that he can then pursue what he had in mind and which was unsatisfactorily answered. I think the Member who feels strongly about the question should have the right to give notice of a Motion on adjournment.

The Speaker (Mr. Slade): I do not allow hon. Members to argue with my rulings, but I do desire them to understand exactly what they mean, and I am not sure Mr. Muliro has understood.

What I am saying is, that there will be no interruption of supplementary questions by any Member other than the original questioner, to say that he wishes to pursue the matter on adjournment. At the end of supplementary questions, it will be open to any Member to say that he wishes to pursue the matter on adjournment if the original Member does not wish to do so.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION No. 58  
"HIGH-LEVEL" MANPOWER TRAINING

Mr. arap Bly: On a point of order, Mr. Speaker, due to the unconvincing answer given by the Assistant Minister, I wish to raise this matter on adjournment.

#### ORAL ANSWERS TO QUESTIONS

Question No. 66

##### IMPROVEMENT OF COAST GENERAL HOSPITAL

Mr. Omar asked the Minister for Health and Housing if he would consider improving the standard of wards in the Coast General Hospital, Mombasa, by making partitions so as to accommodate one patient in each such partition, instead of in open wards.

The Assistant Minister for Health and Housing (Mr. Moss): Mr. Speaker, Sir, I beg to reply. The Coast General Hospital is the second best hospital after the Kenyatta National Hospital in the country. The hospital is only eight years old.

There are altogether 268 beds and if, as suggested by the hon. Member, partitions are made around each of the beds, I cannot imagine how it would look. Where necessary, we always keep screens for the patients. For the sake of efficiency and general supervision within our ambit and staff, we are unable to provide partitions. Besides, if we do have such narrow sections between beds, patients are likely to be subjected to claustrophobia, i.e. a morbid dread of closed places.

Mr. Omar: Arising from that reply, Mr. Speaker, Sir, is the Assistant Minister not aware that by having no partitions some seriously ill patients cannot sleep well because of the open wards, since some patients groan terribly and this causes inconvenience to those who are very ill?

Mr. Moss: Well, Mr. Speaker, Sir, in such cases we always use screens to prevent the seriously ill patients from causing unnecessary inconvenience to other patients.

Mr. Anyieni: Mr. Speaker, Sir, would the Assistant Minister agree with me that in the African custom it is not usual for a person to be isolated, particularly when he is sick? As such, will he make sure that when a patient goes to the hospital he will be given the chance to see his friends and not be isolated?

Mr. Moss: While I agree, Sir, with the hon. questioner, I would also like to inform him that we are now living in a different world altogether and, therefore, we have to change according to the times.

Question No. 88

##### COUNTY COUNCIL HOSTEL, MACHAKOS

Mr. Ndile asked the Minister for Health and Housing if he was satisfied that, for over a year, the county council hostel at Machakos had been used as a maternity wing of the Machakos Hospital.

The Assistant Minister for Health and Housing (Mr. Moss): Mr. Speaker, Sir, I beg to reply. This Ministry is aware that the present maternity ward is at the former county council hostel at Machakos, but I must point out the circumstances surrounding this arrangement.

The county council formerly operated a maternity ward within the compound of the provincial general hospital, but in May 1964, this building was condemned by the Ministry of Works as unsound and in a deteriorating state structurally. It had to be evacuated almost immediately and has since been demolished. In order to maintain maternity services, the county council made available the empty buildings formerly used as a hostel. My Ministry undertook to carry out necessary essential alterations for it to be used as a maternity unit at a cost of £750, and have since operated the unit.

It is not the ideal arrangement and my Ministry hopes to construct a new maternity unit within the hospital compound as soon as the necessary funds become available.

Mr. Ndile: Mr. Speaker, Sir, would the Assistant Minister tell me why it has taken so long, almost over a year, and still there is no plan of putting up a new maternity wing at the Machakos Hospital?

Mr. Moss: I hope, Sir, the hon. Member is not asking me why it has taken my Ministry well over a year to complete the Homa Bay Hospital! The answer is simple. As I mentioned, it is due to shortage of finance that we cannot get these things going immediately. As soon as we get the necessary funds available, there will be no reason why the maternity unit should not be put up at Machakos.

Mr. Malinda: Mr. Speaker, Sir, would the Assistant Minister tell us from what source he expects to get the money, the money that he is waiting for, and how soon?

Mr. Moss: Mr. Speaker, I hope the hon. Member is not trying to demonstrate his ignorance to this House. He knows what sources we get money from, he is one of the sources through his tax. There are other sources as well.

Mr. Ndile: Mr. Speaker, Sir, the Assistant Minister mentioned that the County Council, Machakos, operated a maternity wing at Machakos. May I know whether it is the function of the county council to have a maternity wing, or is it the responsibility of the Central Government to put up a maternity wing?

Mr. Moss: Well, Mr. Speaker, Sir, the hon. Member knows, as I do, that maternity wings are always operated both by county councils and the Central Government.

[Mr. Kiprotich]

Therefore, Mr. Speaker, Sir, in finishing, I would like action, which the Members support in this House, but, Sir, I feel that what we want is not necessarily action, but that the Government should make a mental note of this, otherwise we are not going to go home tomorrow until you tell us exactly what you are doing. Otherwise, Mr. Speaker, Sir—

The Speaker (Mr. Slade) Address the Chair

The Vice-President (Mr. Odunga) Mr. Speaker, Sir, I must, in the first place, say how I appreciate the anxiety which is expressed by various hon. Members' sentiments here, but let me make this particular incident an unfortunate incident, quite clear that what has happened in Rhodesia, is not one where it is only the Smith Government which is only concerned Smith is just the spearhead which is trying actually to further the belief which is held by so many desperate people in the South of Africa, and you must understand that he has people who are supporting him in Mozambique, South Africa, Angola and even in the outside world, and also even on our side. If the hon. Members could give me their ears, I will actually try to develop the point which I am trying to develop to them. On the other side, the African nations have also come out very well indeed, and all of them are very keen and very serious, and you have heard of all statements which have been expressed by nearly

all the countries of the African continent, saying that they are all united and that they wanted to take action.

For instance, Mr. Speaker, Sir, in this country they want to take action, but that can only be done through the Organization for African Unity, through which all the African countries can act. Mr. Speaker, Sir, I am also just as anxious as many Members here that today we should take action, but individual action will not do; we need a united and concerted action of all the people together. We know we have friends all over the world who are sympathizing with us, but, first of all, the African nations must take definite decisions and now they are on the verge of doing so.

So, Sir, please let not all Members prejudice that action being taken or that decision being taken. Therefore, I think we should be cool and let us also be people who do not show only sentiment, because a man who is in a hurry is not the man who wins in the end. It is the man who acts and behaves wisely who, in the end, knocks down and wins.

#### ADJOURNMENT

The Speaker (Mr. Slade) Order! Order!

It is now time for the interruption of business. The House is adjourned until tomorrow, Friday, 3rd December at 9 a.m.

*The House rose at thirty minutes past five o'clock*

Friday, 3rd December 1965

The House met at Nine o'clock.

[The Speaker (Mr. Slade) in the Chair]

#### PRAYERS

#### ORAL ANSWERS TO QUESTIONS

Question No. 75

##### SPECIAL PERMITS TO EXPATRIATES

Mr. Shikuku asked the Minister for Internal Security and Defence if he could tell the House how many expatriates had been given special permits to stay in this country because of their skill and knowledge of work which was useful to the Africans who were understudying them.

The Speaker (Mr. Slade) No one here to answer for the President? We will leave that to be ended then.

Question No. 58

##### "HIGH-LEVEL" MANPOWER TRAINING

Mr. arap Bii asked the Minister for Economic Planning and Development what his Ministry was doing to correct the imbalance which existed now in training "High-level Manpower" both at home and abroad between the former follower tribes of Kadu and Kanu.

The Speaker (Mr. Slade) I understand that the Ministry of Economic Planning and Development has asked the Ministry of Education to answer this one.

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, I beg to give the following reply. Since independence the Government of Kenya has advocated and vigorously pursued a policy of building a unified nation in which citizens are given equal opportunity in both training and employment, regardless of previous associations. In training, the Government takes the whole country into consideration their tribal grouping, political inclinations, or when establishing new secondary schools and when allocating bursaries and scholarships for higher education.

When Government appointed the Central Selection Board for Higher Education Scholarships and Bursaries, soon after independence, it gave instructions to see that higher educational opportunities were as evenly distributed as possible throughout the country, and Government is satisfied that this board has carried out their instructions very competently and faithfully.

At present, there are nearly 5,000 young Kenyans studying overseas for high-level manpower requirements in the country and, in addition, there are nearly 800 Kenyans taking university studies at the University of East Africa. The majority of those students studying overseas are on scholarships obtained through agreements between the Government of Kenya and the foreign governments of the countries where the students are. The students at the University of East Africa are fully maintained by the Government of Kenya at the rate of nearly £1 million a year.

Mr. arap Bii: Mr. Speaker, Sir, arising out of the Assistant Minister's reply that at present there are some thousands of students studying overseas, would he agree with me that, amongst these students, very few are from previous Kadu followers and areas?

Mr. Mutiso: Mr. Speaker, I entirely disagree with that statement, and I wish to state, Sir—as I said earlier—that since independence, the Kenya Government has appointed a selection board and this caters for even the areas which were dominated by Kadu before independence.

Mr. Shikuku: Arising from the Assistant Minister's reply, is he aware that there is still that feeling that those students overseas of Kadu origin are not being helped, and the Government is helping those of Kanu origin, though they went there on a private basis?

Mr. Mutiso: Mr. Speaker, I again disagree with the hon. Member and I am not aware of this fact. If the hon. Member could substantiate that allegation that there are few students overseas who belonged to Kadu, then this could be investigated, if he would bring the case to my Ministry.

Mr. ole Tips: Mr. Speaker, Sir, arising from the Assistant Minister's reply, the original one, I would like him to deny or confirm, although we give lip service to nation building, as far as the Civil Service is concerned, whether some tribes in this country are not getting the lion's share and others are left like *Mbeha (jackals)* to eat the offal.

Mr. Mutiso: Mr. Speaker, Sir, I think that is a different question, because I do not understand what this is.

Mr. ole Tips: May I explain?

The Speaker (Mr. Slade): No, it is a different question.

Mr. Mhogoh: Mr. Speaker, assuming that the hon. Assistant Minister knows the areas where Kanu and Kadu were dominant, can he inform

[The Assistant Minister for External Affairs] Africa, and—as such—we must work with the nations of Africa. It is no use for Kenya alone to take unilateral steps, we must work in co-ordination with other African countries here in Africa. Why did we form the Organization for African Unity? We formed the Organization for African Unity in order that we may be able to co-ordinate our efforts, so that we may be able to work together to face problems of this nature.

Mr. Speaker, Kenya—as a member of the Commonwealth has taken up this matter when the Prime Ministers went to Britain. And we know this very well. We pressed it so hard that in the end Britain agreed that the principle of one man, one vote leading to majority rule should be established in Rhodesia. Also, Britain's moral, legal and constitutional responsibilities over Rhodesia were emphasized. Britain also accepted the responsibility of one man, one vote, and that was due to the concerted efforts of Kenya and other countries when we went to Britain for the Commonwealth Prime Ministers' meeting.

Mr. Speaker, Sir, the history of Rhodesia is a sad history. We all know about it. It has been going on—not only for a day, for some time. Now African countries have come out in the open. They say openly that they are not going the way that Britain is handling the matter. We have said it openly, and we have even said that if Smith was going to take over Government in his own hands, it was not only the question of white minorities taking it over, it was the question of civilized man against brutalities and other things which are below civilized standards. Now, this is a question of standards and the way that Smith behaved himself was not in a civilized manner, and therefore, the question of white and black does not come in at all. Now, as such, Mr. Speaker, there is no use for us to stand here and blame the Government for not acting. The Government is acting, but we need planning, we need co-ordination, we need to know what other nations in Africa want us to do so that we do it together. We want the action that is going to be taken to be fast and effective. It is no use for Kenya alone to walk to Rhodesia. What are we going to do there? We must work with other people generally.

Mr. Speaker, these are facts, it is no use being overruled by emotions—

Mr. Kiprotich: For your guidance, Mr. Speaker, Sir—

The Speaker (Mr. Slade): Well, not for my guidance, a point of order. You have to require my guidance on a point of order, or not stand.

Mr. Kiprotich: Mr. Speaker, Sir, let me ask for your guidance on this issue. Would it be in your guidance, Sir, for Kenya today—

The Speaker (Mr. Slade): Order! Order! Mr. Kiprotich, you do not have the faintest idea of what a point of order is. You cannot join in an argument in the guise of a point of order. You cannot interrupt a speech simply because you have an argument to make, or a suggestion to make. You can only rise on a point of order if you think that an hon. Member is out of order.

The Assistant Minister for External Affairs (Mr. Matano): I would like to try to say this briefly, Mr. Speaker. During the Organization for African Unity meeting, the African States, when they met in Accra, discussed this question of Rhodesia and they came out in the open and they said that if Britain was not going to do anything, and Smith was going to take independence by force, then African countries were going to act. And, to prove that African countries were going to act, they formed a committee—a defence committee—to discuss ways and means as to how to tackle this problem. Now, we all know—if hon. Members would only read the newspapers they would know that the members of this defence committee, Kenya is one of them, Tanzania is another, Nigeria is one and there are two or three other countries met in Dar es Salaam. Of course, Mr. Speaker, I cannot disclose here exactly what they discussed, they discussed these matters. Now—at this very moment—they are in Addis Ababa to try to finalize some of these points; therefore, to accuse our country that the Government is not doing anything about it, Sir, shows that the Members are not following the events as they take place.

Kenya has been very active in all these matters. Our Minister has not been here; all the time he has been away he has been engaged fully in all these things which are happening. At this very moment, Mr. Speaker, our Ministers are busy in Addis Ababa, all the top executives are in Addis Ababa trying to plan these things.

Mr. Speaker, it is very easy to be emotional in these matters, it is very easy to say, "Let us walk and fight, let us do this," but we must do it with the co-ordination necessary for a major operation of that nature.

Mr. Speaker, Sir, I hope the hon. Members will be patient; I know we are all very impatient, but this is not a matter which can be taken lightly; it is a matter which must be taken seriously because it is a matter of principle, and we must all work together with other nations. Kenya has declared, right from the beginning, that we are ready to take

[The Assistant Minister for External Affairs] the action, whatever the Organization for African Unity decides, we are prepared to go with the Organization for African Unity, up until the very bitter end.

Mr. Speaker, Sir, with these few words, I would like to explain to the Members exactly what the position is.

Mr. Kiprotich: Mr. Speaker, Sir, when the Assistant Minister spoke he was just giving us false statements here.

What we want in this House today is that when Smith took action on U.D. What is it—

An hon. Member: U.D.I.

Mr. Kiprotich:—what did the Kenya Government do? The first thing to have been done would have been to have sent help to Kaunda to squash Smith, but when we moved this Motion here and we are being told that the Government is working that they are doing this, and this, and this, we will not agree with this. The Organization for African Unity is nothing to us, because we do not get exactly what the Organization for African Unity has discussed, in Accra or anywhere. He has told us nothing. Unless we read the newspapers, when we talk about the news there is nothing positive to discuss. In Kenya here we have youths, asking for employment, and the Kenya Government does not even send them. Why do we not employ those people and send them there to fight Smith. Who is Smith to us? Who is Smith in Kenya? But if you want us to keep quiet here, you should tell us what is what when we say that we would like to know what you are doing.

I remember, one day, we demanded an East African Federation, and then one of the Government spokesmen here came and told us that things were running smoothly. The same thing is happening now about Rhodesia. We are being told here, "You wait and see."

Others of the Cabinet met today, because I saw the President's flag in Harambee House there, his house. I saw the Vice-President also, he was there. What were they saying about Rhodesia? We want to know what action has been taken now, and this evening we will hear on the radio the talk about Smith, and Smith. Where are we going to start? How are we going to enlist the support of this country?

Mr. Speaker, Sir, we do not want this man Smith with his large planes. The Kenya Government is busy fighting the *Shifta* here and there.

An hon. Member: What is wrong with that?

Mr. Kiprotich: We must take these things very seriously. We do not want to see Murumbi flying all over the place using Government money, attending the Organization for African Unity, he should stop in Nairobi here.

So, Sir, on this issue of Rhodesia, I am very happy for the Member for Nairobi East, Mr. J. D. Kali, asking for positive action by the Government; the Government must take action, otherwise they must resign—all of them—and all of us here.

I think we are capable of ruling this country. This Government is the elected Government of the people, but when things are going smoothly no action is taken. We hear about these things on the radio, over the Voice of Kenya. But Mr. Speaker, Sir, are we in Kenya going to stand for the expenses which are being claimed all over the country? Today, Mr. Speaker, Sir, I should like the Vice-President to tell us how many troops and aircraft are going to stand by at Embakasi Airport ready to go to Kaunda. Mr. Speaker, Sir, the word, "token," which was given to Dr. Kaunda is something which is only given on paper, which shows that you have something concrete. So, Sir, it seems to me that the troops which have been promised to Dr. Kaunda by the British is coming to nothing. So, Sir, for the time being, I do not think in this House, which is representing Kenya as a whole, we should just sit down and talk too much, and see our Government not taking any action at all, but we feel that now we have our strong army, it should go out to Zambia, and meet their army and fight. They should go to Zambia and tell Smith to withdraw or not, because all of you here know the rules of the East, and I think that those people are not going to be in the cold cells any more at the moment.

Several hon. Members: *Kaa chim.*

Mr. Kiprotich: I am not going to listen to the Members telling me to *kaa chim*.

Mr. Vice-President, we want action to be taken. We here do not take this seriously, some of the Members, because some of the Members are laughing here now. Who is ready now to go and fight in Zambia? Who is ready? You can only speak for yourselves, and I for one am ready to go and fight Smith. Who is Smith? I do not believe in talking too much, but I feel that those people who are laughing here. We talk too much but we do not act. Mr. Vice-President, will you go and tell our President.

The Speaker (Mr. Slade): Order!

Mr. Kiprotich: Mr. Speaker, Sir, this is a very serious matter.

**[The Assistant Minister for Finance]**

Mr. Speaker, Sir, I also support the Mover of this Motion, because this question is a very important one to the whole of Africa. As a matter of fact, we should consider the declaration of independence in Southern Rhodesia by the white minority there as a great setback to our liberation movement for the whole of Africa. We had already started to move towards liberty, to get rid of colonialism and to get rid of racial bigotry and all kinds of racial domination, and so on. Here, we are faced today, with a setback in all this: that 200,000 people should set themselves up as the rulers in Southern Rhodesia over 4 million Africans. Mr. Speaker, Sir, this must be considered as an attempt to set up some kind of a defence line for the Union of South Africa, for Angola and Mozambique where our African brothers are still known to be in chains. This kind of defence line, if it is, is something that must be smashed by the whole of Africa.

Mr. Speaker, Sir, one would have expected that Britain would have acted very seriously on this matter, but it seems that this has not taken place because, as has been quoted by other Members, there are times when very serious steps have been taken in the past. Only one year ago in Stanleyville, in the Congo, there was an African group which declared themselves independent, and before we knew it, a small country in Europe, Belgium took it that their nationals were in jeopardy there and in danger of losing their lives, so they took it upon themselves to go to America and take planes there. Having taken these American planes, they went to a British island to get landing rights and they were over Stanleyville, dropping by parachute, one early morning. We saw that what was done there was that people were killed, and whatever the people wanted to do there was done. This could have been done; we could have seen British soldiers being dropped over Salisbury if this were necessary, or if they wanted to do it. This has not been done and it should be clear to us that we have been let down here, and that it is up to us, it is up to the Organization for African Unity, which stands for the Africans.

There are 4 million Africans there. Their freedom and their lives are in danger, and here we sit, just wondering what we are going to do. What the Organization for African Unity should do really is exactly what the Belgians did when they went to Stanleyville. We should all be going down there in planes and drop our soldiers there, and see that this place is taken and the 4 million Africans freed, like the Belgians freed their people. I must confess, Mr. Speaker, Sir, that this is going to be difficult for us and this is going to be a lesson for us, one that we must learn.

The hon. Dr. Banda of Malawi has made it clear that Southern Rhodesia is a very strong country which perhaps could smash the whole of Africa. One must wonder why 200,000 people in the middle of Africa should be so strong, so that even a country like Kenya with 8 million people cannot stand against it. That means they have power, they have planes, they have bombs, they have jets. Why should they have these while we have a much bigger country with a much bigger population? It is necessary for our countries in Africa today to revise all our development plans and especially military plans particularly in those areas where we have been advised by people from the West, because in this case, where we would have expected the West to take responsibility, they are leaving the responsibility to the Africans, we have to do it ourselves. We have to find out how it is possible for a small people like that to advance so far in military strength, so that we are even scared to face them.

This is a very important matter, Mr. Speaker, and I would say that this is a lesson for all African States that we must revise our development plans, we must revise our development timetables and we must see that we get strong and get whatever aid we can. If we cannot get it from the West, we must be free to get it from anywhere else. If we cannot get jets and other things from certain countries, then we must get them from wherever we can. Mr. Speaker, Sir, I would like to say that in the United Nations and in all other bodies

Mr. Kiprotich: On a point of order, Mr. Speaker, the Member who is speaking now is asking about development, he is not talking about anything that is going on in the Government. Is there anything down here which this House could reject, instead of just blaming the Government for nothing?

The Speaker (Mr. Slade): No, you cannot get up on a point of order like that.

The Assistant Minister for Finance (Mr. Okelo-Odongo): Mr. Speaker, I cannot blame this Government; I am a Member of this Government, more than the hon. Member.

Mr. Speaker, Sir, as regards the United Nations and all international organizations, we African States go there and state categorically that we are against racial inequality, that we are against anybody who is thinking of the black people and Africans as backward or second-grade people. Now, how are we going to do this when in the middle of Africa a small number of whites have set up a government ruling quite

**[The Assistant Minister for Finance]**

a big majority? In other words, the fact that the African is second class is being emphasized and stated emphatically and concretely in the continent of Africa, and then you are going to go out from this continent to another place and say, "You must treat Africans as equal and you must treat Africa as equal to any other country." If we cannot establish democracy in Africa, if we cannot establish racial equality in Africa and if we cannot establish the status of the black man in Africa, we will have no right to demand equal status anywhere else.

Mr. Speaker, Sir, this is a fact that we must take and with these few words, Mr. Speaker, I support and say that this should be a good lesson. Thank you.

Mr. Malinda: Mr. Speaker, Sir, I want to take only two or three minutes on this question.

Mr. Speaker, Sir, I want to use in the first place a phrase which was used by the Mover of this Motion, when he was giving notice of it to the effect that the happenings and goings-on which have taken place in Rhodesia have turned Africa, especially the African States which are now free into a laughing stock in the world, because, Mr. Speaker, it is almost a month now since Smith declared independence unilaterally in Rhodesia and we know that our people there are suffering and are being oppressed.

Mr. Speaker, I would like to suggest this to the Government of Kenya: they should tell the Government of Britain that we look at the handling of the situation in Rhodesia with great concern and conclude that it is being done with the connivance of the British Government, and for the British Government to convince us that they are sincere to their cause and to their friends, they should come out with a programme of specific action to be taken against the Smith régime.

Mr. Speaker, I would like to say that if the British Government does not act swiftly and decisively on the issue in Rhodesia, it will be unbecoming for the independent African States to continue to remain in the Commonwealth; they should pull out. When they do that, Mr. Speaker, they should be free to get assistance from anywhere in the world. If America can give us the assistance, they are welcome; if they cannot and Russia is willing, they should be welcome to give us assistance. If China is able to give us assistance, Mr. Speaker, Africa should accept that assistance to liberate our brothers in Southern Rhodesia.

One other thing which I want to say here, Mr. Speaker, and which I would like the Government of Kenya to take into account, is that we know that one of the weaknesses in Southern Rhodesia is the differences that exist between the two major leaders there. Mr. Speaker—

The Speaker (Mr. Slade): Order! Order! down there.

Mr. Malinda: I would like the Kenya Government, in consultation and in conjunction with all other African States, to try and devise a method through which a representative or some representatives of these African countries should go and talk to the Reverend Sithole and Mr. Nkomo, to get them to declare their unity among themselves, so that their followers can act and harass the white minority in Rhodesia.

Lastly, Mr. Speaker, I would like to say what I said here before we adjourned this House last time, that the Kenya Government should now, before any other step is taken, call for volunteers. There are a lot of people out of work, there are a lot of people who are getting involved in mischievous activities which are not worth their salt, and these people should be asked to come and volunteer their services.

The Speaker (Mr. Slade): Order! Less conversation, please.

Mr. Malinda: Mr. Speaker, I am finishing just now. I was saying that the Kenya Government should call for volunteers to come and start being trained, so that when all the other Africans have collected their information and correlated the line of action, then Kenya can contribute in manpower to go down to Rhodesia and liberate these brothers of ours, because, Mr. Speaker, the only language that Ian Smith can understand is fighting, and he must be fought and he must be crushed.

Mr. Speaker: I support.

The Assistant Minister for External Affairs (Mr. Matano): Mr. Speaker, Sir, the Government feels very strongly—just as the Members have shown their feelings—and we do appreciate the feelings that have been shown by the Members of this House, and it is good that the feeling is there in our people.

Mr. Speaker, I would like to say a few words just to disqualify some of the expressions that have been put out here tonight, to say that the Kenya Government is doing nothing about it. Mr. Speaker, the Kenya Government is doing something about it. Because the Rhodesian question is not only a Kenya problem, it is a problem of

**[The Minister for Agriculture and Animal Husbandry]**

an appeal against all the statutory boards. This is the Appeals Tribunal which is the machine for every single statutory board, appeals against the statutory board to go to, so there is the machinery on that. The two hon. Members who spoke from the Northern Province, I think I have covered their point excepting one and that was who would represent the Northern Province as they have no provincial board, they have a provincial council. This provincial council has a committee which takes care of the livestock and agricultural section and they would be the committee who would give forward the three names.

Mr. Muliro raised points I think which I covered, he has asked how land would be bought. Well, Sir, if it is compulsorily acquired it is valued, the valuation plus 15 per centum is paid, but I would sincerely hope that if any land was to be bought that it would be bought on a willing buyer willing seller basis and a compromise be reached without having to go to acquisition. The hon. Mr. Moss I have nearly finished raised the point about irrigation in wet areas as well as dry. Of course, he is very right here but I doubt whether for a very long time that there will be any national schemes in wet areas.

Mr. Speaker, Sir, I think that I have covered most points. As I have said, those points of detail will be answering by letter to the hon. Members, and again, Mr. Speaker, I would like to thank hon. Members for the interest that they have taken in this Bill. I beg to move.

*(Question put and agreed to)*

*(The Bill was read a Second Time and committed to a Committee of the whole House tomorrow)*

**MOTION FOR THE ADJOURNMENT  
UNDER STANDING ORDER 14**

**ORGANIZATION FOR AFRICAN UNITY AND  
RHODESIA**

Mr. Kali: Mr. Speaker, Sir, I beg to move that the House do now adjourn to enable Members to discuss the situation in Rhodesia.

Mr. Speaker, Sir, if I can remember, on the day Mr. Ian Smith made his unilateral declaration of independence, we discussed the subject here, and the Government promised this House that the House would be kept informed of what was going on and the steps to be taken. But up to date, Mr. Speaker, Sir, nothing has been done, we have never been informed of anything, except promises by the Organization for African Unity, resolutions and secret meetings in Dar es Salaam and Nairobi. Now, Mr. Speaker, Sir, I think Mr.

Harold Wilson has been given sufficient time to make up his mind on the future of Rhodesia, but it seems as if he has taken the Africans for granted. Mr. Speaker, Sir, we cannot either forget the raping of Stanleyville in which Mr. Wilson was one of the conspirators when they dropped paratroopers to murder the Africans.

The Speaker (Mr. Slade): Order! Order! Mr. Kali there are two reasons for my having to stop you. One is—what I have told hon. Members before—about criticism of friendly countries otherwise than by substantive Motion, the other is that in these adjournment debates we can only discuss a matter of administration for which our Government is responsible, so you have to confine yourself pretty closely to what our Government ought to be doing. It may be related to what other Governments are doing, but the main point is, not what Britain should be doing but what should Kenya be doing.

Mr. Kali: I am sorry, Mr. Speaker, Sir. Anyway, what I would like to propose, Mr. Speaker, Sir, is for this country or this Government, as a member of the Organization for African Unity, to make a gesture by doing something here. Recently, Mr. Speaker, Sir, we heard of the mobilization move by the Ghana Government, that was a good gesture and showed that the Ghana Government meant what they said. But here we are expected to believe in empty resolutions and secret meetings which will resort to nothing.

Mr. Speaker, I think, this question of Southern Rhodesia has also been discussed by the Commonwealth, but what are the results? Do they think that the people represented by these Heads of State who meet every now and then are a pack of wolves who can just take whatever they are told, without being followed up by action? All that we want to say and what I ask this House—ask our Government—is for us to make a gesture and show by an action that they mean what they say.

Secondly, Mr. Speaker, Sir, I would like the Kenya Government to propose an emergency meeting of the Commonwealth, where they will put concrete proposals for Mr. Wilson to act on and if he does not do so, they should pull out of the Commonwealth. The second proposal for the Kenya Government to put before the Organization for African Unity is that they should support Dr. Nkrumah's proposal for a Military High Command of Africa, otherwise Africa will be raped by anybody any time anybody wants.

The third proposal, Mr. Speaker, Sir, is that nobody would like to see a racial war between whites and blacks in Southern Rhodesia. But then, if Mr.

[Mr. Kali]

Wilson does not act immediately, what will be the result? How can you keep suppressing the Africans of today? They are no longer going to allow themselves to be humiliated all the time. The young people will act, and this, Mr. Speaker, brings me to the question of the Africans of Rhodesia.

I think as it was put the other day by the President of Zambia, these people have let themselves down completely. They have not done anything, except for a group of school children who, when they saw that nothing was done, had to demonstrate, and they were all flogged. Children, but where are their leaders? They are all over the world, in every capital of the world, even here, and if there is any one here, I think they should be told to leave immediately. Why can they not do like the people of Kenya? What did we do when all the leaders were arrested? The people did not sit down and wait for whatever happened, but they took to arms. They showed that they supported their leaders by action, not by sitting down to wait for manna to rain from heaven, but these Rhodesian Africans, what have they done? We had no moral support from anywhere during those dark days. What did we do? We acted. But these people have the whole world behind them, even material assistance. We had nothing.

Therefore, Mr. Speaker, since I know there are many Members who want to speak on this, I say that we, as Members of this House and the final authority in this country, urge the Government of Kenya to put this proposal to the Organization for African Unity, that a Military High Command should be established immediately.

With these few words, I beg to move.

Mr. Muliro: Mr. Speaker, Sir, I find it very disappointing—

An hon. Member: But you are laughing.

Mr. Muliro: I am not laughing, Mr. Speaker, I find it very disappointing—despite the fact that some hon. Members are trying to disrupt my mental equilibrium—with African Governments who say they are committed to the total liberation of Africa, to hear every pronouncement by any African leader being always prefaced by the statement that until the whole of Africa is independent, we are not yet independent. And yet today they are sitting completely helpless, when a good section of the Africans—4 million Africans—are going under the claws of the imperialists who would like to see the domination of the white race perpetuated in Africa.

This, Sir, is a great shame of the African Governments and, therefore, today, the Organization for African Unity is no more than a mere debating club where the Ministers for Foreign Affairs, including the hon. Mr. Murumbi, our own Minister for Foreign Affairs, go and display their talent in debate and come back, after bottles of whisky and champagne, the same people without any action at all. This, Sir, is the greatest mistake. Nkrumah has given the lead. The Emperor of Ethiopia has made it clear: let us go to war if need be. But I feel there is need. Kenya has kept mum. Kenya said, "We are going to think about our continuation in the Commonwealth once there is a unilateral declaration of independence." They have declared it, and today still our Ministers are happy, continuing on. In this, Mr. Speaker, I feel our Government, if it is inactive, should never declare that it is committed to the total liberation of Africa. We should say, "Once those countries are independent, they are independent, they do not worry about what happens to the next brother." Sir, I feel our Government should come out much more positively against this unilateral declaration of independence, and also Britain, which has the responsibility of Rhodesia, should be firmer than it has been. We know Britain has been firmer in the past, when dealing with non-European, colonial countries, but today when it is dealing with Rhodesia where there are 200,000 whites, it is very lenient, simply because it feels, "If our brothers can get away with it, so much the better." If this is not the attitude of Britain, I think they should already have gone in to restore order, to bring this rebel, Smith, to his senses. This, Sir—

The Speaker (Mr. Slade): Mr. Muliro, I must repeat what I said to Mr. Kali: we are concerned in a Motion of this kind with what this Government should be doing, and the action of other Governments is only relevant as related to what Kenya may be doing.

Mr. Muliro: Thank you very much, Mr. Speaker.

Our Government must tell Britain in no uncertain terms, "You act in the case of Rhodesia as you acted in the case of Kenya, as you acted in the case of Cyprus, as you acted in the case of British Guiana, as you have acted in the case of Aden." Our Government must draw the attention of the British Administration to all these places.

Mr. Speaker, I beg to second this Motion.

*(Question proposed)*

The Assistant Minister for Finance (Mr. Okello-Odongo): Mr. Speaker, Sir, I am speaking not as a representative of the Government but rather of my own constituency.

**[The Minister for Agriculture and Animal Husbandry]**

looking at it, but we have found arising out of discussions with the United Arab Republic, Sudan and the other East African countries, that we normally do when we require water, we do get to a point where we have no difficulty in obtaining the allocation that we need. It is a form which must go through.

The same hon. Member, the hon. Mr. Masinde, raised a point that it was wrong to have only one tribe as tenants of an irrigation scheme or employed on an irrigation scheme. Mr. Speaker, it is all very well for him to say this, but it is the intention of the Government, wherever possible, to utilize local people in the irrigation schemes. When you have a scheme like the Tana River which is going to employ many, many thousands of people, then you are going to have to bring in people from elsewhere. He also raised a point on the training of personnel which I think I have covered.

The next speaker was the hon. Mr. Kali, Nairobi East. I would like to congratulate him on, perhaps as far as I am concerned as the Minister for Agriculture, for one of the best speeches I have heard in this House. It was an extremely good technical speech upon irrigation. It was basically a very sound speech indeed. I am only sorry that the House was so empty when he spoke. One of the main points of his discussions in his address to the House was that irrigation should have a high priority in the financial spending and development of the country, and also that we ought to emphasize the human aspect in our irrigation schemes, that is organizing the availability of domestic water, etc. He kept on coming back to this aspect of priority for agricultural irrigation, and I do not want to go over this again having already given a mass supporting evidence as to why we ought to do this, and I sincerely hope that my colleagues in the Cabinet will read his speech so that when we apply for finance and aid in the Cabinet for matters such as this we will have backing.

He also raised the question of appointments—I think he called it brotherization—to the board. All I can tell him on this one, is that if appointments still have anything to do with me by the time the board comes through, this aspect will be taken care of. He also said that one of the first things the board ought to do is not to rush into things but to sit down and draw up a plan based on national irrigation. Here again was very sound advice indeed. Mr. Speaker, when we

address the board when it is formed this is one of the points we will put to them. One or two other Members, I think, did talk also on that, but I would again like to congratulate him on a most useful and supporting speech.

Mr. Speaker, the next speaker was the Member, I think he is for Baringo East and he raised the point that the river—again a matter of detail—which feeds the Perkerra Scheme gets dry and therefore we should consider tanks or dams higher up. Now he may or may not know that there has been a survey of this and there is a dam site higher up on the scheme which could be put in—I think I am right in saying the cost is nearly somewhere around a million pounds—but I am sure that the National Board, when it is formed, will not be prepared to go ahead with an increase in this Perkerra Scheme until they get over some of the worries and troubles of this scheme, and I accept that the points raised, not only by the Member for Baringo East, but also the hon. Mr. Tipsi and one other Member, I think it was the hon. Mr. Bonetti, who said that although the human factor was a problem there had been some technical difficulties and difficulties in agricultural personnel in the scheme. Now, I am not interested, Mr. Speaker, in the past of this scheme, what I am interested in is that we get full co-operation between everybody so that we can sit down and get the scheme off the ground, because potentially it is even a higher potential than Mwea if it is operated successfully.

He also raised points about students and tenants, etc. He also raised the point about utilising Lake Rudolf, but I am sorry to have to tell him that Rudolf is too alkaline, that is one of the problems. He also raised the point of the utilization of sea water for Mombasa areas and I heard many hon. Members, as I do now, chuckling at this one. But they are out of date. The hon. Member is way ahead of them. One of the main developments in water being looked at in the world today is removing of salt from sea water, and in some countries this now is moving very well indeed and we are told that they are down now to about Sh 1.25 per gallon cost, well, once they have got this—per thousand gallons—to a lower figure they are then beginning to come into the range of irrigation. So although some of us at first may have thought that he was being foolish only because he had been to Mombasa once, in fact, he was well ahead of most of us.

The hon.—Mr. Speaker, does the hon. the Attorney-General want me to give way?

The Speaker (Mr. Slade): It does not look like it.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, the hon. Member, Mr. Bonetti, said the Bill was long overdue. I did give the reasons why it was overdue. He also raised at length this problem, which other Members have raised, on clause 14, which I have answered and which I hope to have a satisfactory amendment for when we get to the Committee stage. He also spoke and he misread a section of the Bill here on the determining the number of settlers in the scheme. It must be the board who determine the number of settlers or the tenants in the scheme, because this is a technical problem, but the selection is nothing to do with the board. The selection will be done, as has always been envisaged, by the local people, in other words by the local committee, and here the hon. Mr. Tipsi also made an error in saying that two clauses clashed. The one clause forms committees of the board, such as a finance committee and an executive committee, the other clause allows the setting up of committees on irrigation schemes to run the day-to-day business including tenants on that committee, so that they operate the day-to-day business. These are the two clauses and these are the two differences in committees and it is that committee which will actually choose the tenants, not the board. The board would decide on the number of acres per tenant, therefore deciding the number of tenants per scheme. Does the hon. Member want me to give way?

Mr. Masinde: Mr. Speaker, Sir, I would like in future, in case we set up committees for selecting the tenants, we would not entertain the administrative officers in the field to be the people to form the committee who select the tenants.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, I told the hon. Member that the idea is that the tenant would be selected by the local committee.

The other point which was raised by the hon. Mr. Bonetti was the cess, and I think that I have covered the matter of the cesses. I have also covered the matter of the local irrigation committee or the advisory committee which would be made up of technicians and the local people. I also, I think, covered the points which he raised about the retirement of people, people will retire at the end of three years once the cycle has been started.

Then Mr. Speaker, the hon. Member for Narok East, I think I covered the point which he raised about the failure of Perkerra, he asked why I had

not mentioned Naivasha and many other schemes. Well, I deliberately left them out, because they are really not national schemes, they are much smaller schemes, and as I said in my speech, there were thirty-one other areas which I did not want to mention by name and bore the House. But I do want to explain to him that if he thinks that we can take water out of Naivasha through Hell's Gate Gull into the area along the Narok Road, this is in itself a very, very big feat indeed, and needs a lot of digging and canal work. But then he also ought to remember that in certain years Lake Naivasha goes way down and there is not much water in it and I know that maybe even his father—or maybe his grandfather—but even his father may well remember when there was only one little pool in Naivasha and it was dry.

Now, Mr. Speaker, he raised the point also on the Constitution on the acquisition of land. Again I do not want to talk on this because I am hopeful that we will be able to overcome this one. He also raised differences in clauses 8 and 24 and I think that those are the two on the committee which I have done. He also raised clause 3 as against clause 25. This is to the entitlement to sue the board and this is also tied in with the words "in good faith". I was in a bit of a quandary here. Mr. Speaker because I thought my friend the Attorney-General would then take the opportunity immediately of jumping up and explaining these legal phrases, but as he did not do so, all I can say is that I presume "in good faith" means "in good faith".

The Speaker (Mr. Slade): Do you have much more to say, Mr. McKenzie?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Are we running out of time, Sir?

The Speaker (Mr. Slade): Well, yes. You see I promised Mr. Kali he should move the adjournment of the House at about this time.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): No, Sir, I have nearly finished, may I have just another two or three minutes?

The Speaker (Mr. Slade): Yes.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Sir, the hon. Mr. Malinda raised points—he touched on points which I think I have covered—the Athi River water, the Lake Victoria problems, he also covered who the final authority was. Well, in all legislation the final authority ultimately is this House. This is the final authority and under the Agriculture Act there is an appeal machinery for

[The Minister for Agriculture and Animal Husbandry]

board is set up, we take the main part which comes from the speeches made in this House and the Senate and give to the members of the board so they know what is said. This is one point which will come to them.

He also raised the point about Africanization of managers. Now, he will know that in the Ministry we have an excellent scheme going on Africanization of our various posts, but I am afraid that some of these posts are now only technical posts, where we need people of experience. Where we were operating very well indeed at one time, we then lost the manager, and although the new manager who came in was a technical man, Mwesa started to shake and we had to back it up by bringing not only him back to help us in our irrigation but also in getting other people. So, it is not always easy as he has suggested, but it is a point which we will look into.

He also said that crops grown on irrigation schemes should be processed in the area, if possible. Here I quite agree with him. As from the Tana River Scheme, which when it goes ahead will be a very big scheme, it is natural that everything will be processed in the area as far as is humanly possible.

The hon. Member also said that we ought to take care to put people on the board who are free and who will not be corrupt. Here, again, another hon. Member raised the matter that perhaps this board was full of civil servants. I would like to say that there are not only five civil servants on this board against ten non-civil servants. I sincerely hope that there are no corrupt civil servants. If this is the case, then corruptness must be on the other ten. The other ten would come from the panel of names put forward by the agricultural provincial boards because it is up to them to see that the people they put on are not going to be corrupt.

The next Member who spoke at very great length is my friend from Kirinyaga, although he is not the Member for Kirinyaga. What he said, Mr. Speaker, was that when Government borrow money for such schemes, in his opinion the Government could give the guarantee to the donor, therefore the donor would not worry who owned the land or who had the final say on the land. I want to explain to the hon. Member that this is not correct, that in large schemes such as these schemes will be, the donor people look at the scheme itself to see whether the statutory board operating the scheme have full control over it. They ask for that in the first instance, then

they come in for a second guarantee and ask for the whole thing to be guaranteed by the Government.

Now a great number of speakers raised clause 14, and I have given this some thought and I want the opportunity to talk to my colleague the Attorney-General and I hope that I will be bringing forward in the Committee Stage an amendment which may meet the fears of hon. Members. For instance, there may be some way in which the land might be vested in the county councils but leased on a long-term to the board. I think that we may be able to find a way out on this one which worried a great number of hon. Members including my friend from one of the Masai constituencies.

The hon. Member also fell into the trap in this debate, in raising a lot of points to do with the Mwesa Irrigation Scheme. He obviously knows a bit more about the Mwesa scheme than a lot of other hon. Members, because his points which he raised were very nearly correct, but not absolutely correct. He raised one point which I think is worthy of touching on, Mr. Speaker, that is the point about accommodation. We know that some of the accommodation on Mwesa is still bad, but I think that the hon. Member will agree that the new accommodation that we are putting up in conjunction with loans from Barclays Bank direct to the tenant, not anything to do with the scheme or the Government, is very good housing indeed. This example has now been set and it is going extremely well. The bank is satisfied, the tenants are satisfied and the managers of the scheme are satisfied, the Ministry is satisfied and Government is satisfied. Here we have a housing scheme being operated by an outside commercial bank with the tenant and everybody is happy. I sincerely hope that this housing can continue at a faster rate because we look upon the Mwesa scheme to not only be a guinea pig, but also to be able to guide us in the other schemes.

He also touched on the point of the cess, the removal of water rates, etc., all of us would like to see the removal of the cess, and nobody, Mr. Speaker, more than someone who is responsible for agriculture. The worst thing in our agricultural industry of all the cesses which my producers have to pay to a whole humdrum string of people, and I agree with hon. Members completely that this continual levying of rates and cesses off good producers is the wrong method of doing it, and Government, as it has been said in this House by the hon. Minister for Local Government, that Government is trying to find other ways. I do want to tell the hon. Member that you cannot operate a statutory board unless

[The Minister for Agriculture and Animal Husbandry]

you give them the powers which this board has been given in being able either to collect cess on the processed article, or on the levying of a tax, because the board has to be paid for, and the operation of the scheme has to be paid for, somebody has to pay for the water. We have to pay back the money we borrow from the donor country, and there is no other way in an irrigation scheme to pay for it other than through a cess. There is one other method which is used in some of the socialist countries, and that is that the irrigation scheme itself, the whole scheme, is nationalized. When it is nationalized the person working on the scheme is not working for himself as a tenant, he is working for the scheme at a salary, then the whole scheme pays for itself and his salary depends on the success of the scheme. I know that hon. Members in the majority would not like this idea, because a man who works hardest in his scheme, Mr. Speaker, would in fact, prefer to gain more money than another one. This scheme which has been put forward to us by one of the socialist countries at the moment, this is the system which they are looking at.

He also raised the point about people being employable on the board, and that they must be of a quality that can stand up against civil servants. Again I quite agree with him.

He did raise some other points which I would like to answer because other Members also raised them. The hon. Mr. Masinde reminded us that two-thirds of Kenya was desert, that I had not mentioned Masai, Ukambani, etc. Now, Mr. Speaker, I must be very clear here, the Tana River Irrigation Scheme draws its water from a very large area indeed, and a number of rivers which the hon. Members have mentioned, in fact flow into the Tana. There is also an idea in the Tana River Irrigation Scheme, a thought that where the Athi and Tana are only a mile apart, that a tunnel be driven to pull water out of the Athi for the Tana so that it will make the scheme even more vast. So that when hon. Members talk about water in their area, they must remember that this water may, in fact, be earmarked to be utilized in a large irrigation scheme. The larger the irrigation scheme, normally the more economic it is and cheaper per acre.

Now, Sir, one point which when I read through my HUSBANDRY I saw that I had not clarified it enough, was that this board is only going to deal with national, large schemes. Schemes such as the Yatta Scheme is a scheme which the Ministry of Agriculture will do in conjunction with the county council. There is no necessity to get the smaller

schemes involved under the National Board. The county councils in conjunction with the Ministry of Agriculture and the donor, as in this case, maybe another country or a country such as Israel, this will be a three-way agreement. There is no necessity to get the smaller schemes involved in the large National Irrigation Board. I would not like to think of these smaller schemes having to pay a cess to keep this big machine going. This also accounts for a number of the schemes such as mentioned by one of the hon. Assistant Ministers for schemes in the wetter areas. As I did say in my speech there are thirty-one other schemes which I did not mention, and I am sure that hon. Members would not like me to waste their time in reeling off a whole lot of names of thirty-one areas. In fact, Mr. Speaker, Sir, wherever there is water you can have an irrigation scheme. An irrigation scheme can start from a windmill on a borehole, or you can have an irrigation scheme of one acre, or you can half a million acres. This board is only going to deal with the very big ones. I am sorry my two friends from the Northern Province have gone out. The problem with the Northern Province is water. We can only have irrigation schemes where there is water. They have the Tana River and that is the river that this large scheme has, in fact, been looked at. If they could help us in telling us if they know of any water hidden away in the bush in the Northern Province, then perhaps we could help them. But I do agree with them in one aspect, that consideration should be given for areas such as the Northern Province and the Coast Province from a survey for water, because often in that type of area you can strike, if you are lucky, artesian water, that is you sink a borehole and the water comes straight out of the top without having to be brought out by any power at all. I would like to tell hon. Members that we have coming out a team under the American A.I.D. to do the whole of the Coast Province, and I sincerely hope that it will not be long before we can do the same for the Northern Province. The two hon. Members in question must remember that it is impossible for us to operate a boring rig in the Northern Province while the security position is as it is.

Now, Sir, the same hon. Member also raised the point of the allocation of water for the Kano Plains, Bunyala on an international basis. There is no problem so far as the Kano Plains Scheme is concerned, because this has been accepted by all the international people who draw water from the Lake Victoria basin. If we wanted to put in any other scheme, then under our international obligations we would have to apply for the water, but as one hon. Member said what would happen if we just took the water. This is a way of

**[The Speaker]**

Mr. Mutiso, you must confine yourself simply to saying that you agree with them, and carry on with something else. We cannot have repetition of argument.

The Assistant Minister for Education (Mr. Mutiso): I do not understand whether the hon. Minister really wants me to speak on this Bill or whether he is trying to stop—

The Speaker (Mr. Slade): Order, Mr. Mutiso! We have this very important Standing Order that hon. Members shall not repeat what they or other Members have said in the same debate. Now if we had not that order, we would have endless, dreary repetition, and debates would become a great deal worse than they might be. It is an important order, and you must not resist a proper raising of that point of order by the Minister or by anybody else. He is quite correct to do so. I am sure the majority of the House are with him on it, as I am.

The Assistant Minister for Education (Mr. Mutiso): Well, Mr. Speaker, all that I wish to say is that I was not here when these points were raised or perhaps I would have heard them. I certainly would not like to repeat myself or repeat what other Members have said.

I would like to touch on another point, and I hope it has not been mentioned. If it has, then I think that will be all I wish to say.

The other thing I wanted to know from the Minister is how the land will be acquired and whether the members of the board will have the power to make the land available anywhere in the country. I would like to know how this will be done. This is what I would like to know from the Minister when he stands to reply on this Bill. I feel that if, as it is stated in the Bill, the members of the board will consist only of the individuals who come from the areas where a national irrigation scheme is to be established then that means that we shall have, perhaps, one person from each province.

Now, when they sit down as a board and plan to institute an irrigation scheme in a particular place, obviously that land must have some owners. How are the owners of that particular land going to be disposed of their land? This has not been explained in the Bill. Will the board make other land available, and how? This has not been set down in the Bill. How are these people to be compensated? How is the board going to acquire the land? Will they buy out the present owners of the land or will they pay them compensation. This has not been stated in the Bill. I would like the Minister to state clearly how all these things will happen.

For instance, Sir, in certain areas people have title deeds to their land, and if that area is chosen—for the national good—to be the place where the national irrigation scheme is to be, how will the board make available that land? How are the owners of that land to be bought out? These are the points I want the Minister to clarify when he stands to reply to the points which the Members have raised on this Bill.

I wanted particularly to speak of the position of irrigation in Ukambani and since these points have been raised, I do not have much to say.

With these few words, Mr. Speaker, I support the Bill and hope the Minister will take these points into consideration.

The Assistant Minister for Health and Housing (Mr. Moss): Mr. Speaker, Sir, I fully agree with the introductory speech made by the Minister for Agriculture on this Bill. I also fully agree with whatever proposals have been put forward by various Members of this House regarding the national irrigation scheme. I am only concerned with one point and I would very much like to draw the attention of the Minister to this.

Sir, I am sure the Minister for Agriculture will agree with me entirely that since this is to be a national irrigation scheme it should not only be confined to the former dry and barren parts of Kenya. There are also some other parts which are in great need of irrigation. I am speaking as Member for Mount Elgon constituency. I would like to draw the Minister's attention to this area. This is an area which needs irrigation. We have water, we have big rivers and all that we need is pipes in order that the water can be drained all over the countryside.

In order to help the Minister to consider this point favourably I would like to take him back to the last drought which affected the whole of Kenya. There were areas of Trans Nzoia and other places in Kenya where the farmers were asked to plough off their crops whereas if there were irrigation schemes in those parts the crops would not be required to be ploughed off.

This is a very important point and should be given urgent consideration. Attention should not only be paid to the areas proposed by hon. Members but the Minister should consider the areas where there are rivers, rivers from which water could be directed all over the country.

With these few remarks I hope the hon. Minister has noted my point.

Mr. Bonaya: Mr. Speaker, Sir, although I support the Bill I would like to add a few remarks concerning the Northern Frontier District. In the northern part of Kenya we have three rivers, the Usuin Nyiro, the Tana River as well as the Diver Dawa which lies between Somalia and the Northern Frontier. I am sure the Minister will take note of the fact that these rivers can be used for irrigation because our area is very dry. I know the Minister will do something because he knows that if the rivers are used for irrigation something will be grown in our part of the world.

Mr. Speaker, Sir, I will say, for example, that Israel and the United Arab Republic were formerly as dry as the Northern Frontier, desert areas, but now these areas grow a lot of things. In this way we will be in a position to grow a lot of things if the area can be irrigated. This will benefit the country.

I do not want to say anything further because I only wanted to draw the attention of the Minister to the fact that the northern part of Kenya needs also to grow things, not only Central Nyanza or Central Province, or the Rift Valley.

With these words I beg to support the Bill.

The Assistant Minister for Works, Communications and Power (Mr. Bomett): On a point of order, Mr. Speaker, would it be in order if the Mover were now called upon to reply?

The Speaker (Mr. Slade): Order! Order! I would not say it is premature now for the closure to be moved, but I never approve of it being moved by an hon. Member who has already spoken himself.

Mr. Omweri: On a point of order, Mr. Speaker, may I move that the Mover be now called upon to reply.

The Speaker (Mr. Slade): Order! Order! Mr. Omweri has not spoken in this debate. There has been a great deal of repetition, and I think the House is entitled to consider the closure, whether or not they agree to it. So I will now put the question.

(Question put and agreed to)

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I would like to start off by thanking the hon. Members who have participated in this debate and also to thank the two or three hon. Members who have spoken to me outside the House but have not spoken in this debate.

I want to make one thing perfectly clear from the very beginning, Mr. Speaker, and that is that no Bill such as this Irrigation Bill passed

in this House is of any value whatsoever unless it gets the full co-operation between the people in the area, the boards and the various Government services. As I have explained in my opening remarks, a Bill like this involves several Ministries. I want to raise this because the hon. Mr. Tipis dwelt on this aspect for some time. I want him to believe me, Sir, when I say that unless there is all-round co-operation and a willingness to give and take, there is no point in even contemplating to start the scheme.

I think that it is on this basis that some of the fears will disappear. I will, however, come to some of these things in due course.

Now, the hon. Member for the Tana River did mention that what we do need on this board is a good chairman and I agree with him 100 per cent on that. However, I do not agree with him when he then went on and said that this man had not to be a Kikuyu, or had not to be a friend of somebody or other, or someone who does not know anything about irrigation. I would agree with him that we need a good, big, strong man. I hope that does not rule him out of this.

He also suggested that—and I like his suggestion—that direction should be given to the provincial agricultural boards on the type of person whose name should be put on the panel. This is a very good suggestion indeed and I am grateful for it. I will see that this goes out to the provincial boards so as to give them a lead; but the choice must remain with them.

The hon. Member did raise a series of points about the Galole scheme and as he was the first speaker in the debate on this Bill, I thank you, yourself, Mr. Speaker, and the Deputy Speaker were a little bit lenient in allowing him to go on with that. I could have raised a point here but I thought that as he was the first speaker we ought to give him latitude.

He raised a number of interesting points, and I have had an opportunity of talking to members in my Ministry. I think that he is wrong in a number of aspects in who are paying for electricity and the running of Land-Rovers, etc. However, I am not myself satisfied with the answers that I have had in the short time. I have some of my staff here to take notes that I am promising to put to him in writing answers to these questions which he has raised.

He spoke about sending proper people on scholarships. This was raised by four or five Members. I would like here to say that this is a matter entirely up to the board and nothing to do with the Minister or the Ministry. Here again, as we normally do in my Ministry, when a new





[Mr. Malinda] dry and arid areas where irrigation would do a tremendous amount of good for the people who live there. In this, Mr. Deputy Speaker, I would like to refer to conditions which pertain in Machakos District, Kitui District, Moyale and the North Province. Turkana and those other areas where the conditions are very dry, and where a potential is present for irrigation. Mr. Deputy Speaker, I see the Minister pointing to the HANSARD but I do not see any mention of Machakos, Turkana or any of these other places. Mr. Deputy Speaker, this I must say should be included in the Bill and I would like to say that when I come to speak about the Bill itself I will indicate my desire to introduce an amendment to add with especial emphasis to be laid on semi-arid land where potential of water is there and where the land is available for such irrigation. Mr. Deputy Speaker, Sir, I notice the only reference which was mentioned by the Minister was on a very, very small scale. I dare say that the water, for instance, which runs down the Athi to the Indian Ocean, is a great amount of water which is wasted.

Mr. Deputy Speaker, another point which I want to mention before I go on to the Bill itself, is the reference to the water in Lake Victoria. Sir, I understand that the Kenya Government may not be in a position to use that water for the benefit of the people of Kenya because of some international water obligations as the Minister stated.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie). On a point of order, Mr. Deputy Speaker, yesterday the Speaker did rule that there was a lot of repetition coming up in his debate, I have quickly looked through the points which I have taken, the hon. Member is now the fifth Member who is making his point about Lake Victoria waters, and it being an international issue. There are a lot of people who want to speak on this Bill, and are already well into our second day, and I was wondering if you, Mr. Deputy Speaker, could advise hon. Members not to repeat these points which have already been raised, by four other people.

The Deputy Speaker (Dr. De Souza). I think Mr. McKenzie is perfectly right. There is a rule against repetition, I know many hon. Members here do want to speak on this particular Bill but Members should be very careful not to repeat what has already been stated by others, particularly, as Mr. McKenzie points out, repeated by others four times. I would request you Mr. Malinda not to pursue this point, but pursue some other points that have not been raised.

Mr. Malinda: Mr. Deputy Speaker, before I drop that, I had a point I wanted to make about the international obligations.

The Deputy Speaker (Dr. De Souza): Yes, if it is something new, something different.

Mr. Malinda: I think a Member has the right to say what he thinks is relevant to a Bill.

The Deputy Speaker (Dr. De Souza): Not at the cost of repetition I am afraid.

Mr. Malinda: I wanted to know, Mr. Deputy Speaker, if any Member who was speaking yesterday did bring in a point, that although these international obligations are there I agree, but are they going to be implemented or were they implemented to the detriment of the home consumption of the water by the people who belong to that country? Mr. Deputy Speaker, I would like clarification from the Minister when he comes to reply. It is no good saying that I am repeating.

Mr. Deputy Speaker, I would now like to go quickly through the Bill and give my observations on some of the stipulations there. Mr. Deputy Speaker, we have on clause 25, a word which arising in every Bill that comes through this House establishing a statutory board, has been taken for granted for a long time. That word is "if some body, or if an omission or any Act has been done or omitted to be done in good faith." Mr. Deputy Speaker, good faith, I would like the Minister to consult the legal department and the Attorney-General to give "good faith" a legal definition, because Mr. Deputy Speaker, we know a lot of these good faith acts or omissions which have cost Governments millions of pounds, and in a place like this, this is a fantastic operation which is going to be undertaken by this Government, and if anybody does something in "good faith" in what is supposed to be good faith, and costs this Government two hundred million pounds as the Minister was saying yesterday, Mr. Deputy Speaker, Sir, that would be a very bad thing.

Mr. Deputy Speaker, if the Minister would get a really good legal definition of "good faith", I would be very grateful. Mr. Deputy Speaker, I have some quarrel, and I know this has been mentioned by other speakers, with regard to clause No. 14 where the board has been given a lot of powers to acquire compulsorily or otherwise land. That I will not repeat because it has already been spoken about.

Now, Mr. Deputy Speaker, coming to clause No. 15, the functions of the board, this is where I say that there should be included as one of the subsections, a section drawing the activities of the Board with special reference to these semi-arid areas where there is a potential of

[Mr. Malinda]

water and where the population is in great numbers. To give an example, and this is not specifically talking about Machakos, but I am only mentioning Machakos as an example, Mr. Deputy Speaker, Sir, nearly every year we know and this country knows that Machakos and the Kitui Districts suffer from famine. A lot of this is not due to the inefficiency of the people, it is because the people cannot get their crops mature because of lack of water and lack of rain. Sir, because we cannot manufacture rain nor can we arrest rain to be showered when we want, the only alternative is to get irrigation schemes going. Mr. Deputy Speaker, there I would like a subclause to be included to give the duties of the board and special emphasis to be laid on semi-arid lands, like Machakos, Turkana, etc.

Mr. Deputy Speaker, I want to refer to clause No. 16 where cess is mentioned. If any of these schemes are going to be had in places where county councils have jurisdiction, you find that if any product is produced from those areas, the county councils have got their by-laws charging cess. Here we get a board that has power to charge cesses and again when those products have been processed it also says that the produce processed on a national irrigation scheme will be liable to cess. Mr. Deputy Speaker, this is a repetition of too many cesses and in the final analysis one will find that the producer—the person who is producing out of the irrigation scheme—is getting very little from his labour. He will have to pay cess to the county council, cess to the board, cess to the processing organization and before he knows where he is he has no money left with him.

Mr. Deputy Speaker, going quickly I want to touch on clause No. 27 (d) and, although my friend from Narok mentioned something about that clause, I want to go further and say that although this board has been given all these powers, it has been given such powers that it becomes an almost omnipotent organization, because for instance here this clause goes further from where the hon. Member for Narok left off, and says—let me read it all—it is 27 (d): "The control of persons occupying any land comprising or forming part of a national irrigation scheme the introduction of or the control of on such land, the issue by the board of licences—I beg your pardon—the production of or the control of settlers on such land the issue by the board of licences or leases to such persons or settlers"—my friend went as far as that—I want to go further and say, "the revocation of

such licences and leases". Mr. Deputy Speaker, who is going to be the final authority here? The board has the power to give leases, it has got the power to give licences, has got powers to do anything, to revoke these licences or leases and I want to know, Mr. Deputy Speaker, where has the poor settler got any machinery. How can the poor settler—how is he protected—how can he get final authority? Where can he appeal. There is no machinery for appeal. If a settler has been aggrieved by the decision of the board, who is the last person to decide whether the board was right or whether the board was wrong? What provision is there for anybody who has had his lease terminated, and in any case, Mr. Deputy Speaker, if a person has been living in that area and then the board declares this area to be a national irrigation scheme and after getting a lease, although he has lived there for a long time, in a year or two the board says, "Well, your lease is terminated." Where is this person going to go? Has the Government got any other arrangements as to where these people are going to be sent in the event of the board terminating any of these leases?

Mr. Deputy Speaker, I think that is a very serious omission by the Ministry and we should have machinery whereby a person has a right of appeal. I know, Mr. Deputy Speaker, maybe the Minister will say "But the board can sue or be sued." That is all very well, Mr. Deputy Speaker, but if a person has only lived there for a year and perhaps he has been excited, how is he going to get any money to be able to take his case before a court? And in any case, Mr. Deputy Speaker, we should not forget that the people that we will be dealing with here are the illiterate people, the simple people who have lived all their lives in the countryside and who do not know anything about legal jargon or anything that deals with legal matters. These people must be protected. They must have a way, they must have person or a committee or a commission or any other court where they can appeal free of charge without being charged any court fees.

Mr. Deputy Speaker, my last comment on this Bill is on the Schedule, section 9 (e). This one says that a member will lose his seat if he is sentenced by a court to a term exceeding six months' imprisonment. Now, Mr. Deputy Speaker, I quite appreciate that is a very good thing, because we do not want to have criminals running our boards, but supposing a person was imprisoned on account of a traffic case, which in normal circumstances anybody can be imprisoned for a traffic case. Mr. Deputy Speaker, this I think is a little too hard on the

[Mr. ole Tipsis]

there was no mention in the Minister's speech of any irrigation schemes for the Masai. Then, towards the end of his speech he went on to say that in some areas where these irrigation schemes are to be established the population is such that they should relieve the people in congested areas. I would like to tell my hon. friend that he cannot have it both ways. If he wants to show sympathy with the Masai, let him show it both in action and deeds, but not to try to come cleverly to achieve what he is out to do. I mean, to use the Masai land as a dumping ground for over-population.

And, Sir, I think the Minister here I do not know what has happened, I do not want to take him to task, but I think he has been very discourteous as far as this debate is concerned—he simply walked out, none of his assistants are here, and I think this is very—

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): On a point of order, Mr. Deputy Speaker, human nature sometimes calls.

The Deputy Speaker (Dr. De Souza): I think that explains your alleged discourtesy.

Mr. ole Tipsis: Yes, Sir, but strictly that is not a point of order.

The Deputy Speaker (Dr. De Souza): No, I think he was explaining.

Mr. ole Tipsis: I accept I know human nature—

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): I asked my hon. colleague here to take over.

Mr. ole Tipsis: He took no notes.

The Deputy Speaker (Dr. De Souza): Carry on, carry on anyway. I think we will continue with the debate.

Mr. ole Tipsis: Now, what I would like to say in completion of this debate is that on the whole we welcome the introduction of these irrigation projects, because they are going to help our country, help our people, help our nation and raise the standard of our people.

—Now, having said that, Mr. Deputy Speaker, Sir, I would like to say that I know the Minister very well, and that I have no quarrel with him. His intentions are good, but as far as this business of land is concerned, let him be very, very careful, together with his colleagues in the Cabinet, because we do not want to have any inflammable issues just now, we have been stable for long enough, and if they want to have any irrigation scheme, let them go and talk to the

people in that area. Let the people feel that they are beneficiaries in the long run, as far as these schemes are concerned.

Thirdly, Mr. Speaker, I see here that we are spending quite a lot of money on these irrigation schemes. Now the question is this, that we have been crying for water, and every time we are told that there is not water, but when it comes to the question of money for irrigation schemes for these dry areas where our people have not been able to settle due to the shortage of water, we are told that this is a national irrigation scheme and it goes into the hands of the Central Government. We want to know what the trick is about it. We want to be told, and, I believe, Mr. Speaker, Sir, that the Minister should consider these points which I have raised and if I may refer him to HANSARD of yesterday. He would find that they are more constructive than destructive, and let him come here with an amendment and if he fails to come with an amendment we shall amend this Bill for him, and if he does not amend this Bill, then, Sir, I would request the Minister—because this is a very important Bill—to have it referred to a select committee of this House. This Bill has merely been prepared by the Ministry concerned, the experts were told, and of course—the Minister presents his Paper to the Cabinet for his colleagues to endorse, and then it is brought here. But its complications are very, very deep, and I would like to suggest very seriously that this Bill be referred to a select committee of the House; we do not want to be ploughed into something which has been done by the civil servants who do not know the political implications sometimes, or the situation.

I notice also here, in this Bill, in the Schedule, that the whole Bill is overloaded by civil servants. There is nothing wrong with that, but there comes a time when we must ask ourselves very seriously if all these statutory boards will be overloaded by civil servants, where will the representation of the people be as far as the general policy is concerned. The people's representatives must have a policy as far as the policy making is concerned. The civil servants must implement that policy. But then, if we accept everything like his it will mean that the civil servants do not only become civil servants, they also become representatives of the people. We are not going to accept such a situation.

Now, Mr. Deputy Speaker, Sir, I see my friends are becoming impatient. I do not usually talk for a long time and so I would like to remind the Minister to check all these various points and if he is interested in the irrigation scheme, let him sell the idea to various parts of the country, but

[Mr. ole Tipsis]

let the ownership of land remain in the hands of the people. The county councils are not going to run away with the land. Land is an immovable asset, and the donor countries can trust that nobody will come and remove the land, even those who felt that they could remove our land—

Mr. Deputy Speaker, Sir, I beg to sit down.

Mr. Malinda: Thank you very much, Mr. Deputy Speaker.

I would like to start by congratulating the Minister for seeing fit to introduce this very, very important Bill to this House. I say this, Sir, because I quite accede to the fact that his intentions and the ideas which motivated him to introduce this Bill are nothing but the best, and the purpose of the Bill is in order to serve the interests of the people at large.

Mr. Deputy Speaker, on reading through the HANSARD, when the Minister gave his address yesterday, I was a little disappointed to note that he went on to mention all the irrigation schemes which are already operating; those which have already been started and which it is his intention to turn into national irrigation schemes, without the slightest mention of further places where irrigation and the provision of water is of most importance, and this should be provided by Government. In this regard, Sir, I want to say that if one looks around at the irrigation schemes which are already operating, one would find that these— with the exception of the Tana River one which has been established, where the land is a little dry— all the rest of these irrigation schemes are in places where water has been taken for granted, that the water is there and people can just walk a few yards and get water or in other places where water is becoming a menace to the population. Places like the Kano Plains where the water is a menace and they want to irrigate it away.

Mr. Deputy Speaker, Sir, I would like the Minister to take into consideration the fact that there are other potential places where the provision of water is of vital importance.

#### QUORUM

Mr. E. D. Godana: On a point of order, Mr. Deputy Speaker, is there a quorum in the House?

The Deputy Speaker (Dr. De Souza): No, we do not have a quorum. Ring the Division Bell.

(The Division Bell was rung)

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Deputy Speaker, Sir, I think we have waited the three minutes.

The Deputy Speaker (Dr. De Souza): No, not yet. It is not yet three minutes, Mr. McKenzie.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): May I ask, Mr. Deputy Speaker, who is timing it?

The Deputy Speaker (Dr. De Souza): Yes, the clerk is.

Mr. E. D. Godana: On a point of order, Mr. Deputy Speaker, in view of the fact five minutes have just elapsed and there is no quorum, could we adjourn this House?

The Deputy Speaker (Dr. De Souza): That is for the Speaker to decide. You wait for a few minutes. We will make a decision in a second.

Mr. Malinda: On a point of order, Mr. Deputy Speaker, would it be in order if a Member finds that the point of order which he raised was detrimental to the proceedings to withdraw it?

The Deputy Speaker (Dr. De Souza): No, he cannot withdraw it, if that is what you mean.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Deputy Speaker, Sir, would it be in order for me to suggest that the mover be now called upon to reply, because nobody seems very interested in this debate?

The Deputy Speaker (Dr. De Souza): Let us have a quorum, and then we will be officially in session. We now have a quorum.

Mr. arap Soti: On a point of order, Mr. Deputy Speaker, is it in order for Members to stand on points of order when the House does not have a quorum?

The Deputy Speaker (Dr. De Souza): Technically, I suppose it is not but it is all right because if they are procedural points of order we can have them.

Mr. Malinda: Mr. Deputy Speaker, I was saying—

Mr. E. D. Godana: On a point of order, Mr. Deputy Speaker, may I know from you what is our quorum in this House?

The Deputy Speaker (Dr. De Souza): Twenty. You should take the trouble to read the Standing Orders sometime. They are useful.

(Resumption of debate on Second Reading of Bill)

Mr. Malinda: Mr. Deputy Speaker, I was saying that the Minister in moving this Bill did not bring in a very important set-up which I think should be incorporated in the workings of this board. He did not mention anything about those

**[Mr. ole Tipsis]**

the legitimate landowners in less developed areas and use this land, in the way the hon. Member for Lurambi said yesterday during his debate, as a dumping ground for the congested areas. We want to be told clearly, because as we understand the position, Sir, in areas where no land consolidation has taken place, or title deeds issued, that land is held in trust for the people by the county councils or the local authorities. I have no quarrel at all with providing employment or, for that matter, helping the landless to become tenants, rightful-owners of the land. What I am out to establish is to see that justice is done. I do not want to see the Government getting involved in any land disputes. We are all Kenyans, all the land is ours, and we must try to avoid the mistakes which led this country into a lot of mischief and misery through the mishandling of the land question by the imperialists. Let the people agree between themselves. They have lived together and must live together. They have mingled in thousands all over the country. Let this process take its natural course rather than try to enforce it by legislation. It is not fair, in my humble submission.

Having said that, I would like to repeat, and repeat it again, that if my proposal is unacceptable, that the land should be held by the county councils instead of by the Central Government, then let the Government declare, categorically, that all land in Kenya has been nationalized. It is no use beating around the bush.

Sir, the Minister went on to say that the donor countries are unwilling to lend money unless the land is vested in the Central Government. Now, I would like to put a question to the hon. Minister. My question is: are the local authorities in this country autonomous? Do they not come under the control and the direct umbrella of the Central Government? Has our Government failed to convince any donor country the implications and complications of the whole land question? This is a serious matter. By now people of experience know exactly what the implications are. Surely we need investment from outside countries but we, on our side, must put our case fairly and squarely, and tell them where the difficulty will come from, rather than just accept donations for the sake of accepting donations. It is better to state first where the difficulties will arise.

Of course, Mr. Speaker, I think we accept these irrigation schemes as they are; we have no quarrel with them. But let them be run with the local authorities, let the Government control

them in the way it likes. Then, as far as the right of ownership is concerned, it must belong to those legitimate owners and nobody else.

Mr. Speaker, the Minister also continued to say that no land will be taken for a national irrigation scheme without it being put to the House. Let me pose a question here, I might be an odd man out, but my question is: suppose they want to plan an irrigation scheme in Masailand, in places such as Suswa, it is true that the proposals will be put before this House, but what will happen? We know exactly what will happen. Tipsis will come here to speak the views of his people, but some of those gentlemen who indulge in this land profiteering exercise will overhaul me. So it serves no purpose. Let us have it with the consent of the people concerned. That is all it amounts to, in plain language.

Mr. Speaker, Sir, I would like to touch on clause 22, as far as the auditing and books of accounts are concerned. I have said it before in this House and possibly this fell on deaf ears. We have a duplication of unnecessary overhead expenditure as far as the auditing of books belonging to various statutory boards is concerned. I do not see why on earth, with all the many statutory boards we have, can we not have a central auditing department to audit the books of these boards. Why have them done separately by various chartered accountants? Why can they not be done by the Auditor-General's Department, for that matter? It will reduce expenses. Let the various boards pay the bill for whatever expenses are incurred in auditing these books.

Now, Sir, if I may go back to clause 8, which deals with the board, it says, "The board may from time to time appoint committees, whether of its own members or otherwise, to carry out such general or special functions as may be specified by the board." Now, Sir, I want to take the two together, clause 8 and 24, sub-clause (2) which says, "The board shall, with the approval of the Minister, regulate the membership, powers and duties of such advisory committees." What I am getting at is this. It is already provided for in clause 8, Sir, that the board can appoint committees. Now, Sir, there is nothing to exclude the board under clause 8 from appointing any advisory committees as it may feel fit. So why have the two together? Why have a duplication of all this?

Sir, I would like to touch on clause 3 (1) which says, "There is hereby established a board, to be known as the National Irrigation Board, which shall be a body to incorporate having perpetual

**[Mr. ole Tipsis]**

and a common seal, with power to sue and be sued, and capable of purchasing or otherwise acquiring, holding, managing and disposing of any property movable or immovable, entering into contracts, and doing all things necessary for the proper performance of its duties, and discharge of its functions under this Act and any subsidiary legislation made thereunder."

Now, Sir, if you go to clause 25, which reads as follows:—

"No liability shall attach to the board, its members, officers, agents or servants for any loss or damage sustained by any person as a result of any act or omission done or omitted to be done in good faith and without negligence in the performance or exercise of any duty or power imposed or conferred by or under this Act."

Surely, I am not a lawyer, but there is a contradiction here between these two sections because it is provided in clause 3 that the board can sue and be sued, whereas, under clause 25, no liability—why have this contradiction. We want to know which is which because—according to this clause 25—if furrows or whatever system of irrigation is used passes through my land as Tipsis and these gentlemen, or the officers of this board, use their heavy machinery—bulldozers—and bulldoze down my house, surely I am entitled to sue? We want to be told exactly what is the meaning, so let our qualified legal experts tell us this.

Now, I do not want to labour on this one, Mr. Speaker, but let me also touch on clause 27, subclause 1 (d):—

"The control of persons occupying any land comprising or forming part of, a national irrigation scheme, the introduction of, or the control of settlers on such land, the issue by the board of licences. . . ."

What we want to know here, Sir, is this. We want to know whether we are now diverting from the normal practices where good neighbourhood or relationship is an accepted fact. Possibly, I would not like to live anywhere near some of my friends; sometimes they would not like to live near me. But we want to know whether these settlers will just only be imposed and settled in our place where by their occupancy of the land will meet with hostile neighbours and make it unpalatable or almost impossible for them to carry on with their normal farming duties. This is the question which the Government must answer. Whether they will just dump

them there and if conditions become more difficult, then they would guard them, and that kind of thing. This is what we would be interested in being told.

*[The Speaker (Mr. Slade) left the Chair]  
[The Deputy Speaker (Dr. De Souza) took the Chair]*

Now, in the same clause 27, subclause 4, I do not know, either possibly, Mr. Deputy Speaker, it may be my reading or understanding of the English language is wrong here, but if I may read it—

Mr. Kamuren: Pronounce it properly then! Mr. ole Tipsis: I ignore that interjection from my hon. friend, Mr. Kamuren. He can hear that the Masai pronunciation of English is better than the Tugen. Now, Sir—

Mr. Kamuren: On a point of order, Mr. Deputy Speaker, is it in order for the hon. Member to allege that in my language it is not possible for me to have a correct pronunciation?

The Deputy Speaker (Dr. De Souza): I am afraid, Mr. Kamuren, that your comprehension of what he said is completely wrong. He said nothing of the sort. Carry on, Mr. ole Tipsis.

Mr. ole Tipsis: I am sorry, Mr. Deputy Speaker. I had no intention, nor did I mean to insult my hon. friend, but possibly he nearly asked for it by saying that I was speaking Masai English, so I had to sort of give him a bit of a dose.

Now, Sir, the clause I was coming to was 27, subclause 4, I said that possibly my interpretation is not correct. It reads as follows:—

"Any regulations—made under this section may provide for such penalty for the breach of any provision thereof, not exceeding a fine of ten thousand shillings and imprisonment for one year as the Minister may think fit."

Now, surely there must be an error somewhere here. Has the Minister taken over the powers of the Judiciary? "As the Minister may think fit." It is up to the court to impose either both fine or imprisonment, but not the Minister. Has he taken over the powers of the Judiciary? We would like to be told. Regulations, yes—all right, Sir, I know that you are a learned boss in this respect, but I think we need a bit of clarification there, otherwise a bush lawyer like me reading it would say "Well, well, well, this is serious."

Now, Sir, I would also like to touch on a few points here which my hon. friend, the Member for Lurambi mentioned, I see that he is not here. When he began talking he tried to cover up what was at the back of his mind, he said that he sympathized with the Masai because

The Speaker (Mr. Slade): Oh, I thought hon. Members knew the procedure by now. The Committee stage of a Bill is for the special purpose of considering it clause by clause, after it has been approved in principle on the Second Reading. The Second Reading is to consider whether or not you approve the Bill in principle. Then, if it is approved in principle by Second Reading, you come into the Committee stage and consider it clause by clause and amendments can be moved of any clause in the Committee stage, subject to due notice being given in accordance with Standing Orders. Written notice has to be given before the House sits that day. Then, with such amendments as are made in Committee, the Bill comes back for Third Reading.

In the debate on the Second Reading, no amendment is made, but an hon. Member is entitled to anticipate amendments which he proposes to move in the Committee stage, so that he can give Government warning of them. And very often Government agrees to consider such an amendment and will itself bring forward a draft amendment in the proper shape.

#### BILL

#### Second Reading

#### THE IRRIGATION BILL

(The Minister for Agriculture and Animal Husbandry on 1st December 1965)

(Resumption of Debate interrupted on 1st December 1965)

Mr. ole Tips: Mr. Speaker, Sir, when the debate on this Bill was interrupted yesterday evening, the hon. Minister referred me to the HANSARD, as far as the speech he made when introducing the Bill was concerned. I can assure the Minister that I was very busy this morning reading his speech from beginning to end and I still maintain that, despite his interruptions, really there was no mention, or very little mention was there at all of any plans for introducing irrigation schemes in Masailand. The only mention he made, Sir, was of the irrigation in a place beyond Magadi, which is called Ngurman and that was all. And this is at the far end completely, nowhere near the middle of that vast and beautiful country. I should have thought that he would have been specific.

Now, Sir, I would like to mention a few points which were brought up by the Minister when he introduced this Bill. He did mention something with regard to the Perkerra scheme. Some of us know quite a bit about this Perkerra scheme. I can see the Members who represent

Baringo here, as well as our hon. Minister for Home Affairs. And I would like to say frankly and fearlessly—as usual—that all has not been well as far as this Perkerra scheme is concerned. It is true that the local people share part of the blame for the failure of this scheme, and, of course, when I say this, I should also mention, Sir, that all has not been well as far as the Government organizational machinery is concerned, with regard to the Perkerra scheme.

Now, Sir, I would like to ask the Minister whether he has forgotten in such a short time that the failure of the scheme in its initial stages was due to non-organization of any marketing system. What happened was that the tomatoes were given on a contract to a certain Indian who exploited the producers, and then people became discouraged. The Minister knows this very well.

Now, the other thing is this. One of the officers who at one time was under his Ministry, could not co-operate with the local people there. I know this very well. I know this because I happened to attend one of the meetings where this same officer was transferred somewhere else.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): On a point of order, Mr. Speaker, the hon. Member has said that he is fearless and will speak frankly. However, yesterday you ruled, when another Member started talking in detail about a certain scheme, that this Bill was really a Bill not for that. I wonder if you would give your ruling, Sir, on that. I am not trying to stop the hon. Member because I am prepared to meet the hon. Member on this at any time. I am also prepared for him to raise this at the proper time in this House, because I, too, can answer him fearlessly.

The Speaker (Mr. Slade): I would remind hon. Members that what we have before this House is a Bill to establish an Irrigation Control Board and to deal with the general policy of irrigation. Now, if we allow the debate on that to wander into the detailed administration of every existing irrigation scheme or what Members think should be in future by way of irrigation schemes, we shall never come to the end of the debate. It is not really relevant to the merits of this particular Bill.

I think hon. Members must be excused for passing reference to the irrigation projects that they think they need in their areas, but they must stop there. We cannot go into the full details of any existing or projected irrigation scheme.

Mr. ole Tips: Mr. Speaker, Sir, I abide by your ruling in this respect but why I mentioned this particular scheme was because it was the

[Mr. ole Tips]

Minister himself who said that the Perkerra Irrigation Scheme is faced with the danger that unless the local people pull up their socks this will be closed down or leased to somebody else to have a go at it. So I was merely, in passing, trying to bring to his notice the failures of this scheme. I do not want to elaborate that point, Sir, so let me continue.

The Minister, in his address, Sir, did say something about the Lake Victoria waters. He said the usage is governed by international obligations. We have no quarrel with that and, of course, if the usage of Lake Victoria waters is governed by international obligations, then we also, on our part, should ask the Minister to use his influence with those international parties that are concerned, at least to come in when we have floods in places like the Kano Plains so that we, too, can become international not only in outlook but also in practice.

Here, Sir, what the Minister did not mention, as far as this Irrigation Bill is concerned, is our internal lakes which are not governed by any international treaties or obligations. Of course, we know that we have big lakes within our territory as well as big rivers whose waters can be utilized for the benefit of our country. However, to my surprise the Minister did not mention anything at all about this. He only spoke about international obligations as far as Lake Victoria was concerned. I do not know what prevented him from doing so. For instance, we have Lake Naivasha and he knows very well where this lake is situated. He also knows very well that it is only a matter of about five miles and there is some sort of natural canal which, if a furrow is dug for five miles, then this water could pass through this small hill which is a natural canal and pass on to Suswa. Here our people have been suffering for years and nothing has been mentioned about water for this area. I am beginning to wonder whether this was deliberately avoided because Lake Naivasha is situated in a place where the land, through which any irrigation scheme would pass, is held on individual title deeds. We must be told so if such is the case.

We have other lakes as well, Sir, such as Lake Baringo, Lake Rudolf where the Turkana on the other side need help. Why has there been no mention of this lake? There are all these lakes within our territory and yet nothing has been mentioned about them. Why? Lake Naivasha is not so deep.

Now, Mr. Speaker, we have rivers which we know well about, and if the hon. Members would like me to refer specifically to Masai cases, I

can, and ably, too. We have the Siabe River, the Narok River, the Mara River. Why have we not heard of anything, any planning whatsoever regarding the usage of these waters for irrigation in these drier parts of the country?

Sir, I would now like to touch on a few clauses of this Bill. I would like to start first with clause 14; which, with your permission, I quote: "The Minister may, by notice in Gazette, designate any area of Kenya to be a national irrigation scheme, and shall in accordance with the law for the time being relating to the compulsory acquisition of land, take such steps as may be necessary to acquire right, title or interest in such area and to vest it in the board, for the purposes of this Act." I have quite a few observations to make as far as this clause is concerned. I am quite prepared to be corrected. My interpretation is this, Sir, that land can only be compulsorily acquired for public purposes according to the Constitution, and that is for public roads, railways, other communications, hospitals and also other national institutions. However, I would like to be told whether the acquisition of say, hundreds and thousands of acres of land through the back door, under the guise of national interest, is a true interpretation. I would like to know, Sir, and this Government must come clean over this, because we must be frank at times, as far as the irrigation schemes which were mentioned by the hon. Minister yesterday are concerned, why the irrigation schemes are situated in areas where no land demarcation has been done, and where no title deeds have been issued. These schemes are also situated in places where the land is communally owned. There can be no deliberate evasion. We want to be told, if it is the question of complete nationalization of land, well then that is good, it will help everybody. But we do not want to be caught unawares. The hon. Minister knows the position very well. He has had a lot of headaches as far as the land question is concerned. We, therefore want to be told and I, personally, would like to be told whether the whole of the former scheduled areas is quite unsuitable for any irrigation scheme. Nothing of this has been mentioned by the hon. Minister.

I would like also, Mr. Speaker, to be told whether the areas where land consolidation has been completed, and title deeds issued, are unsuitable, because this point has also been deliberately avoided. There is no mention of it in the Bill.

Mr. Speaker, I do not want to be accused of trying to impute any motives at all. Possibly my mind is not working properly this afternoon. But I want clarification. It is no good some Members saying, "Here, here", because this is serious. I want to be told whether this is a back door sort of device or exercise to squeeze out

**[The Speaker]**

Council, which is that as soon as any hon. Member says that he wishes to raise on an adjournment the subject matter of a question which is before the House, then there are no more supplementary questions, because the assumption is that it will come up on adjournment sooner or later and will get a whole half-hour, and so we wait until that time. I think I am disposed to continue by that practice.

**ORAL ANSWERS TO QUESTIONS***Question No. 72 (a)***EMPLOYMENT OF K.P.E. SCHOOL-LEAVERS**

Mr. Shikuku asked the Minister for Labour and Social Services if he could tell the House what plans his Ministry had to employ the great number of school-leavers, particularly those who left after passing the Kenya Preliminary Examination.

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, I beg to reply. As I have explained to this House on numerous occasions, my Ministry is not itself responsible for employment plans.

The effort to combat the unemployment problem is essentially one for Government as a whole and co-ordinated by the Ministry of Economic Planning and Development.

The answer to the unemployment problem lies in the success of the National Development Plan which has been approved by this House, whether one has in mind K.P.E. leavers or those of higher academic attainment.

The President's call for a return to the land is particularly relevant to K.P.E. leavers and, in this, the example set by adults in the rural communities will be a major influence on K.P.E. leavers finding gainful occupations on leaving school.

Mr. Shikuku: Mr. Speaker, Sir, arising from the Minister's reply to the effect that his Ministry is not responsible for the employment of school leavers with the Kenya Preliminary Examination, and so forth, is he aware that he, as a responsible Minister, should submit a solution to unemployment, so that his Ministry can run effectively by putting up such a plan or solution to the Minister for Economic Planning? Has he done that so far?

Mr. Mwendwa: Mr. Speaker, I have already said that my Ministry is not responsible for seeking for employment; in fact, I have said—and let me make it very clear to this House—all that my Ministry does is to register the job seekers and also register those who need employment, and

then connect the two: My Ministry does not create jobs at all, and the Members of this House know that very well.

Mr. Masinde: Mr. Speaker, Sir, the Minister for Labour and Social Services is in charge of, particularly, the school-leavers, the Kenya Preliminary Examination people. The simple question here, to which we want a very simple answer from the Minister, is: he knows very well how many Kenya Preliminary Examination school-leavers there are going to be, who will not get places in secondary schools, so what are his plans for these Kenya Preliminary Examination school-leavers?

Mr. Mwendwa: Mr. Speaker, I am not responsible for the Kenya Preliminary Examination school-leavers. If I were responsible for that, I would also be responsible for the examination itself. The responsibility for placing school-leavers in employment, no matter what grade they are, is the responsibility of the Kenya Government as a whole. As I have said, Sir, the plans to reduce unemployment are actually in our Development Plan and the Members of this Assembly know that has been initiated by the Minister who is in charge of planning.

Mr. arap Sol: On a point of order, is it in order for a Minister not to know his responsibilities?

The Speaker (Mr. Slade): It is not in order for you to raise such a question as a point of order, and I think you know it.

We will go on to the next question.

**NOTICE OF MOTION FOR THE ADJOURNMENT****UNSATISFACTORY REPLY TO QUESTION No. 72 (a):****EMPLOYMENT OF K.P.E. SCHOOL-LEAVERS**

Mr. Shikuku: On a point of order, Mr. Speaker, in view of the very unsatisfactory reply from the Minister for Labour and Social Services, I wish strongly to register that I will raise this matter as a Motion for the Adjournment.

**ORAL ANSWERS TO QUESTIONS***Question No. 51***REHABILITATION OF EX-CONVICTS**

Mr. arap Bly asked the Minister for Home Affairs what plans the Government had for the rehabilitation of ex-convicts to return to an honourable, civilian life.

The Minister for Home Affairs (Mr. arap Moi): Mr. Speaker, Sir, I beg to reply. The treatment and training of convicted prisoners is based on Rule No. 3 (c) of the Prisons Rules, 1963, which provides that at all times this treatment

**[The Minister for Home Affairs]**

should be such as to encourage prisoners' self-respect and sense of personal responsibility, so as to rebuild their morale, to inculcate in them the habit of good citizenship and hard work, to encourage them to lead a good and useful life on discharge and to fit them to do so.

The Prisons Service has adopted a number of penal principles, all aimed at the successful rehabilitation of discharged prisoners. These principles include correct classification of prisoners to separate them according to their degree of criminality; a progressive scheme to encourage interest and application to work; hard work to inculcate good and regular habits; extensive and comprehensive industrial training for long-term prisoners; agricultural training for those with no industrial aptitude; facilities for extensive spiritual instruction in order to arouse their inner convictions and rebuild their morale; and educational facilities to avoid mental deterioration and eliminate ignorance. In addition, there is an active Kenya Prisoners' Aid Association with branches throughout the country to assist discharged prisoners who have fallen upon hard times.

It will be appreciated that on his discharge a prisoner must take his chance with the outside community to engage in responsible and gainful employment and that, in those areas of the country where employment is scarce and the population dense, it is a very difficult problem.

Mr. arap Bly: Mr. Speaker, Sir, will the Minister agree with me that when a man or woman is imprisoned for a period of time, he or she loses the chance of his or her employment, and when he or she comes out he or she works without any food or the rest of it? What would the Ministry do to help such unfortunate persons?

Mr. arap Moi: Mr. Speaker, I did mention in the last paragraph of my reply that there is the Kenya Prisoners' Aid Association with branches throughout the country to assist discharged prisoners who have fallen on hard times.

Mr. Kamuren: Mr. Speaker, Sir, arising from the Minister's reply, can he tell this House what help was given to the people who were released immediately after Independence?

Mr. arap Moi: Mr. Speaker, Sir, as I said before, when employment is scarce and the population is dense, it is a very difficult problem, so that every individual takes his own chance.

Mr. Tanni: Mr. Speaker, can the Minister tell me, as I come from Baringo, where the branch of this active Prisoners' Aid Association which represents Baringo is situated?

Mr. arap Moi: Mr. Speaker, Sir, I would request the hon. Member to come to my Ministry and he will be briefed by my officers as to where these branches are.

Mr. Lorema: Would the Minister tell the House which of these principles which he has mentioned has been very effective on these ex-convicts?

Mr. arap Moi: Mr. Speaker, would the hon. Member repeat his question and speak more loudly?

Mr. Lorema: Mr. Speaker, Sir, the question I am asking the Minister is this. Which of these principles which are used in trying to rehabilitate these ex-convicts—such as the ones he has mentioned, spiritual help, industrial training and so on—has been the most effective with these people?

Mr. arap Moi: Mr. Speaker, there are so many systems which have been adopted by many countries. My Commissioner of Prisons attended an international conference on this very work in Stockholm in Sweden, and many countries are trying ways and means of improving an individual so that when he or she returns to society he or she will be a good citizen.

I would like to answer the hon. Member by saying that if he wishes to know the principles and methods and systems through which the prisoner goes, I would invite him to Kamiti or any other prison so that he can see what stages a prisoner goes through.

The Speaker (Mr. Slade): I think we must go on now.

Mr. McKenzie, did you have a ministerial statement to make?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): No, Sir.

Mr. Ekitellah: On a point of order, is it in order, when we Members for Turkana want to ask questions, no one looks at us?

The Speaker (Mr. Slade): Yes, it is in order; but I think you will have noted that Mr. Aram has asked at least one question this afternoon.

**POINT OF ORDER****AT WHAT STAGE A BILL MAY BE AMENDED**

Mr. Khalif: On a point of order, may I know, Sir, whether it is possible, when a Bill is being discussed, whether any portion of the Bill could be amended?

[Mr. arap Sol]

1963. Is he aware that this year the divisional team meeting in Bomet area have asked for the post office? Is he aware of that and is he aware of what he means by a sub-post office in Bomet, because it is not really a post office, it is just a shop where—

The Speaker (Mr. Slade): That is enough questions now, we have had two.

Mr. Bonnett: Mr. Speaker, Sir, on the first question, whether I was aware that sub-chiefs met, I am afraid I am not aware.

With regards to the second part of the question, on what warrants a sub-post office. A sub-post office is a post office which earns just about Sh. 225 per month. Anything more than that would be upgraded into a post office and I am afraid to say that this sub-post office in Bomet is not, as yet, carrying out sufficient business to warrant its upgrading to a post office.

#### NOTICE OF THE MOTION FOR THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION No. 57.  
POST OFFICE FOR BOMET ADMINISTRATIVE CENTRE

Mr. arap Sol: On a point of order, Mr. Speaker, Sir, I wish to raise this matter on an adjournment because the reply is unsatisfactory.

#### Question 71 (a)

##### TRIPARTITE AGREEMENT: RESULTS

Mr. Shikuku asked the Minister for Labour and Social Services if he would tell the House how many men and women had been employed as a result of the Tripartite Agreement, and had been absorbed into the permanent establishments in private firms and the Kenya Government; and, secondly, could he also give the percentage of the number absorbed and of those declared redundant; and also give the reasons why various firms and industries had failed to absorb extra labour after the Tripartite Agreement had expired.

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, Sir, I beg to reply. I cannot tell the House how many workers who were engaged under the Tripartite Agreement have been absorbed into permanent establishments.

We must rely on the good faith of employers in adhering to their undertaking at the end of the agreement that they would absorb the maximum possible number.

To make a statistical check on employers would involve a major exercise amounting to the size of a full enumeration of all establishments such as is carried out in June every year. The Annual Enumerations of Employees for June 1965 and 1966 will give an indication of the absorption of additional workers by employers. It is not considered either expedient or necessary for a special exercise to be undertaken at this time.

Mr. Shikuku: Arising from the Minister's reply, where he has not told the House how many people have been taken or absorbed into jobs under the Tripartite Agreement, and depending on the good faith of the employer, is the Minister aware that most of the people who were employed under this agreement have been sacked, and therefore we want to know how many people are still under-employed?

Mr. Mwendwa: Mr. Speaker, Sir, it is not true at all, that most of the people who were taken during the Tripartite Agreement have been sacked. We have, Mr. Speaker, Sir, actually been informed by the secretary of the employers' society that 90 per cent of the people who were taken on during the Tripartite Agreement have been absorbed into permanent employment, but, as I said, Mr. Speaker, the statistics which have been published in June this year, and which will also be published next year, will show to the Members the number of people who have been absorbed into permanent employment.

Mr. Tanui: Mr. Speaker, Sir, can the Minister tell us, arising from his reply in which he said 90 per cent, how many were employed and how many are still there now permanently?

Mr. Mwendwa: Mr. Speaker, I have said very many times in this House that nearly 38,000 people were employed during the Tripartite Agreement. Some of these 38,000 were taken by the Government and the county councils, which took about 6,000 in all. If the Members, therefore, would deduct 6,000 from 38,000 and then calculate 90 per cent of the rest, they would get the number.

Mr. Gichoya: Mr. Speaker, Sir, arising from one of the Minister's replies, that it is very difficult for him to state clearly how many people have been absorbed into permanent positions, does he mean to tell us that he has no connexion with other establishments of the Kenya Government where these people were employed, leave alone the private firms, so that he is ignorant of the number who have been absorbed permanently?

Mr. Mwendwa: Mr. Speaker, Sir, the simple reason why it is difficult for me or any other person to know exactly the number of people who are absorbed into permanent employment is that the private sector—the companies—do not send to me monthly reports. Of course, they cannot—

Hon. Members: Why not?

The Speaker (Mr. Slade): Order! Order!

Mr. Gichoya: On a point of order, Mr. Speaker, I see the Minister is confusing what I asked. I asked about Government employees and the Tripartite Agreement, not about private firms.

Mr. Mwendwa: Mr. Speaker, Sir, I was coming to that: the only thing is that the Member is in a hurry.

I have said that the simple reason why we cannot give the definite number of people who have been absorbed into permanent employment from the private sector is that the employers do not send to me monthly reports as to how many people they have in employment and how many people they have employed or sacked. After every year, Mr. Speaker, I get the number of people who are in employment in all. Therefore, as I have told the House, when I get the number of people who were employed in 1965 and 1964, I deduct them and then I will be able to know how many people were kept in employment for the whole of 1965.

As to the Government sector, Mr. Speaker, each Ministry reports to my Ministry at the end of the year as to how many people are employed in that Ministry for the whole year; they do not also, Mr. Speaker, as I said before, give me numbers every month, so that at any one given period I can say how many people are employed.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION No. 71 (a).  
TRIPARTITE AGREEMENT: RESULTS

Mr. Kiprotich: On a point of order, Mr. Speaker, this question being a very important question and the Minister being unable even today—What he will tell us is only co-operating with the employers and he cannot tell us exactly how many people have been absorbed during the—So what I want, Mr. Speaker, as this is a very important subject, and I know because I am representing the workers and even the employers themselves, do not want to see my face—

The Speaker (Mr. Slade): Order! Order! What is your point of order, Mr. Kiprotich?

Mr. Kiprotich: I should like to raise this matter on adjournment, Mr. Speaker.

The Speaker (Mr. Slade): Order! Order! Will hon. Members sit down when the Speaker stands, please?

Mr. Kiprotich is perfectly entitled to say he wishes to raise this matter on adjournment. He has said so and it closes the question for the time being.

#### POINT OF ORDER

WHEN NOTICE OF MOTIONS FOR THE ADJOURNMENT MAY BE RAISED

Mr. Kamuren: On a point of order, Mr. Speaker, I would like to seek your guidance as to whether a Member should stand when Members want to ask supplementary questions regarding such a question?

The Speaker (Mr. Slade): Since an hon. Member's statement that he wishes to raise a matter on adjournment during question time is a point of order, he is entitled to make it at any time, although it is a more courteous practice to wait until a particular question has been asked and answered.

Mr. Ariman: On a point of order, Mr. Speaker, may I know your ruling. Who is right to raise a matter on adjournment, the questioner or any Member in the House.

The Speaker (Mr. Slade): Any hon. Member may give notice of his desire to raise a matter on adjournment; but it does not mean to say he gets it actually.

Mr. Anyleni: On a point of order, Mr. Speaker, according to our Standing Orders, is the Speaker not empowered, as in speeches, to say we have had enough of this, because I know when we are making speeches somebody can ask for the question to be put or the Mover to be called upon to reply and the Speaker sometimes says, "Well, let's have more people"? In this question time, has the Speaker not the power to say, "You raise that after supplementary questions"? Or is the Speaker bound, whenever a person raises a point of order about raising the matter on adjournment, to end the supplementary questions? If the Speaker is empowered, Mr. Speaker, to do—

The Speaker (Mr. Slade): Yes, I have the point.

In this matter there is nothing expressly laid down by our Standing Orders, but I am guided by the practice of the House of Commons and the past practice of this House and Legislative

The Assistant Minister for Health and Housing (Mr. Moss): Mr. Speaker, Sir, I beg to reply. Mosquito swarms in the Kano Plains and around the Gulf of Lake Victoria in general have become a menace to the people living there, and due to stagnant water from the lake and humidity, mosquitoes breed heavily in this area. It is estimated that we would need thousands of shillings to clear this area, and due to lack of funds we have not been able to take preventive measures except by advising people there to keep their dwellings clean, dry, airy, and to use mosquito nets.

The type of mosquitoes in this area do not cause malaria, they are a nuisance in that they cause unpleasant and uncomfortable nights for the people living around the area. We have staff attached to the Division of Insect-borne Diseases working in this area, investigating possible methods of dealing with this mosquito nuisance.

Mr. Oselu-Nyanlek: Mr. Speaker, Sir, arising from the Assistant Minister's reply, is he aware that when people are being disturbed at night they do not sleep, they tend to be weak and, as a result of this, they are not doing any work? What is Government doing, in a small scale, to help these people who are unable to provide themselves with mosquito nets and other things he has mentioned.

Mr. Moss: Mr. Speaker, Sir, I agree with the hon. Member that when mosquitoes become a nuisance they cause a lot of discomfort which may result in some sleeplessness to the people around there. But I would also call upon the hon. Member to give great help to his own people and advise them to rally behind him and start clearing swamps. We could give him technical help and assistance in this.

Mr. Nyaberi: Mr. Speaker, Sir, the fact is that prevention is better than cure and this is what the Assistant Minister knows well. Probably the people have done their part. What is Government doing to help what the people have done to prevent this?

Mr. Moss: The hon. Member used the word "probably", but I would use a specific word. I have told the hon. Member that we have our team there now investigating the matter and as soon as this is ready, we shall know what to do. Meanwhile, there is an African-wide malaria eradication campaign, which is working in collaboration with the World Health Organization, and negotiations are under way, and I am sure that this will be one way of solving the problem down there, because the moment we get the

World Health Organization involved, then financially perhaps we shall be better off and in a better position to eradicate this nuisance.

Mr. Bala: Arising from the Assistant Minister's reply, would the Assistant Minister inform the House how many health inspectors are working in this area to advise people how best they can drain the swamp water, and so on?

Mr. Moss: Mr. Speaker, Sir, I say that this is a different question, but I want to answer it.

I have told the hon. Member that what is needed is to work out and to investigate methods of dealing with this mosquito menace, but as regards his question about health inspectors, we have one inspector per district in Kenya today, and we cannot afford more than that.

#### Question No. 93

##### GRADUATED PERSONAL TAX BY PUBLIC SERVANTS: DISTRIBUTION

Mr. Odera-Sar asked the Minister for Local Government whether, in view of the fact that all Government servants who worked in the rural areas got their social and public services from the county councils responsible for those areas, would the Minister explain to this House why the Graduated Personal Tax paid by them had to go to a city council or municipality where they did not reside or work.

The Minister for Local Government (Mr. Sagini): Mr. Speaker, Sir, I beg to reply: Most Government servants receive their pay direct from Nairobi. It is not reasonable to expect any large employer, having a centralized pay-roll, to account for his G.P.T. deductions up to forty different councils throughout the Republic, depending upon the deployment of his staff. Therefore Government, in common with other employers, accounts for G.P.T. deductions from its employees to the council within whose area of jurisdiction the pay is prepared.

However, at the end of the year, the employer must submit to the council details of the residence of his employees, and the tax paid by these employees is redistributed to other councils accordingly, so that, ultimately, the tax does go to the council within whose area the taxpayer resides.

Mr. Odera-Sar: Mr. Speaker, Sir, does the Minister agree with me that in Kisumu County Council they had been collecting Graduated Personal Tax from the sub-chiefs and the chiefs for the Municipal Council of Kisumu?

#### Question No. 52

##### TENWEK FALLS: FLOW OF WATER

Mr. arap Sol asked the Minister for Natural Resources and Wildlife if he would tell the House the size of the flow of the Tenwek Waterfall; and, secondly if he could tell the House whether the Government was prepared to exploit this waterfall for the benefit of Tenwek Hospital, Tenwek Secondary School, Bomet Township and the progressive farmers in Bomet Division.

The Minister for Natural Resources and Wildlife (Mr. Ayodo): Mr. Speaker, Sir, I beg to reply. The minimum recorded flow of Nyangori River at Tenwek during the driest season is 3 cubic feet per second. But, generally, there is a flow of between 8 and 27 cubic feet per second during normal dry seasons.

When requested, the Government will be willing to assist the people of Bomet and Kipsigis County Council in exploiting this water for the benefit of all concerned. The request for assistance must come from the people, through the county council and the district planning committee and must be supported by the Provincial Water Advisory Committee of the Rift Valley Province.

Mr. arap Sol: Mr. Speaker, Sir, while appreciating the answer, would the Minister arrange an interview with some of these councils in Kericho area so that they know what way to follow?

Mr. Ayodo: Mr. Speaker, Sir, it is not my duty to arrange interviews for people who may want to see me. If anybody wants to see me about any problem which comes under my Ministry, they ask me and I give them an appointment when the time is available. I do not arrange for them to come. They come to me.

#### Question No. 57

##### POST OFFICE FOR BOMET ADMINISTRATIVE CENTRE

Mr. arap Sol asked the Minister for Works, Communications and Power if he was aware of the need for a post office in Bomet Administrative Centre.

The Assistant Minister for Works, Communications and Power (Mr. Bomett): Mr. Speaker, Sir, I beg to reply. As hon. Members are aware there is already a sub-post office at Bomet Administrative Centre, but I am not aware that there is need for the establishment of a full post office at this centre.

Mr. arap Sol: Mr. Speaker, Sir, was the Minister listening to me when I asked this question in this House? Because I raised this question in

Mr. Sagini: I am not aware, Mr. Speaker, Sir, but I think I will have to refer the hon. Member to the formula as to how we do it. If a worker lives alone in Kisumu or Nairobi and all dependants, that is their wives and children, all live elsewhere, then 50 per cent of the tax is transferred to the area where the dependants reside.

Mr. Shikuku: Arising from the Minister's reply, that the tax is reallocated, is he aware that the City Council, at the moment, is sitting on the money of the people from various parts of Kenya and as a result of which some of the county councils are being closed down, and some of the county councils are being taken over by the Government, Kakamega County being one of them?

Mr. Sagini: Mr. Speaker, Sir, I have been often asked by people in this country during my tours about the very question from the hon. Member for Butere, and I did ask my experts, the people who know about money, to go into the question of reallocation, and we found out that it is really practical to do it the way we do. For his information, Sir, the people who established this formula were experts on the working party of the Fiscal Commission who were economists and financial experts.

Mr. Masinde: Mr. Speaker, Sir, arising from the Minister's reply, and in view of the fact that he has indicated here his formula of 50 per cent, is the Minister aware that there are some other employees, particularly in the Civil Service who are not staying in Nairobi; they stay in various county councils, but the City Council takes 50 per cent of their Graduated Personal Tax? What is he doing to see that the City Council deducts 100 per cent to go back to the county council?

Mr. Sagini: As I have said, at the end of the year, employers submit to the county council details of the addresses of the employees and the tax paid by the employees is distributed to the other council accordingly, so that ultimately it goes there.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

##### UNSATISFACTORY REPLY TO QUESTION NO. 93: GRADUATED PERSONAL TAX, DISTRIBUTION OF

Mr. Masinde: On a point of order, Mr. Speaker, Sir, in view of the fact that we have had a very unsatisfactory reply from the Minister, I would like to raise this matter as a Motion on an adjournment.



**[The Speaker]**

It is provided by Standing Orders that they may insist on discussing a definite matter of urgent public importance if enough Members wish to do so in this manner. What may well happen, of course, is that you hear a great deal from Members what they think whereas they hear nothing from Government in reply. Well, that is all right. Still, however, they have the opportunity of saying what they think.

**Mr. Komora:** On a point of order, Mr. Speaker, I rise to seek your guidance, if this Standing Order No. 14 does include matters of public importance as regards other countries?

**The Speaker (Mr. Slade):** Order! Order! No. It does not include the affairs of other countries, but it does include what this country is going to do about another country. That, of course, is what Mr. Kali wants to raise.

I think we were just moving on to Mr. Bly's question, were we not?

#### ORAI ANSWERS TO QUESTIONS

Question No. 50

##### SUPERVISORY TEAM FOR NATIONAL AND HARAMBEE SCHOOLS

**Mr. Bly** asked the Minister for Education whether, in view of the fact that both national and Harambee secondary schools in Kenya were increasing so rapidly, both in numbers and in inefficiency, he would consider establishing a supervisory team which could help keep these schools to the right pattern.

**The Assistant Minister for Education (Mr. ole Konchellah):** Mr. Speaker, Sir, I beg to reply. A supervisory team already exists for this purpose within my Ministry's Inspectorate Section. The question therefore is not one of establishing a team but one of increasing it in number to ensure that adequate control and supervision is maintained in all existing Harambee schools. Already, about forty Harambee secondary schools have been inspected this term by provincial inspectors and professional help in the way of syllabuses and schemes of work has been given.

**Mr. arap Bly:** Mr. Speaker, Sir, could the Assistant Minister tell this House what the composition of this Inspectorate Team is?

**Mr. ole Konchellah:** Mr. Speaker, I am not in a position to give the composition of the Inspectorate Team. I said that we have an Inspectorate Section in our Ministry, and about forty Harambee secondary schools have already been inspected this term by these inspectors. Professional help in the way of syllabuses and

schemes of work is given. It is, however, proving very costly to carry out inspection in a given time and to give professional advice due to the shortage of personnel.

However, a course for all assistant education officers is being arranged at Kenyatta College to relieve pressure of work from the existing team. It is hoped that in future, and depending on the availability of the necessary funds, it may be possible to have a permanent team working under the provincial inspector.

**Mr. Omweri:** Arising from the Assistant Minister's reply, Sir, that his Ministry has a Supervisory Team, would he tell us what his Inspectorate Team is doing in regard to the vacant post in Nyanza Province, since they transferred the officer holding that post there, and up to now there is no officer doing the job of inspecting schools in Nyanza? They keep on borrowing one from Kakamega.

**Mr. ole Konchellah:** Mr. Speaker, Sir, I said in my original reply that we are short of personnel and that, perhaps, is the reason why there is no inspector at Nyanza. However, I said that we have an Inspectorate Section in our Ministry and they can go and inspect schools anywhere in Kenya.

**Mr. Omweri:** Mr. Speaker, Sir, if the Assistant Minister believes that his Ministry is short of personnel, what attempts has the Ministry made to advertise vacancies and get applications from suitable candidates?

**Mr. ole Konchellah:** Sir, I hope that the hon. Member is aware of the shortage of teachers in Kenya. Some of the inspectors we have now are ex-teachers. If we take away teachers to make them inspectors, then, definitely we are making very small number of teachers for schools.

We are still recruiting teachers from abroad and I am quite sure that steps are being taken in the Ministry to see that every school is inspected in order to maintain the necessary standard.

**Mr. Ngala-Abok:** Mr. Speaker, Sir, will the Assistant Minister assure the House that—because he is sure and he has told the House—because there is a shortage of teachers and lack of staff, it is obvious that the self-help Harambee secondary schools are not being well supervised to the satisfaction of the people who carried out self-help work there. Therefore, we need a specialized person on self-help secondary schools so that this can be his particular function, rather than having a general inspector for all schools. This is work that no one person can do efficiently.

**Mr. ole Konchellah:** I have already said that we have an Inspectorate Section in the Ministry, and these are special people who are sent out to inspect the schools. We have a Chief Inspector of Schools who receives reports from every corner of Kenya, and as soon as he finds that there is a province which needs more inspectors, he immediately sends a team of inspectors to visit these schools.

As far as Harambee schools are concerned, we do not inspect the work being done, we only inspect the schools when the children are already in study.

**Mr. Kamau:** In view of the fact that we have been informed that the Government is not going to take the Harambee schools over at once, could the Assistant Minister assure this House, as we know there are teams of teachers being trained overseas to come and take over the teaching profession in Kenya, that the Ministry is going to supply some of these teachers to these Harambee secondary schools?

**The Speaker (Mr. Slade):** You are referring to inspectors, are you? That is the question, it deals with inspectors.

**Mr. Kamau:** The same as inspectors, Sir. I mean to say that most of the overseas trained teachers should come and assist these schools.

**Mr. ole Konchellah:** Mr. Speaker, I am sure that the hon. Member is aware that officers from our Ministry have been going out to England and America to recruit teachers. Many of the teachers we have from overseas at the moment have come from England and America. So, what he says is already being done. However, there are not too many of such people who want to come to Kenya for employment.

#### Question No. 65

##### CHARGES AT PANDYA AND AGA KHAN CLINICS, MOMBASA

**Mr. Omar** asked the Minister for Health and Housing to tell the House whether he considered the boarding charges of Sh. 50 per day charged by the Pandya Clinic and the Aga Khan Clinic in Mombasa were too high or unreasonable. If the answers were in the affirmative, what steps did he intend to take to reduce the charges.

**The Assistant Minister for Health and Housing (Mr. Moss):** Mr. Speaker, Sir, I beg to reply. Both of these hospitals referred to by the hon. Member are privately owned and operated. I do not consider that the fees raised are excessive to cover the costs of providing these services.

**Mr. Omar:** Mr. Speaker, Sir, since it is the Government's policy that in the near future they would provide free medical services, and since it is a fact that there are not enough hospitals in Mombasa District to accommodate all patients, and that some people's earnings are very low so they cannot afford to pay Sh. 50 per day, would not the Minister think it fit to reduce the charges so that even those people whose earnings are low could also be admitted into these clinics?

**Mr. Moss:** I would not indulge myself in debating this question, Mr. Speaker. Those hospitals are privately run and we are not in any position to dictate any terms. We have heard that these hospitals are not making any profit, and they are heavily subsidized by their communities, and for the information of Members I believe that these hospitals charge Sh. 50 per day compared to the Aga Khan Hospital in Nairobi where, for a surgical ward—all inclusive—the charge is Sh. 100 per day, and in the in-patients ward the inclusive charge is Sh. 90 per day, and in the maternity the inclusive charge is Sh. 50 per day. In the private ward the charge is Sh. 70 per day. I would advise the hon. Member that, of course, according to what he mentioned that there are some people at the Coast who cannot afford, because they are stricken with poverty, to meet the charges of Sh. 50 at these two hospitals, he should tell such people to go to our Government hospitals.

**Mr. Komora:** Mr. Speaker, Sir, does not the Assistant Minister agree with me that in view of the fact that these institutions are privately operated, they are made for profit, and that the Government must take the needed steps to see that the fees charged by these institutions are reduced to suit the poor man's pocket?

**Mr. Moss:** I am sorry, Mr. Speaker, Sir, that the hon. Member cannot prove to this House that the charges in those hospitals are profit making, but I want to assure the hon. Members that our financial position is not all that stable to enable us to do anything to these privately owned hospitals.

#### Question No. 80

**MOSQUITO CLEARANCE: VICTORIA GULF**  
**Mr. Oselu-Nylick** asked the Minister for Health and Housing what the steps were the Minister was taking to reduce the mosquito swarms that had become a permanent menace to public health of the people around the gulf of Lake Victoria, particularly in the Kano Plains.

The Assistant Minister, Vice-President's Office (Dr. Waiyaki): Mr. Speaker, Sir, I beg to reply.

(a) It has not been possible to proceed with the by-election because there has so far been no legal framework within which such a by-election could have been conducted.

The necessary draft Enactment and Regulations were sent to the Coast Provincial Council as long ago as October, 1964. In spite of several requests from the Electoral Commission that the legislation should be passed, the council has, up to now, not done so. Matters are therefore still at a standstill.

(b) No definite date can be given as everything still depends on how fast the council is prepared to move to pass the legislation.

Mr. Omar: Mr. Speaker, Sir, arising from that reply, could the Assistant Minister tell me the reasons why the provincial council has not laid down that a by-election should take place?

Dr. Waiyaki: Mr. Speaker, Sir, the reasons have not yet been communicated to us.

Mr. Kibuga: Mr. Speaker, arising from one of the replies, could the Assistant Minister tell us whether this letter which was sent to the provincial council was a circular sent to all the provinces, or was it sent to the Coast Province only?

Dr. Waiyaki: Well, Sir, it so happens that other councils had also omitted to have elections and so a circular was sent round, including a reminder to the Coast Province.

Mr. Somo: Mr. Speaker, Sir, could the Assistant Minister tell this House that as far as ..... (Inaudible.)

Dr. Waiyaki: Mr. Speaker, that is not true ..... (Inaudible.)

Mr. Somo: Mr. Speaker, Sir, could the Assistant Minister then tell us what kind of laws are being carried out by these provincial assemblies?

The Speaker (Mr. Slade): No, that is not relevant to this question.

Mr. Mallada: Mr. Speaker, Sir, arising from the reply by the Assistant Minister, when he said that a circular was sent to all the provincial headquarters, can he tell the House from how many provinces he has had confirmation of the enactment of the law necessary for by-elections?

Dr. Waiyaki: Mr. Speaker, from four.

The Speaker (Mr. Slade): We must go on now

#### POINT OF ORDER

#### MATTERS SUITABLE FOR ADJOURNMENT DEBATE

Mr. Somo: On a point of order, Mr. Speaker, I would like to raise this matter as a Motion for the Adjournment, because it is a very serious issue.

The Speaker (Mr. Slade): I do not think you can. You can only raise on adjournment a matter of administration. Now this is a matter of legislation by a provincial council, and is not a proper subject for an adjournment debate.

Mr. Kibuga: On a point of order, Mr. Speaker, I would like to know the exact meaning of your ruling because although the provincial councils can make enactments, they are controlled by the Office of the Vice-President. Has this House no power to question the work of the Vice-President?

The Speaker (Mr. Slade): Oh, no, I think hon. Members sometimes are confused, as they were yesterday, as to the proper procedure for any particular thing. It has been acknowledged many times that this House is entitled, by the right procedure, to consider almost any matter without exception: the few exceptions are matters which are *sub judice* and matters already decided by the House only very recently. But there are limitations to each kind of procedure. Questions can only be asked, for instance, concerning things which are directly or indirectly the responsibility of the Government. And a matter can only be raised on the adjournment if it is a matter of administration. You cannot raise on adjournment, for instance, your view that a law should be made.

You can raise the question of making laws or the question of the behaviour of a provincial council by a substantive Motion. It is only a question of the right procedure, that is all.

#### ORAL ANSWERS TO QUESTIONS

##### Question No. 82

#### KENYA CONTRIBUTION TO RECENT O.A.U. MEETING

Mr. Ndile asked the Minister for External Affairs if he would tell the House what contribution, if any, had been made by the Kenya delegation at the recent Organization for African Unity meeting at Accra.

The Assistant Minister for External Affairs (Mr. Matano): Mr. Speaker, Sir, I beg to reply. The Kenya delegation which attended the Accra Summit Conference advocated and expressed the views of the Government and the people of the Republic of Kenya in all issues that were brought before the Fifth Council of Ministers and the Second Assembly of Heads of States and Governments. In particular, Kenya's views were strongly expressed on the Rhodesian problem; the general de-colonialization issue including liberation movements; the refugee and subversion problem in Africa and the question of Union Government as presented by the Government of

[The Assistant Minister for External Affairs] Ghana. In general, Kenya's views were significant contributions in the final resolutions which were adopted in connexion with each item brought for consideration.

Mr. Ndile: Mr. Speaker, Sir, would the Assistant Minister tell the House what contribution did the Kenya delegation make towards the question of a common defence force for the Organization for African Unity?

Mr. Matano: Mr. Speaker, Sir, the question is rather vague, but I would just like to inform the Member that during the Organization for African Unity meeting, the member states established a committee to deal with defence, and this committee is actually in the process of meeting at this moment.

Mr. Muliro: Arising from the Assistant Minister's reply, that the Kenya delegation had expressed very strong views on the issue of Rhodesia, what is Kenya now doing about declaring war on Southern Rhodesia?

Mr. Matano: Mr. Speaker, Sir, I think it was said quite plainly here that Kenya cannot take one step on its own: the whole thing is the collective responsibility of the states belonging to the Organization for African Unity. And therefore at the moment the whole thing is under discussion and action is likely to be taken.

Mr. Gatuguta: Mr. Speaker, Sir, will the Minister tell us what concrete steps are being taken by the Organization for African Unity on the question of Southern Rhodesia as a result of this conference?

Mr. Matano: Mr. Speaker, Sir, I said earlier that all these things are under consideration at the moment, and quite a lot of this stuff is still confidential. It would therefore be inappropriate for me to disclose anything here.

Mr. arap Soli: Mr. Speaker, Sir, can the Minister tell the House whether the proposed action will be economic or military?

Mr. Matano: Mr. Speaker, Sir, I would advise the hon. Member to wait and see.

Mr. Shikuku: Arising from the last reply, to wait and see, could the Assistant Minister tell us how long we are going to wait when we know that Mr. Smith and his colleagues are going on suppressing the Africans in Rhodesia? How long? Seven years?

Mr. Matano: Mr. Speaker, Sir, the question of time does come in. We may act today or tomorrow or next week; the only thing is that we must wait and see because it may happen today.

The Speaker (Mr. Slade): Hon. Members will get no more from the Minister today, I think.

#### NOTICE OF MOTION FOR THE ADJOURNMENT UNDER STANDING ORDER 14

#### ORGANIZATION OF AFRICAN UNITY AND RHODESIA

Mr. Kali: On a point of order, Mr. Speaker, since this question of Rhodesia is a very important problem, concerning the whole of Africa, I wish to raise this point on an Adjournment Motion, because I feel that the Organization for African Unity is becoming a kind of laughing-stock in the eyes of the whole world.

The Speaker (Mr. Slade): Order! Mr. Kali, you are proposing to raise this under Standing Order 14, as a definite matter of urgent public importance?

I would remind hon. Members that the same matter was the subject of an Adjournment Motion under Standing Order 14 only a comparatively short time ago, in fact, on the day of declaration of independence by Rhodesia. I do not think one can have continual Motions under Standing Order 14 on the same subject. However, sufficient time has elapsed, I think, for it to be possible for the House to debate it again, if so disposed. It is a definite matter of urgent public importance, if the House cares to regard it.

For that purpose I want to know whether there are at least ten other Members who support Mr. Kali's request.

(A number of hon. Members stood in their places)

The Speaker (Mr. Slade): Yes, there are. In that case then, I will allot the time at a quarter to Six this evening for Mr. Kali to move the adjournment of the House.

The Assistant Minister for External Affairs (Mr. Matano): Mr. Speaker, Sir, I would like to receive some advice from you because this is a very delicate subject to discuss here. I have just told the House that the whole thing is still under discussion at the moment. I do not know what useful purpose it will serve in the House here, since the details cannot be disclosed in public, and a lot of it is still going on at this very moment that we are discussing the matter. I really do not know what useful purpose it will serve, raising the matter on adjournment.

The Speaker (Mr. Slade): That may well be so, Mr. Matano, but it is for the House to judge what is the procedure they wish to adopt at a particular time or on a particular subject, so long as they keep within the Standing Orders.

Thursday, 2nd December 1965

The House met at thirty minutes past Two o'clock.

(The Speaker (Mr. Slade) in the Chair)

PRAYERS

ADMINISTRATION OF OATH

The Oath of Allegiance was administered to the following Members:—

James Samuel Gichuru.

John Lebei Nchiroine oke-Konchellah.

NOTICES OF MOTIONS

Mr. arap Soli: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

WATER DEVELOPMENT: BOMET DIVISION

THAT this House draws the attention of Government to the damage that lack of water supply for domestic use and stock has done to the people of drier areas of Bomet Division and further inform this Government that the local people are ready to pay part of the cost of the development of the water if necessary.

Mr. Mbogoh: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

REORGANIZATION OF THE PUBLIC SERVICE COMMISSION

THAT this House, doubting the impartiality of the present Public Service Commission, urges the Government to reorganize it in a way that will command the confidence of all tribal groups of Kenya.

Mr. Barasa: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

BOUNDARY ALTERATIONS: RIFT VALLEY/WESTERN PROVINCES

THAT, whereas on the 11th October 1963, the Presidents of the Regional Assemblies of the Rift Valley Region and the Western Region respectively agreed in writing to certain alterations of the common boundary of those two regions; including the transfer of Kitale Township to the Western Region;

And whereas the said agreement was thereafter approved by the laws made by both of the said Regional Assemblies in accordance with section 239 of the Constitution of Kenya, namely the Rift Valley Region (Alteration of Regional Boundaries) Enactment 1963, and the Western Region (Alteration of Regional Boundaries) Enactment

1963; now this House approves the said agreement to alter the common boundary of the Rift Valley Region as described in the Schedule to the said Enactments.

ORAL ANSWERS TO QUESTIONS

Question No. 77

NORTH-EASTERN PROVINCE REPRESENTATION ON PUBLIC SERVICE COMMISSION

Mr. Amlin asked the President whether, since representation on the Public Service Commission was based on a provincial basis, would he tell the House who represented the interests of the residents of the North-Eastern Province.

The Minister for Economic Planning and Development (Mr. Mboya): Mr. Speaker, Sir, on behalf of the President, I beg to reply. If any hon. Member does not know where the President is, he is not fit to sit in this House.

I feel that this question is merely repeating a similar question asked in September this year by the hon. Member for Butere. I feel that the hon. Member should read the Government's answer to Question No. 2298 by the hon. Mr. Shikuku, as well as section 186 (3) of Chapter X of the Kenya Independence Order in Council 1963 which explains about appointment and qualifications for membership into the Public Service Commission. Provincial representation in the Public Service Commission died last December when Kenya attained a Republican status. The Government very much regrets this tendency among hon. Members to look at things from a tribal or provincial basis.

Representation on the Public Service Commission of Kenya is not based on provincial basis. The Public Service Commission is an independent body whose members are appointed by the President on their individual merits, and the individual members represent the interests of everybody in the country, irrespective of their tribal origin or provinces. In their capacity as members of the Public Service Commission, they represent and protect the interests of all Kenyans.

Mr. Amlin: Mr. Speaker, Sir, arising from that reply, would the Minister tell the House who are these members and from which province of Kenya do they come from respectively?

Mr. Mboya: Would he repeat the question, Mr. Speaker, Sir?

Mr. Amlin: Mr. Speaker, Sir, arising from that reply, would the Minister tell the House who are these members and from which province of Kenya do they come from respectively?

Mr. Mboya: Mr. Speaker, Sir, the names of the members of the Public Service Commission are published in the Gazette and are available to all Members.

Mr. Kiprotich: Mr. Speaker, Sir, I should like to know from the Minister what qualifications are needed for any person to qualify as a member of the Public Service Commission.

The Speaker (Mr. Slade): That is rather a different question—

Mr. Mboya: Maturity, impartiality and experience.

The Speaker (Mr. Slade): I think we must keep to the point of this question, which is actually representation of areas.

Mr. arap Too: Mr. Speaker, Sir, will the Minister deny in this House that the present Public Service Commission is not influenced at all in its own decisions by the Ministers of the Cabinet?

Mr. Mboya: Yes, I do deny it in this House.

The Speaker (Mr. Slade): These questions are quite irrelevant to the original question.

Mr. Gichoya: Arising from that part of the answer given by the Minister, Mr. Speaker, as to the fact that the names of the members of the Commission are published in the official Gazette, is he willing to tell us which provinces they cover, which was put forward by hon. Members?

Mr. Mboya: Mr. Speaker, as I have already stated, they are not appointed on a provincial basis; that basis of appointment died in December, 1964. Since then, persons are appointed on merit, the names have been published and I—for one—would not be prepared to guess merely from the names what province the person comes from.

Mr. Kerich: Mr. Speaker, Sir, can the Minister agree with me that it is the wish of this House that these members should be appointed based on the provincial set-up?

Mr. Mboya: I did not hear what the hon. Member said.

Mr. Kerich: I will repeat my question and will the Minister listen very carefully? I said, can the Minister agree with me and the House that these members should be appointed on provincial basis?

Mr. Mboya: Mr. Speaker, Sir, the Public Service Commission is an executive authority and this House, when it approved the Constitution, did approve not only the composition of the Public Service Commission but also the principle upon which it should be based, and if Members at that time had any idea about the Commission being based on provincial basis, they should have said

so at the time. The Commission has not been established according to any Government's arbitrary decision, it is part of the Constitution as approved by this House, and that includes the principle that it should be insulated from politics and from external influences. It should be impartial and it should be executive. If it were to represent or to have representation of every province and every tribe, then it cannot, by any stretch of the imagination, be regarded as impartial as it should be.

Mr. Khalif: Mr. Speaker, Sir, would the Minister agree with me, without being on the defensive, that the residents of the North-Eastern Province are being overlooked in so far as appointments in the Government are concerned.

Mr. Mboya: Mr. Speaker, Sir, I do not agree with the hon. Member, on the contrary, the House might like to be informed that the Government took the unprecedented step of recruiting specifically from the North-Eastern Region and putting the recruits through a special course at the Kenya Institute of Administration.

Mr. Amlin: Mr. Speaker, Sir, arising from that reply, is the Minister aware that since Kenya became independent, there is not a single Somali who was appointed by the Civil Service Commission and this happened because they were not represented on the board?

Mr. Mboya: Mr. Speaker, Sir, that is not true at all, there are people of the Somali tribe holding positions in the Government, unless the hon. Member is talking of a specific office in the Government, and if that is the case, there will be found other tribes who are not necessarily holding the same post. If there is but one post in the Government, it cannot be held by all the tribes in this country.

NOTICE OF MOTION FOR THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION NO. 77.  
NORTH-EASTERN PROVINCE REPRESENTATION ON PUBLIC SERVICE COMMISSION

Mr. Khalif: On a point of order, Mr. Speaker, Sir, I would like to raise this on adjournment.

Question No. 64

BY-ELECTION: KISUMU/LIKONI/MTONGWE

Mr. Omar asked the Vice-President if he would state the reasons why, for the last year and a half, there had been no by-election of Kisumu/Likoni/Mtongwe Constituency of the Coast Provincial Council; and secondly, could the Minister tell the House the definite date of the by-election in this constituency.

**[The Minister for Economic Planning and Development]**

Board immediately meets to decide on an increase or adjustment in wages. This takes place automatically, as a matter of course, in every case where the index goes beyond 0.2, so that we are constantly watching the situation so that the lower income groups are not affected by the rises in prices as a result of tax measures.

As far as our statistics show, there has been no major increase in the cost of living of the middle income groups since last year. There has been a slight increase in the cost of living of the lower income groups from 104 to 114 and, as a result, adjustments are taking place in order to meet that situation.

So, in effect, Mr. Speaker, the position is that we agree that certain control measures must be taken, and I would like to take this opportunity in the House to issue a very strong warning to Asian and other traders who are tempted to exploit the present situation of the maize shortage in the country, and to tell them that it is not only anti-social for people to exploit this temporary hardship among the people of our country, but that it is a negation of all the things we believe in and the basis of the society we have decided to establish in this country, for them to make profits and to try to exploit the hardships and miseries of some section of our community. I would also like to take this opportunity to state quite categorically and strongly that any business men who are found to be cheating and to be taking advantage of illiterate customers do not deserve to be assisted to continue in business; and where government or local authorities are concerned with the issue of licences, they will take into serious consideration the effects of such action and conduct on the part of such business men before any renewal of licences is considered.

So, Mr. Speaker, the Government is going to be very tough with those business men who are found exploiting the current unfortunate situation in the country. The Government will also be thinking of new measures that might be used in implementing further controls and at any rate in ensuring that existing controls are properly and effectively administered in every case, taking into account the point which has been made by both the Member for Lurambi and the Member for Ndia in their speeches.

However, Mr. Speaker, I also appeal to the customers that they, too, must assist us because when they condone these actions, and when they do not speak out and do not bring the information forward, they do not assist us in putting an end to this unfortunate practice.

Mr. Speaker, I do not think there is need for me to say very much more. I believe that the Assistant Minister for Economic Planning and Development replied quite adequately to the question in the first instance and he showed just what commodities were involved, what the Government was doing and what it intended to do, but I assure the House that the Government will act in the spirit of the Sessional Paper where we undertook to assume responsibility for holding down the prices of basic commodities. Machinery for this purpose will be set up, as we go along, and on the basis of our experience and the practical difficulties that we encounter in the process.

Mr. Oduya: Mr. Speaker, Sir, I thank the Minister for only one point which he has made: that the Government will withdraw the licences of those traders who will be found trying to steal from the poor population. But the Minister should know that the people who are actually creating this corruption are mainly people who control the majority of our business today in the country: those are Asians. There is only one problem with Africans. Most of the Africans—I bring this to the notice of the Minister today, if you talk of African businessmen, leave alone those who are selling in the hotels do not operate a major business in River Road, in Government Road, and when you go Mombasa, all those big roads—Kenyatta Road, What-got Road—and when you go to Kisumu or Nakuru, you will never find one.

An hon. Member: And Tesos?

Mr. Oduya: Well, we do not have more of these big fellows, but there are a few there, who, I think, very soon—We have given the Government a chance to act, but those who will not be citizens, we know what to do, because that is a remote area.

Now, Mr. Speaker, the Minister should know that the problem with Africans is that they go to a Patel shop to purchase—

The Minister for Economic Planning and Development (Mr. Mboya): On a point of order, Mr. Speaker, do I understand that the hon. Member is issuing a threat to non-citizens, that they will know what to do with them, because are they not protected under the Constitution?

The Speaker (Mr. Slade): I gathered that the hon. Member was only referring to non-citizens who misbehave, over which, of course, Government has yet greater powers than citizens: I expect that is what he meant. Will you confirm that I am right, Mr. Oduya?

Mr. Oduya: You are right, Mr. Speaker.

The Speaker (Mr. Slade): You meant non-citizens who misbehave?

Mr. Oduya: No, I said those who may continue to steal and they are not citizens and in such areas we can easily boycott their goods. I do not mean to say that we are going to beat them up.

Mr. Kibuga: On a point of order, Mr. Speaker, could I get your clarification? When the hon. Member says those who are not citizens and continue stealing will be dealt with, does he mean that the citizens can continue to steal—

The Speaker (Mr. Slade): Order! Order! No, this is not a point of order, you are wasting his time.

Mr. Oduya: Yes, they are just wasting my time.

I think because an African goes to buy matches at 20 cents from a Patel's shop to take to his shop, he is bound to sell them at the same price. This is where I think the hon. Minister has brought in Africans, and this is a technical problem. We say it is up to the Government now to control all the prices of all commodities and then tell the country. When we go to

our public rallies, we will tell the people that when they are cheated, when the price is such-and-such but they find a man is selling sugar, for example, at 70 cents, when the actual price is about 67 cents, they should report it to the police and appropriate action will be taken. I think that is the only way to help; you cannot beat about the bush—

The Minister for Economic Planning and Development (Mr. Mboya): You are also buying maize at the higher price.

Mr. Oduya: Mr. Speaker, Sir, thank you very much. I am buying that because there is no fixed price in the country today which can attract the grower.

Thank you very much.

## ADJOURNMENT

The Speaker (Mr. Slade): Order! Order! It is time for the interruption of business now. The House is adjourned until tomorrow, Thursday, 2nd December, at 2.30 p.m.

*The House rose at Seven o'clock*

[Mr. Masinda]

are coming into business are trying to do the same. Therefore, Sir, I hope that if the Government has not already made any arrangements, then it is very unfortunate for this country. It means that we are living in a country where we do not know what we are supposed to do, because this should have been one of the first things done, instead of a person going into a shop and continually arguing over the price of one item for a number of minutes, which is not necessary.

Mr. Speaker, Sir, I hope I have put my point quite clear to the Minister, and that the Minister will try to reply to this point. Mr. Speaker, Sir, I beg to move.

Mr. Kibuga: Mr. Speaker, Sir, this is a very important Motion and I wish to support it. Today, we have a great problem with our people. Most of our people are uneducated, and we get most of the traders being Asians. With all due respect to the Asians, when it comes to the question of price, one can never tell what price he is going to pay for a certain item from any shop. He goes to a place and buys something, which I think should cost about Sh. 5 but is sold at Sh. 20. After purchasing this article, he goes to another shop and he finds that there it is very cheap indeed. This, Sir, makes one wonder how the price was raised. So, Sir, we need some amount of control so that whenever somebody goes to a certain shop and requires a certain article, he will be pretty sure that what he has asked for will be a certain price and what it is worth.

In order to buy something from an Asian one has first of all to go round to this shop and then the next in order to ascertain the prices. Then, after checking all round, the man knows that the correct price should be this. We are now grown up, we are independent and there should be some amount of price control. Today, if an illiterate African goes to a shop and he is charged so much money, he thinks it is the Government which is responsible for the price charged. Therefore, the Government has to meet the needs of the people. Sometimes an Indian—mostly it is an Indian—says, "You know, Gichuru has put up the prices. That is why we are forced to put up the prices for blankets, sugar and so on." Then people go round blaming the Minister for Finance, whereas only a few items were raised in price by him.

There should be a certain amount of control. There should be an officer who should go round checking this. In fact, I would also mention the fact that today we have a shortage of maize and

we find people buying foodstuffs for their cattle, chickens, pigs and so forth, and some of the shopkeepers have taken advantage of this situation to raise the prices. The material being sold is poor and you find shopkeepers and industrialists who state that a certain ingredient consists of a certain percentage of this and that and this is where the Government should check to see whether this is correct or not. I understand in some countries when somebody fails to make the type of thing he has indicated, he is punished very severely. We need to do the same here. Today we find, for example, that chicken food is said to consist of certain ingredients, and yet when you feed this to the chickens, some of them start to moult.

So, I think it is high time the Government looked into this and satisfied the common man. As I have just said, most of the people think that whatever is being done in the country, by a shopkeeper or a farmer, is controlled by the Government. But, when the Government fails to control this, then the Government gets blamed for something it is not responsible for.

In conclusion I would say that there is a great need for the control of prices. We must buy the correct material for the correct price.

The Minister for Economic Planning and Development (Mr. Mboya): Mr. Speaker, Sir, I am sure the hon. Member who is being impatient will have time after I have spoken; so he can have the last word.

Sir, the Government generally sympathizes with the sentiments behind this Motion, and, as we have said in Sessional Paper No. 10, it is the intention to apply some selective control measures as regards prices of certain commodities. At the same time, however, we hold that we must have to some extent a free economy and that we should encourage some fair amount of competition. It is good and it is healthy for the economy to have a little freedom within which people with initiative can transact business. It would be most unfortunate in the view of the Government to apply a blanket control measure over prices throughout the country, on every single item.

Apart from that, even if we tried to do so, even if we were to introduce control for every commodity, there would still be the problem of the actual administration of this measure. Today, Sir, we have a number of commodities which are under this control. These include maize, which has been mentioned here. The control price of maize, *posho*, is twenty-five cents, but we know that in practice it is being bought at between thirty-five cents and forty cents. Now, the House

[The Minister for Economic Planning and Development]

may ask why does the Government not do something about it. The only way you can do something about it is by placing a policeman under every counter in all the shops throughout the country. Physically, this is not possible. Therefore, Sir, the notice is always there about maize, and the prices are always published in the Gazette, in the newspapers, and everybody knows the prices of maize. However, when there is an acute shortage of maize, such as we have had in the last few months, or since last year, it is very difficult to control completely the whole process of cheating or increases in price, and even black-marketeering, as the hon. Members are no doubt aware.

It is not just what the Government does which can bring about the effective control measures, it is also what the customers are prepared to do. If the customers are prepared to co-operate with the Government in controlling prices, it will have more effective control. But if the customers submit to the cheating in the shops, then it is very difficult for us to control entirely the prices. I would like, therefore, to appeal to the customers themselves also to assist with the effort to control prices.

The other thing I want to make clear is that the corruption we are referring to in this case is not only limited to Asian shopkeepers. I think it is too often that we tend to speak in generalizations. African shopkeepers have been known to charge higher prices, and the price of maize today is not twenty-five cents in any African shop. The Government is concerned with the cheating that goes on in every shop throughout the country. Let us not be racial about it. It does not help matters merely to level accusations against a community when we know there is wrong being done all over the country. Mr. Speaker, I do not defend anyone. I think it is the responsibility of every hon. Member in this House to be objective in his statements, and we, therefore, must speak not just on sectional and racial interests but in the interests of the whole country. If we can talk to the entire business community on the same terms and frankly appeal to them to help us in these matters, I think we shall get somewhere. However, the moment we begin to make it into one of the racial issues in the country, then, I think, it becomes petty and it loses meaning.

Mr. Speaker, where the customers co-operate, prosecutions are possible; where they do not co-operate, prosecution is not possible. I would, however, like to assure the House that this matter is kept under constant review. We are constantly looking to see what new measures of control can

be introduced. I take the point made by the hon. Members that it does help to have the price tags, or the price schedules, displayed in every shop in respect of those commodities that are under control. Now, I will look at this aspect of it.

Now, Sir, I would like at least to assure the House that in the increases that have taken place during the Budget, this is prompted not so much by a desire to punish any section of the community but rather by a desire to advance the economy of the country. If we are going to develop, we will need to raise revenue, and we can only get revenues from our taxation measures. Therefore, it is necessary that certain commodities will always be taxed and that from time to time taxes on these commodities will increase. But Members will have noticed that Government is very selective in deciding which commodities should be taxed heavier than others. Normally, we start off with the luxury items and with the less important items; the basic foodstuffs and necessities of life are normally the least touched by our tax measures. Now, maize, if I may appeal to the House, is the best example to give at the moment because in the present hardship and circumstances, until we can flood the country and the markets with more maize, we are bound to have difficulties over maize. We are bound to meet the problems of black-marketeering and profiteering among a large section of the community in this country. We have set up a commission, we hope it will look into this matter, and we hope it will come out with some positive proposals that might help us for the future.

But the Government is doing what it can to flood the market over the last few months. We have been able to import more than 1.2 million bags of maize into the country, and another agreement has now been signed for a further consignment of maize. The whole purpose is to flood the market as fast as possible, so that we can bring the conditions to normal. During the short rains, we have had crash programmes of maize planting in various parts of the country and we are hopeful that these crash programmes will help us to flood the market even further with local maize. So, Mr. Speaker, the Government is doing everything it can to contain this problem.

The other point I should like to make is that where increases have taken place in certain basic commodities, as the hon. Member for Lurambi will know, we are constantly watching the cost of living index in order to be sure that the cost of living does not rise too steeply without some adjustment in wages. Whenever there is a very steep rise, the Minimum Wages

[The Assistant Minister for Works, Communications and Power] this, except the question of retirement. Under a paragraph here, "Two members shall retire annually and shall be eligible for re-appointment." Mr. Speaker, Sir, I sit on some local authority boards and, also, I sat on some boards in the past before I was appointed Assistant Minister, and I know that a frequent change of members of boards, or committees, usually brings undesirable results. I think that annual retirement—When a member knows he is going to retire after a year, after six months he will not care. Usually, I think that one year is too short a time, and it should be either two or three years, or something like that.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): It says three years.

The Assistant Minister for Works, Communications and Power (Mr. Bomett): But it says here, "shall retire annually, but shall be eligible for re-appointment"——

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Would the hon. Member give way?

The Assistant Minister for Works, Communications and Power (Mr. Bomett): Yes.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, we have to start the whole thing revolving. There are seven provinces, there will more than likely be at least nine members from the provinces, and the idea is that you must get rid of the whole lot in three years; so it means that everybody will do three years and then retire. But if you did it that way, one person would be on for six years, so we start at the end of the first year, taking off three, the second year, another three, the third year, another three, and then go on like that. So he is on, in fact, for three years.

The Assistant Minister for Works, Communications and Power (Mr. Bomett): With these remarks, Sir, I beg to support.

The Speaker (Mr. Slade): For purposes of record, when we discuss Bills, it would help if hon. Members would try to refer to the clause of the Bill, as well as the sub-paragraph, rather than to the page of the Bill as published, because reading HANSARD subsequently, the reader will not have the published Bill to refer to, he will have the final Act to refer to, and it is only by reference to clauses that he can be guided.

Mr. ole Tiplis: Mr. Speaker, Sir, I would like to speak very briefly on this Irrigation Bill.

Firstly, I would like to ask the Minister a few questions about the whole intention, aim and object of this Bill, although he has tried to show them in the Bill itself. In his introduction, Mr. Speaker, the Minister did mention various sums of money, big sums of money, for proposed irrigation schemes in some parts of the country, but I think we have told the Minister, we have told this Government, time and time again that we are opposed to the whole idea of concentrating the wealth of the country in certain given areas and ignoring the rest. This is happening, and we thought, Mr. Speaker, that in our present Government—which has a better know-how than the Colonial Government—the legacy of the past should have been changed for the good. I would like to hear from the Minister for one minute as to what he proposes as far as these irrigation schemes for Masailand are concerned. He made no mention whatsoever——

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): You read my speech tomorrow and you will see that I did.

Mr. ole Tiplis: He did not. The Minister himself knows very well. He and myself have travelled sometime across this big Mara River, when I was his assistant. There is plenty of water there, which is going to waste.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): But I said I was doing something.

Mr. ole Tiplis: All right. If the Minister has mentioned this, I am glad that he is doing something.

The Speaker (Mr. Slade): Would this be a convenient moment for you to break off, Mr. ole Tiplis, because we have reached the time for the interruption?

Mr. ole Tiplis: Yes, Sir.

#### MOTION FOR THE ADJOURNMENT

##### CHECK IN THE RISE IN PRICES

The Speaker (Mr. Slade): There is now a matter to be raised on the adjournment. Would a Minister please move that the House do now adjourn.

The Minister for Economic Planning and Development (Mr. Mboya): Mr. Speaker, Sir, I beg to move that the House do now adjourn.

The Assistant Minister for Works, Communications and Power (Mr. Bomett) seconded.

(Question proposed)

Mr. Masinde: Thank you very much, Mr. Speaker.

[Mr. Masinde]

I rise to move a Motion on the Adjournment which arose as a result of an unsatisfactory reply on the 4th November on a question which was asked by the hon. Muruli. The question was asked of the Minister for Economic Planning and Development, whether he would check the rise in prices.

Mr. Speaker, Sir, when the Assistant Minister for Economic Planning and Development tried to answer this question he avoided it and failed to satisfy this House as to exactly what the Government was doing, or what the Government intended to do. Sir, all of us are aware that it is now becoming very difficult for every person, living in any part of Kenya, to plan for any type of goods which you would like to buy, because it depends on how we go to the *daka walla* or any producer and bargain with him. Mr. Speaker, Sir, there are a few things which the Assistant Minister mentioned, such things like cigarettes, beer and so on, and it was necessary for such commodities to have the price raised or the taxes which had been levied by the Government. But, Sir, here, even if we can take this example, you get the British-American tobacco which you get in East Africa, and Kenya, who have a list of prices and in every shop their list is indicated there of what ever item you want to buy, whether it is Rex or Sportsman, it is listed as to how much it costs a packet. The same applies to the beer. Mr. Speaker, Sir, we know how much that costs. But, Sir, there are a number of things which the Government must now come out and help the poor persons who have only to rely on the goods, such as things like *posho*. I do not want to mention maize, as we have been arguing about the price of maize, but it was mentioned here, because you do get times when there is a shortage as it has been this year, and you will get, for instance, a shopkeeper who tells you that there is a shortage and therefore if you want some *posho*, then you will have to pay me Sh. 3/50 per packet, and if you do not want to pay that, then you will have to go without. Now, Sir, this was a high price and therefore, we want the Government to tell us, and assure the country at large, of what they are going to do to check upon, and stamp out, these people who try to exploit our people when they fail to get the proper commodity.

Mr. Speaker, Sir, it is not only for the things mentioned above, but it is also for things like clothes. Today, nobody knows what the prices are. We have various materials and we do not know how much they cost per yard. Therefore, I think it is the duty of the Government to

protect the population of this country. It is on this principle, Sir, that we want the Ministry of Economic Planning to see that we get a proper regulated price list throughout the country, so that whoever goes out with the intention of buying something, will be sure that what he is buying, whether it is milk or eggs, he is asked to pay the proper price, because today the seller is selling things like eggs, and even socks in some areas, at higher prices.

For example, Sir, you can go from River Road to Government Road and in these two roads you do not have the similar prices. The Minister says that the reason for this is, because some roads here, in Nairobi, are very expensive because they rent very expensive buildings and therefore, they say that they have to put the price up to pay for the expensive rent. But, Sir, we have to be told the price, because even on the same road you can get two different prices. For example, I will take River Road, you walk into one shop and something which you have paid Sh. 5 for is Sh. 2 in the shop next door. This, Sir, is where we need the assistance of the Government, and the Government must come into this and assist the people so that we will not be exploited unnecessarily.

Mr. Speaker, Sir, I did not want to labour on this very much, but as I have put the point, then I hope the Minister will get a chance to speak, and tell us more of what he is doing or what they have done up to date, because we should not excuse ourselves by saying that we are still going to check on these things. These days, Mr. Speaker, Sir, the city council is spending a lot of money to check on the various people who pass on to the different places. Similarly, Sir, we think the Government should be engaged to employ people to take on various shops throughout the country and assure the public that protection on what they try to buy is given.

Mr. Speaker, Sir, if I can mention something which is happening now in various places arose also as a necessity to help the Government to stamp out black marketing. Now, Sir, there is a shortage of, let us say sugar, in some areas, and somebody takes advantage of that shortage and charges anybody going to that shop any amount of money per pound of sugar. This, Sir, is happening just because the Government has not checked on these things. So, Sir, unless the Government comes out and checks on these people, the majority of which are Asians, and very clever, who have been trading for a number of years, who have an opportunity of making a lot of money. Also, Sir, the Africans who

[Mr. Kamuren]

of irrigation both in Kenya and elsewhere. I hope that the Ministry is going to be straightforward in selecting the students who will be going to foreign countries to study the workings of irrigation schemes. There was a time when certain scholars were sent to some foreign countries and there was a rumour going around in this country that those students were sent particularly to study the processes of irrigation schemes. But up to now we do not know who they are and if the Ministry would always be impartial so that we have some students representing tribes in this country; I am not merely talking on a tribal basis. I just have to state my views on the way that I think it is possible for the people to be justified.

Now, Mr. Deputy Speaker, I come to the question of tenants. Tenants in some irrigation schemes are normally charged to pay fees as soon as one is a tenant, whether it is a dry season or a rainy season. Sometimes a tenant plants a crop such as a maize crop on his own plot and it might happen that there is no rain, such as this year, or when there is plenty of rain it ruins the whole crop, but still the tenant is asked to pay the same fee. If it is Sh. 1,000 or Sh. 2,000 without any sympathy by the Ministry. If tenants could sometimes be given the chance to air their views and tell the Ministry exactly what is happening so that the Ministry is in a position to understand exactly what the complications are that are facing the tenants.

I would also like to say something about the transport in some irrigation schemes. Formerly the tenants were given transport by the Government, used only to put in some petrol and then went to collect some wood and some poles to build their houses within the schemes, but at the moment they are told that they cannot have such privileges and that they have to get transport from some individual, say from a trader around the area, and then they have to hire it so that they can go and collect some wood or poles in order to build their own houses and this has brought in a lot of complications, especially in some parts of the Mariak Irrigation Scheme. If the Ministry could at least be a bit impartial in this I would like to ask the Minister to help these people to hire a Government lorry in the irrigation schemes so that they could have their work eased and the job is not so complicated when they go to collect poles from the bush.

Mr. Deputy Speaker, one of the Members here also mentioned that there is plenty of water in this country and this country, of course, it is well known by everybody, that the larger part of it is semi-desert. If we go to Lake Victoria, Lake

Baringo and Lake Rudolph we understand that these are the parts which are so dry in this country. If the water in Lake Rudolph could be irrigated so that the Turkana people could have a good irrigation scheme given to them by the Ministry from the money that is given by foreign countries to us I feel that this could help the Turkana and that the Government would represent their needs. Also Lake Victoria—I know, I have been to Kisumu once—people there have plenty of water but they do not make use of that lake and if the Ministry had enough money it could also go there and extend some irrigation schemes so that the water in Lake Victoria could be made use of, would also help the people in the Coast Province but the people might say that this is salt water and that it cannot be used very well in irrigation schemes. But we would like to help them so that they do not come and complain here.

Mr. Deputy Speaker, here also the Minister mentioned that a time, as it is on page 310, paragraph 24 (2) "The board shall, with the approval of the Ministry, regulate the membership of bursary committees" and it says on page 1, paragraph 24 "The board shall appoint a bursary committee in respect of each national irrigation scheme". I hope that this board is approved by the Minister because there will come a time when all the tribes must be represented in such boards. There is what we call the provincial water board at the moment and if this provincial water board is represented in the Ministry, then it could be possible for the Minister to have representatives from all districts, especially where there are irrigation schemes, so that members from such places give general reports emanating from the irrigation schemes in connexion with whatever difficulties people have in those areas.

Mr. Deputy Speaker, with these few remarks I stop.

The Assistant Minister for Works, Communications and Power (Mr. Bomett): I would like to thank the Minister for bringing this Bill which I believe is long overdue and because I was assuming yesterday that I may do something about this Bill, because I think it could be brought to a much more useful purpose for provincial agricultural products and produce if only this sort of exercise had been brought a long time ago and it is very welcome indeed. I would just like to question a few things as I feel that it is a project which will be essentially human, a project that will deal with people, and it will deal with problems that are basically human. I feel we should be a little careful because, much as we in the different Ministries would like to see this Bill go through, we should know that the actual people who make

[The Assistant Minister for Works, Communications and Power]

this a success or failure are the people in the countryside who will be responsible for executing the day-to-day work. I would like to see that part from vesting more power in the board, we should also make sure that the settlers in these irrigation schemes will have means and ways of putting across their difficulties and problems to the authorities without any difficulty.

First of all, Mr. Deputy Speaker, Sir, I would like to question further the scheme. The Minister has just said that the land would be vested in the board and that he is prepared to change it to the land being vested in the Government, but I would like to know whether a difficulty would arise if this was vested in a local authority, because although it has been argued that land which has been vested in the local authority, the land is vested in the local authority, there may be no difficulty because the Government has been, after all, borrowers of money for various projects which can be executed by the local authority, and I would like this to be clear, because I still feel that it is not all that easy to break down local feelings and local wishes of the people of the various districts in Kenya.

[The Deputy Speaker (Dr. De Souza) left the Chair]

[The Speaker (Mr. Stade) resumed the Chair]

It should be our aim to see that most of these become national projects as soon as they can, but we must allow for local prejudice and local feeling which is very strong in some given regions and I feel that if there is a way of getting the land vested in local authorities, most of the land in the settled areas is established under the local authorities, and I would like to see this project—the irrigation scheme—vested in the local authority.

Mr. Speaker, Sir, coming to cap. 372 (g), page 306, "to determine the number of settlers to be accommodated in a national irrigation scheme", and the functions and powers of the board. It will determine the number of settlers who will be accommodated in the national irrigation scheme. I hope that the local or sub-committee of the province that is where the scheme is, will also have a say in this particular paragraph. Because if it is only the irrigation board alone, then the central one, if it had all the power, then it may not know the feeling of the public and those who have been settled on these schemes. But I think the local authorities should have a bigger say in the selection.

Mr. Speaker, Sir, turning to paragraph 16—the financial side—paragraph 16 (a) says "a cess on all or any agricultural produce grown on a national

irrigation scheme", that means that from time to time with the approval of the Minister for the time being in charge of finance a cess may be levied by the board. Also, 16 (b) says "a cess on all or any agricultural produce processed on a national irrigation scheme: Provided that any such cess shall only be levied for the purpose of meeting the cost of services provided in the relevant scheme, and for which services no other direct charges are available or payable". I wish to say that the board, although it should have a say in this one, but also so should the tenants, because the people who will be taxed will be the tenants, and in what way will the settlers be able to have a say in this cess?

The one who pays the piper calls the tune. In which way will the settlers be able to question this one? I would like something to be provided because in the whole of this Bill I have not seen any way in which the settlers or the tenants will have a say. It looks as if everything will be vested in the members of the board who are either nominated by the Minister or by the province, and the settlers would have no say. This is totally undemocratic.

Mr. Speaker, Sir, I would also like to touch on the board, on page 310, paragraph 24: "The board shall appoint an advisory committee in respect of each national irrigation scheme. Would this advisory committee consist of the settlers, or not? Also, in paragraph 27, on the same page, (d) "The control of persons occupying any land comprising or forming part of, a national irrigation scheme, the introduction of, or the control of settlers on such land, the issue by the board of licences or leases to such persons or settlers, the revocation of such licences or leases, and the terms and conditions which may be attached to such licences and leases:". This is, of course, proposed to us.

Now, I would like to question this. Once the settlers or the tenants have been selected and they have worked on their individual plots, I cannot see in this Bill at all a provision whereby successful settlers will be able to have title deeds for their particular plots for a long time, until they have become successful. Unless there is a provision whereby a settler will be able to make sure that he will own that plot of land once he has become a successful occupant, this situation may arise whereby the settlers will not work hard, unless an African possesses something of his own he will not try; it will be very difficult for him or her to work hard.

Lastly, Mr. Speaker, I do not like to question paragraph 7 on page 304; that is the composition of the board. I have no question about any of

[Mr. Kall]

Lake Victoria and so many others. If we can pool our resources and make use of these waters, we shall never rely on any other country to feed our own people. It is a shame for us to rely on a far, far away country to feed our people.

Mr. Deputy Speaker, Sir, I will turn to another point, and this I would like the Minister to pass to his colleagues in the Cabinet. We have some schemes which can raise the production of the country—just like this one or like tourism—but then, when you come to work out the budget details, there is a ministerial competition: every Minister wants to get so much for his own Ministry, regardless of what it produces for the country. Mr. Deputy Speaker, Sir, this competition should come to an end. We want schemes like this one to receive priority whenever the Cabinet sit down to discuss the coming budget. We want this scheme and the tourism scheme to receive first priority because we can get far much more money from these two schemes than any other, but then there is competition.

The other point, Mr. Deputy Speaker, Sir, is that we seem to have been blinded by foreign investments and how this money is to be invested in this country. We have been told, and it is true, that this country relies mostly on agriculture. Then why cannot we emphasize more on this aspect? We must also, like somebody who spoke previously, state that the emphasize must be on the people, when these people are on these schemes somewhere, the Ministry of Health and Housing should go immediately to see that these people are living in decent houses, and that they have water. They must get clean water, not dirty water. The emphasize must be on the human aspect. We must, Mr. Deputy Speaker, Sir, not only concentrate on investment from abroad. Any country which does not rely on itself, its own resources, becomes a slave of another country. We have to move away from this immediately.

The other point, Mr. Deputy Speaker Sir, which is very important, and which the previous speaker emphasized, is that this board or this scheme must be a Central Government scheme. The Minister has just put it very rightly. If you want this scheme to succeed you have to obtain loans from elsewhere, and you cannot obtain a loan for a county council like Nyeri, or Machakos, or Elgeyo. You just cannot.

Mr. Deputy Speaker, Sir, the other point which I think was mentioned by the Minister, which I did not want to forget, he mentioned

his Assistant Minister, and then Kerio and Elgeyo schemes, areas which he said that the Assistant Minister keeps reminding him of, because he happens to come from that area. This kind of thing is not going to help Kenya, because when I take his place tomorrow, I will concentrate on Machakos and Nairobi East. There is no water in Machakos, in Kitui, in Elgeyo, in Turkana and we must concern ourselves with the whole country; we should not be told of Kerio and Elgeyo alone, and we do not want to hear the Assistant Minister is paying more attention to his own area. This kind of thing is not going to help Kenya. We want all these schemes to be national schemes. I want the Minister to remember this, Mr. Deputy Speaker, Sir.

The other thing is that the Member for Tana River brought up a very important point on the government officials of the Tana River irrigation scheme I lived there for two years, Mr. Deputy Speaker, Sir, and I can say that those people are really exploited. The tenants there are really exploited by the officials there. I was one of those who used to work on this scheme, and I know what is going on there. We have to tell these officials, these people who live in Galole, who live like princes, that there is nothing they can get free. I see no reason why the money which we vote here to pay for these people, to run the vehicles, to run everything, should not be used instead of exploiting these poor tenants.

The other point, Mr. Deputy Speaker, Sir, is appointment of the board. Somebody said that this board should be a national board, it is true. But then we have experienced in the past appointments which are made as a sort of award to some good boys. This kind of thing must stop immediately, you find a man is a member of about four or five boards, and yet we have so many people with brains. We are not going to have this brotherization, or friends or anything, we are not going to have that. We are moving from tribal grouping into a nation, and that cannot be achieved if we carry on appointing everyone from Ukambani, because he happens to be born there. This is not going to help anyone, not even socialism. Mr. Deputy Speaker, Sir, I think when the Minister comes to these appointments, they should be spread all over the country. Of course we must have people with brains, but then we do not only have people with brains in one particular area. This must be on a national basis. Mr. Deputy Speaker, Sir, I think the appointment of this board should not be delayed, because this is one of the most important boards which will be

[Mr. Kall]

responsible for raising production in this country. I will talk about the Bill when we come to the third reading. We would like the Minister to hurry up and as somebody puts it, we also want to know where we are going to get the money from to start these schemes, because they will be very costly. Then we want, first of all, to draw up the plan which will show us how much we will require and where we will obtain it from.

So, Mr. Deputy Speaker, Sir, because I know many people want to speak, with these few words I support the Bill.

Mr. Kamure: Mr. Deputy Speaker, here a Member says that I should be very careful because he is watching me. I think he was not elected. Mr. Deputy Speaker, to come and watch Members here.

Mr. Deputy Speaker, I would like to touch a few points on what Members have already contributed. I would like to say that we want to speak of Kenya as an agricultural country on practical terms and not on theory.

Now, Mr. Deputy Speaker, we in this House claim to represent the people who would like to know exactly what we are supposed to be doing. Now the preservation of water in some irrigation schemes as it has been mentioned by some Members here, is quite possible. Mr. Deputy Speaker, when I confine myself to an irrigation scheme which I know, known as Marigat Irrigation Scheme. This irrigation scheme has a river known as Perkerra River. The river normally goes dry during drought, and it should be possible for the Ministry to have a big dam beside the river for preservation of water, and also a machine which would pump water into the irrigation scheme, to have a separate machine for clean water so that people in the irrigation schemes can have better water. Mr. Deputy Speaker, there is also another river which is not far from the Perkerra River which is known as the Chemeron River. This river is quite a big river but it empties itself as soon as the rain stops. Would it be possible for the Ministry to have a dam built between the river and Lake Baringo for preservation of water? If it is possible then I think the Marigat irrigation scheme could be extended for more than the 200 acres that the Minister has already mentioned.

I would also like to congratulate the Minister for having brought this Bill as it is to this House, and for the Members to discuss and give their contributions as to what they think about it. Mr. Deputy Speaker, I would like to

say that the Minister has indicated on page 306, para. 15, where he says that one of the functions of the board is "to design, construct, supervise and administer national irrigation schemes". Mr. Deputy Speaker, I hope the Minister is genuine, because here we do not know if the board normally goes round the irrigation schemes, and supervise properly as required in such irrigation schemes. Now when I go to another page, it says there "to promote the marketing of crops and produce grown or produced on national irrigation schemes". Now promoting the market, Mr. Deputy Speaker, I thought the Ministry would be in a position to encourage crops such as cotton to be grown in some irrigation schemes, or if some irrigation schemes which are in existence at the moment are not available for such type of crops, then it might be possible for the Ministry to start an immediate irrigation scheme for the particular crop.

If I go to Kerio Valley Irrigation Scheme, as it has been said, this has been awaited for quite some time by the people in that area and they have been waiting to see what Government was going to do and they have also been encouraging the district agricultural officer to accelerate and see that this irrigation scheme was started very soon. Now it has taken quite a long time before it has been put into operation and I thought that the type of soil that we have in that irrigation scheme might be suitable for the growing of cotton. If we have to begin straight away then the water in the Kerio Valley—and for the information of the Member for Nairobi East, the hon. Kall who says that there is water in Elgeyo—this irrigation scheme does not belong to Elgeyo. It means an irrigation scheme which is going to be instituted between Elgeyo and Tugen. Now, Mr. Deputy Speaker, there is plenty of water in the river and if the Ministry would preserve this water somewhere at its source, because normally this water goes straight up to Lake Rudolf. The irrigation scheme would be extended right from Chep-Loch through some parts of the Kamarok Location and up to Tot between Elgeyo and Marakwet on the other furrow. If the Ministry is going to start this job straight away then it could be possible for the Ministry to inform the people of that area, the Elgeyo and Tugen as well as the Marakwet, that this irrigation scheme is soon going to be started so that they are ready to have some technicians.

I would also like to touch on scholarships, Mr. Deputy Speaker. The scholarships as mentioned on page 306, paragraph 15 (d), to award scholarships and bursaries for the study



[Mr. Masinde]

dig the land. The Masai are not prepared to hold a *jembe* in their hands and dig will have to find somebody who will produce food for them and their cattle.

I would like to follow up the figures quoted by the Minister. These figures are very interesting. He says that £75 million are to be spent on Tana River. It sounds a very big sum of money, but the Minister has not told us whether the money has already been negotiated for. We would like to know whether we definitely have it or not, because it is no use to announce a scheme, the people get prepared for it, like the Bunyala one, and then the Government turns round and say that the money is not available. This is the kind of thing which discourages the people. The people do not want to know what is going to be started before Government has even finalised the negotiations. When the Minister comes to reply it will be better for him to tell us when we can expect this money. We have heard from the Minister for Agriculture, as well as other Ministers, the Minister for Finance, whenever they come back and are at the Embakasi Airport, the amount of money which they have brought back to Kenya from other countries. We do not know whether this money remains at the Embakasi Airport or whether it is brought to Nairobi and it remains stagnant somewhere. I hope this will not be the case when it comes to the Tana River scheme.

Sir, coming to one of the major schemes, the Perkerra, it is unfortunate that the Minister comes here and starts complaining when the Government has already spent the money of the taxpayer, not necessarily those of that particular province. If he finds it difficult to get the Kalenjini to work on this scheme, why does he not get my Abaluhya, Maragoli and Banyore to work there? If the local hon. Members would not like other people, there is no point in a Minister insisting on spending their money, if they are not interested. We should develop some other area, because Kenya does not consist of only one area. There is no point in persuading people who are not prepared to work, and who, when they are given money, are not prepared to make use of it. Therefore we should withdraw this money and take it to some other place. What we want is development throughout Kenya, and if people are requested to make use of a given opportunity and they do not want to do so, there is no point in insisting on persuading them, as if they were the only people in Kenya.

Mr. Speaker, Sir, coming to this Kano Plains scheme, I think the Minister will have to explain this here again, because I would like to touch on what the Minister said about national irrigation,

whether that is also going to affect the Kano Plains scheme. The intention here, with this particular scheme, was to use water from Lake Victoria. Whether this also is going to be affected, we still do not know. But in any case, those areas will mean that we are waiting for further negotiations; where we have areas with no international complications, I hope the Minister will hurry up and see to it that we get money and start developing. This was the case with Bunyala, the scheme was opened and after it was opened we found that there was some internal problem which was mainly created by the Ministry itself.

In fact, Sir, the Minister has mentioned that he now obtained the technician; I am glad to hear that and I hope that when the technician arrives in Nairobi he will not stay long, but will immediately be sent to Bunyala.

Now, coming to the actual composition of the board, Sir, I am happy that the Minister is looking far by bringing in all provinces to be represented on this very important board. But we have had a number of boards in this country. Some of them are doing very well, but, as other Members have already mentioned, it will be very necessary that when we come to get members, we should get members who are going to serve the country and who will always be committed to serving the country's interests and promoting these particular irrigation schemes throughout Kenya and see to it that they are a success. If such a big investment, which concerns the whole nation, is spoilt, then it will be very unfortunate and we shall have suffered a very big setback.

Now I join my friends who say that they want a proper man to head this board. This should not mean the proper man in this case should be a Minister. On the occasion when we gave the Minister for Agriculture the O.K. to go ahead with forming the Agriculture Development Corporation, after passing the Bill here, the following day we found that he himself became the chairman of the board. I think this is very unfortunate.

If we want to ask questions about this board, we can question the Minister; but here a Minister himself has already an interest in it. I do not know how he would deal with such a board, Sir. I hope this is not going to happen again. A Government man has got to work for the Government and make sure that he supervises these boards, but if we get the head of a Ministry again becoming a servant under one of the permanent secretaries—because the permanent secretary is supposed to supervise some of these boards—then it is very unfortunate. I hope this will be avoided in the case of this board. I do not mean that the Minister for Agriculture would like to be the chairman of this new board, as I would wish him to be; he is one

[Mr. Masinde]

of the people capable of being a good chairman of the board, if he were not a Minister. But I would not recommend any other person, any other Minister, to be the chairman of this board. We should have someone else, not necessarily a Member of this Parliament. We have very many brainy people outside, in private firms; and if they were encouraged to leave their present employment, such people could head this board and work for the interests of this country.

Mr. Speaker, in finishing, I want to mention something which is very important. We have about twenty statutory boards, and this one is going to be, I think, the largest. I hope and we all pray that this succeeds and then we can compete with any country in the world, as far as agricultural produce is concerned. But it might be that somebody might plan very wrongly, because the foundation is what matters for everything we do here. If we plan wrongly now, and we get a scheme like that of Bunyala, where you get twenty Luos to go and supervise Abaluhya there, then all those Abaluhya lose interest. If you want to have a proper, genuine staff for any department or, for that matter, for this board, you have to mix your employees, not necessarily one tribe alone. What is happening, Sir, is that somebody possibly is recruiting all his people in Nairobi, and the people he tends to recruit the most are those who live next door to Nairobi. This is creating a very wrong impression to the people outside. We should not pretend and think that Kenya is made of a few people round Nairobi alone; we have to go further. This is one of the things which has already been mentioned in connexion with those areas where the schemes are already operating.

As far as training is concerned, the Minister has complained here that he is finding difficulty in getting the technicians. I do not know—he has not even told us—that he is doing something at present so that he interests some of our younger men leaving school, who have School Certificate and even Higher School Certificate, in going to some other, friendly countries which are prepared to offer school fees to train them; and then when they come back, in the next few years they will help us to go ahead. If we rely on people from outside who are coming to help us for a few years only, they might help us for a little while and then, when we have just reached the middle of the development, decide to quit, and our scheme will be a complete flop. I hope that the Minister will try and recruit younger men to become irrigators.

Another thing is that we have a number of people now who have been discouraged with the Kenya Civil Service of today.

I hope when such a board is being formed they will consider those who would like to come back and join this board, because it is a permanent one, it is going to continue. I know some people who would be interested to come back and they should not be discouraged. I know a few of them who have all the necessary qualifications for this irrigation work, but because they did not get favourable terms, they decided to quit and they were taken up by private firms.

Sir, with these few remarks, I beg to support the Bill.

Mr. Kali: Mr. Speaker, Sir, I just want to say a few words on this very important Bill which I think is overdue.

I remember, Mr. Speaker, at one time Mr. Howard-Williams drew up an irrigation scheme which was at that time laughed at by many Members of this House. I think the Minister should go and look for Mr. Howard-Williams and try to go through the scheme he drew up at that time.

I would like also to mention, Mr. Speaker, Sir, that if people come from Israel or from the United Arab Republic, or wherever they come from, they will just laugh at us because we have so many water resources, but we do not make use of them.

[The Speaker (Mr. Slade) left the Chair]  
[The Deputy Speaker (Dr. De Souza) took the Chair]

We are just like a man walking with a big stick and when a snake comes, he does not know how to use it to defend himself. Mr. Deputy Speaker, Sir, now we are relying on foreign countries for maize which can be grown here, but the simple reason is that we cannot grow maize because we have no water, although we have it here. Of course, I respect international obligations, but then what use do we make of our water, say, Lake Victoria? We sympathize with our brothers here, but then we must also make use of our own waters. By that I mean this, Mr. Deputy Speaker, Sir. Kenya should start immediately a department—not only a board—on irrigation. The bulk of this country is either desert or semi-arid. We should not be cheated by a few ridges and hills around Nairobi or around, say, Western Region. With all these springs in the hills still our people are starving. The bigger part of Kenya cannot produce anything. Our main object, Mr. Deputy Speaker, Sir, should be raising the national production and you cannot do it without national resources like water, which is essential. We have rivers like Tana River, Athi River, Mara River and

[Mr. Gichoya]

and command the respect of the tenants by being well versed in the problems of such schemes, in order to teach the tenants the best way of living together and working harder. Mr. Speaker, some boards have people who do not belong to an area where that particular board's purpose is supposed to cater. I cite a very good example here of contradictions that we have in Kenya today, of two boards in existence, the Western Kenya Board and the National Kenya Board. Either it was the question of finding higher positions for the individuals, or it was a confusion that entered into the mind of the Minister responsible for the creation of those boards. If it was a confusion, Sir, I would like—

Mr. Muliro: On a point of order, Mr. Speaker, I am seeking your guidance. Is there any way in which this House could be guarded from repetition by Members of the same point all the time?

The Speaker (Mr. Slade): Oh, yes, by rising on a point of order as you have done.

Mr. Gichoya, do not go round and round all the time.

Mr. Gichoya: Yes, Sir, but there is something in the schemes particularly the scheme in my own area, which is not quite right.

We have two types of soil, one is the black cotton soil and that is where we grow the rice; the other soil is the red soil which we could easily utilize for beans, fruits and grain. Now, Sir, what I want to say here is this. That area which today is within the scheme, yet is not owned or allocated to these tenants who are already allocated four-acre plots, should be given to the other landless in the district to make a living, because today our intention as supporters of the Government—

The Speaker (Mr. Slade): Mr. Gichoya, really I do not think, in discussing the merits of this Bill, we can go into detailed operation of every irrigation scheme in the country. No. We are concerned with the merits of this Bill, you know.

Mr. Gichoya: Here, there is the question of the board possessing every single scheme. Now, when it possesses the land, and the title deed was to—

The Speaker (Mr. Slade): But then you are back on what you have said before, are you not?

Mr. Gichoya: There is a very important point, Mr. Speaker—

The Speaker (Mr. Slade): Well, do not repeat yourself. If you have a new point make it.

Mr. Gichoya: Yes, I have a new point, that we have two types of soil. The board must have a policy that the black soil if it is to be used for rice, then the other, the red soil, should be given to the local people who are landless, selected by the local authority in that area.

Mr. Speaker, Sir, those people who are opposing the idea do not understand what is meant by African socialism.

The Speaker (Mr. Slade): However, I still do not understand how this is relevant to the merits of the Bill. We are discussing now, from what I can see, despite what you said previously, simply how this particular scheme should be operated. Well, we cannot do that when we are discussing the merits of a Bill. You must discuss something that is relevant to the Bill.

Mr. Kamuren: On a point of order, Mr. Speaker, is it not in order for a Member to be stopped when he is materialistic?

The Speaker (Mr. Slade): Order! Order! It is in order for a Member to be stopped by the Speaker if he repeats himself too much or is too frequently irrelevant.

Mr. Gichoya: The other point I want to make is in connexion with water as it is. Now, I face the problem that we cannot use water for irrigation in our area, in the upper parts, because water is needed by the scheme in the lower parts of Kirinyaga District. When the board is constituted I would like it to examine the possibilities of allowing the local populations, particularly in Kirinyaga District, where water is in plenty in the upper parts, yet there are certain restrictions either by the Ministry of Natural Resources or the Ministry of Agriculture preventing the people from establishing other schemes in the upper part. These are problems which we are already faced with by having a scheme which is very successful today but one which taxes the population in the area. Therefore, we insist that if the people are willing— We are constituting a board to deal with the particular duty and unless we understand the particular duty of this board, I think it would be useless to debate on this question.

With these few words, Mr. Speaker, Sir, with a few suggestions, I support the idea of having a board when the amendments are made to those particular clauses which are vital.

Mr. Masinde: Mr. Speaker, Sir, I would like to thank the Minister for bringing this Bill which is very overdue: I listened throughout when the

[Mr. Masinde]

Minister was moving this Bill. He mentioned a number of schemes which have been started in the country, but what is surprising is that for that particular scheme which was intended, possibly, to be in the Western Province the Minister has put on the red light and perhaps it may not go on. I do not want to labour this point because the Minister has brought forward his own reasons. He said that lake water has a national obligation and so we might not be able to use it.

I do not want to argue with him but I would like to remind the hon. Minister that at present we have two very big rivers flowing into Lake Victoria, the River Nzoiia and the Bunyala. This will definitely be enough for the Bunyala Scheme.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I would be grateful if the hon. Member would give way for half a minute because I want to clarify something I feel he must have misunderstood.

Mr. Speaker, what I said was, that that part of the Bunyala Scheme which is the swamp, we are very perturbed to understand that it may be below the lake level. This does not affect the whole scheme because a vast area of the scheme can be fed from the Nzoiia River which is above the lake. It is just one aspect of the swamp, not the whole of the scheme.

Mr. Masinde: Mr. Speaker, irrigation schemes will be the saviour of this country, and today if you look at the physical features of our maps you will find that two-thirds of Kenya's land is either semi-desert or dry land. I listened very carefully and find that the Minister did not mention, throughout his whole speech, what he is going to do with some of the areas where there are no such schemes as yet. There are places like Masai, Turkana, Ukambani which are the dry areas, together with some areas at the Coast, and even though in connexion with Lake Victoria we have international obligations, today is the time that Kenya must face this international obligation squarely and say that we must get our rights first. We must get water from Lake Victoria and pump this water to some of the dry lands.

We all know that Kenya has a population which has to be fed by the Government of the day. It is not a question that the people must find food for themselves when it is impossible to do so. We must provide proper facilities to enable these people to get food. We have said: from time to time that Kenya is an agricultural country. We have been fed by food coming from the previously known scheduled areas, our population is now

increasing and we will have to depend mainly on what we get from the land. I would like the Minister tells us, possibly in the course of his reply at the end of this debate, what he intends to do with the vast population of Ukambani, two districts which are completely dry. He has told us about Tana River and we know this very well. We hope that the Tana River District will be irrigated. If the irrigation scheme goes through this will bring more money to the country. So in a way it will be national money. For this reason since the scheme will be one for the country it should be a national scheme and should go through so that all the people who go there will be employed if it is possible. It must not only be the people of that area who will be employed. People belonging to that area must not be the only people to make use of that scheme. If this does happen, then things will be very unfortunate.

Yesterday, Sir, one hon. Member, in fact, a very senior person in today's Government, complained that they had brought different tribes to his district and he said that he did not want that. If you say that there are 24,000 square miles for Turkana with only a small population of less than 90,000 people, are we going to serve any purpose? If you irrigate the whole of Turkana who will be working there? Here, in Tana River you may employ about 1 million people. Tana River District has a population of 40,000 inhabitants. We must declare these schemes to be national so that we get people from other areas to come and work on these schemes in order that we can benefit the whole country.

Sir, it is on this ground that I want to support this Bill. Whether we like it or not, we must realize that we are faced with the problem of developing this country. Some of the areas which look as though they do not require irrigation schemes now, may be in need of help later on. They may have very good agricultural land but, unfortunately they may be very thickly populated. So, you have to prune from these areas and take people to the areas which are not so thickly populated.

With all due respect to the Member who comes from Masai, and who is sitting beside me, I would like to say that the Minister for Agriculture should not be so blind as to deprive the Masai of their cattle. It is no use the Masai keeping their cattle for a number of years and when the drought comes along they lose them in thousands and thousands and then have to come to the Kenya Government to complain. We must irrigate the land in order to produce food, but, at the same time, we must also provide water for cattle. If the Masai want to produce foodstuff for their cattle, something which the food feed, they must

**[Mr. Gleboya]**

Jaluis in Russia, America and the United Kingdom, because of the chances of training locally to reach a stage to compete fairly with other nationalities, wherever they may be.

In this respect I would say that scholarships which might be required here do not need highly educated persons; perhaps just a mere man with Kenya Preliminary Examination standard could definitely be trained as a storekeeper in a national scheme. Mr. Speaker, Sir, the irrigation as it is has stores, has mechanical departments and maintenance departments. These departments, Sir, do not require very highly qualified people, but they require people dedicated to their duty, people willing to work, people willing to learn more and more. This is what I have observed in my own area. Luckily enough, Mr. Speaker, Sir, I am speaking with experience of the Mweca/Tabere scheme, and this gives me a chance of telling those people who have never had the chance of seeing any scheme anywhere to request the Minister of Agriculture to provide them with a lorry from Nairobi to Mweca/Tabere in Kirinyaga District.

The Speaker (Mr. Stade): When it comes to the question of training as relevant to this Bill, we can only discuss specialized training that is relevant to irrigation projects, and not the sort of training that anybody needs in any job that might incidentally be used by irrigation schemes. We are getting too far away then.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Who is this friend of yours you want a scholarships for?

Mr. Gleboya: My voters. Mr. Speaker, Sir, my voters must be considered when sending people overseas. I say this because they come from the area where there is a scheme, and they would go with the intention of coming back to work in the same area, and they would be more influential in terms of settlers, to tell them that "I, as a person, belong to your own area, and I am definitely just assisting you to improve your economic status and, at the same time, for the Government, I am helping in terms of overall development of the country." That is why I emphasize that at least local people must be considered where a man with a degree is not required, where a man with a School Certificate is not required for a scholarship. If School Certificate people are required, then those with a particular interest in irrigation schemes should be taken and it should be their primary duty to operate the national schemes.

The other thing, Mr. Speaker, which I wanted to say is this: I see here "Financial Area", that is Part IV, clause 16. I am told that this board will also become a Government to charge cesses for running their own services. Yet, Sir, a place like Mweca/Tabere which is already a self-contained scheme, which does not cost the Government anything, those people in that area would be forced to pay three things, or—otherwise—to make four contributions. The first contribution, Sir, is what is known as water rates. Here I have a case of one of the tenants who ought to have received something like Sh. 3,620/20 per year, but—because our scheme is supposed to maintain itself—in other words, this man is supposed to maintain the scheme, and as a person who is paid by the results, as a labourer, he gets—after all deductions—what is left. Here he pays cess—I think this cess goes to the county council, and the other one, I think, to the Central Government.

Then he pays Sh. 800 for water rates, that is maintenance. In this particular case I would say this, dispensaries are owned by the county council, nursery schools are owned by the county councils, or assisted by the county council, health centres by the county council. I think also that even drinking water is the problem of the county council. The scheme to which he pays Sh. 800 for maintenance of that particular scheme—just maintenance only—provides him with very poor accommodation, a very unhealthy sort of arrangement. There is now an improvement, I believe, for the new set-up which has already been established, but the old tenants who joined the area before are living in filthy villages, and the Government ought to have said "All right, this is a scheme which pays for itself, and—for that matter—let us do something to give these people even better houses which the Minister for Health talks about all the time." In other schemes—not just in Kirinyaga District—in other places where there are tenants able to repay in the course of years the cost of building those houses, they should be given decent accommodation so that they feel that they are human beings.

Now, Mr. Speaker, Sir, the tenant, in addition to paying the water rates, pays rates for ploughing, levelling, seed and fertilizers and for whatever is given to him he pays completely. But Sir, when the board here is stated also to have the power to impose cess, then this shows, Mr. Speaker, Sir, that we have agreed to exploit that tenant many times, once he will be exploited by the water rates, then by the cess of the county council, then by the income tax, which he is supposed to pay, and on top of that by the cess which the board will require. In the end, he receives practically nothing. Now, Mr. Speaker,

**[Mr. Gleboya]**

Sir, what I am trying to say is this. The board should not become another person, for that matter a middle man, to exploit the ordinary farmer, who is, in actual fact, a worker at the whim of the board because he acts at its discretion. It is stated here clearly, and at the good will of the board that if the tenants cannot have better relations with his own manager, or the general manager or the manager of the scheme, then that man is sacked. So, Sir, the land does not belong to him, and what he gets comes out of his own sweat.

Now, Sir, what I would like to request to the Minister is that this cess be removed, then after removing this cess, let us leave the water rates and tell the board to examine the possibilities of reducing the water rates, if that is not so, then take these water rates and direct it to an improvement of the leading conditions of those tenants in the scheme.

Mr. Speaker, Sir, the people who are staying at the Mweca-Tabere Irrigation Scheme do complain occasionally that they do not have water for drinking, and here we are saying that we want to reserve the water which is flowing uselessly throughout the country and direct it through better channels in order to provide a human being with food. The whole issue, Sir, is where to get food from, and that is why we are having the National Irrigation Scheme built here.

Now, Sir, these people, who are capable of producing something for the national development, why cannot they be assisted by the present owners of the scheme—that is the Government Department of Agriculture—

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Natural Resources.

Mr. Gleboya:—that is the Government Department of Agriculture and Natural Resources to have a better water system? Mr. Speaker, Sir, we are asking this for the potentialities of natural resources in the same area that is available from one of the beautiful rivers we have, the Nyamindi River, which is very clear, by putting it in pipes for the people, even if it means *Harambee* contributions by the workers on the irrigation scheme; the *Harambee* money will contribute towards the putting together of a good water system. Sir, this thing has never been thought of, therefore, I am requesting the Minister that when the board is constituted, if we pass this Bill, it must look into the possibility of giving tenants, wherever they are, in any scheme, a water system for drinking.

If the animals can have water, Mr. Speaker, Sir, then why on earth should human beings not have water?

The other thing, Mr. Speaker, Sir, which I wanted to say on this National Irrigation Board is that if some of the members of the board are appointed by the Minister or recommended by the provincial headquarters, they must be people capable of analysing a situation. They should be people who are capable of dealing with the Permanent Secretaries, otherwise the board might be turned into another Institute of Administration whereby the law is the law of the Civil Service. The board will have to have people who will be in a position to face difficulties either physically or otherwise not by just thinking as some of the civil servants who we have. I say this, Mr. Speaker, Sir, because some of the civil servants do think that without them, we will not be able to work. But, Sir, they should understand that with or without them the people have been living in the past, when there was no Government. The people used to live when there was no Civil Service. So, Sir, it is equally true that we can do without them if they become a problem or some of us will take their places and run the Government.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Then you will be a civil servant.

Mr. Gleboya: Yes, even leave politics.

In this respect, Mr. Speaker, Sir, I would like to suggest that the Minister must guide the provincial agricultural committee, whether it is the provincial agricultural committee which is presided over by the chairman of the provincial council or the other committee which is presided over by the provincial commissioner.

Secondly, Mr. Speaker, Sir, I would like to put Kase in a better position. It would be suicidal, Mr. Speaker, Sir, for the hon. Kase, that for the sake of a peaceful arrangement between this tribe and that tribe you go and get a chairman who would be made to look a laughing stock. I think that tribe should not be the criteria of the selection. That, Sir, is what I mean. I feel that the best man must be picked out for this board. It is a board which is going out to cater for the nation. For that matter, Mr. Speaker, the chairman must be a man not for mere token purposes only, but a man who can deal with the issues brought by the civil servants, a man who will be able to understand what the civil servants want, and, again, a man who will be able to deal with them intelligently

[Mr. Kase]

people of the area have no particular interest in it, the particular residents in the area where that irrigation scheme is being started. Now if the local people are not interested in such a scheme in their area, let the Government settle others. I have in mind particularly one which the Minister mentioned, the Kano Plains scheme, where the Minister complains that he is not receiving human support. Now there are people in this country who would very much like to be settled in that area; he does not need to be downhearted or discouraged; there are other people in this country who would like that irrigation scheme to go on. It does not matter about some national political leaders from that area; I think that that irrigation scheme should go on if we can get people to settle there. The fact that if there are no people settled there, there will be no irrigation scheme should not be his problem. He should bring his problem, and you will find that in other irrigation schemes too.

Secondly, Mr. Speaker, let the people of these particular areas have proper domestic facilities, proper health facilities, good houses, a good water supply. They should not, as at present, have to drink water from a trench which has drained the country for three miles already. You do not know what has gone into that water. Yet this man is compelled to fetch his water from that particular drain and use it, because he has no alternative.

An hon. Member: What about Tana River?

Mr. Kase: That is the one I am talking about. Now if we are going to put people near irrigation schemes so that they can have better conditions, what is the use of their drinking the water from the Tana River? When you think about that drain, you can imagine people have been drinking from it, have been washing their clothes in it, animals have been drinking from it as well; and finally the poor man has to fetch it from a drain. This particular point is very important.

Thirdly, when particular crops are established in these irrigation schemes, let the board think about factories relating to such crops being established there. If cotton is the crop, let us have some textile industries where we can manufacture our own clothing, in Kenya itself instead of elsewhere. If we are going to grow rice on these irrigation schemes, let us have a factory for processing rice where the rice is. It is no good having rice on the scheme and the factory in

Mombasa. It is no good cotton being grown in Bunyala and the ginnyery being in Kakamega. Let us have the industry where the crop is.

So, Mr. Speaker, whether it is the responsibility of this board or another board, let this board ask the others who are directly concerned with such crops as will be grown on these irrigation schemes, and compel them to make proper factories. For example, if the board wishes, it should really command the Cotton Board to establish a ginnyery where the cotton is grown, and the same with rice, so that rice is fifty cents a pound.

Sir, in finishing, I would say that I wish this board great success but let not the board be corrupted, let it be independent by the nature of its composition and its working, so that we can have fair treatment of our people. But if we establish irrigation schemes which exploit those who are being settled, we will get nowhere.

Mr. Gichoya: Mr. Speaker, Sir, I was very pleased to hear the speech of the Minister surveying what has been going on in terms of the usage of water. It is a credit to our people that they have made the best use of water, and have given the Government the courage to think more of having similar systems operating in the country. I can hear an hon. Member saying, "Mwea/Tebere" and indeed this is today the pride of Kenya just as much as Keino is the pride of Kenya in terms of athletics.

There are certain other things which I thought could be considered by the House.

One, the Minister says that if we make amendments to clause 14, to replace the board with the local authority, the Government of Kenya would not be able to get money from outside. Sir, what I do not understand is whether—when the Government of Kenya goes to borrow money—the Government of Kenya does not give a guarantee that we shall be the custodians of that money. Now, if that part is there and—at the same time—if I look at the composition of the members of the board, we have the experts, Permanent Secretaries, and these Permanent Secretaries are actually guided all the time by their experts who are working below them. Consequently, the money that is going to be used in any irrigation scheme is fully covered in terms of protection by the personalities that have been put in.

Mr. Speaker, Sir, here I request the Minister again to let us give the title deeds to the local authorities, the county councils. Under the Constitution, Sir, any local authority, if it becomes adamant over the acquisition of land

[Mr. Gichoya]

and the Government feels that it is necessary to take that land, that land is normally taken. I do not think, Mr. Speaker, Sir, that the local authorities in Kenya would be so stupidly managed or controlled by their own councillors as to forget that they are part and parcel of Kenya and, for that matter, they should be able to see what the Kenya Government requires. In this respect—I am trying to say this—the local authorities should be vested with the title deeds, and these title deeds should remain with the local authorities. If the Central Government takes the title deeds of these national schemes, or—for that matter—the board takes the title deeds of the lands forming the schemes and the time comes when the Minister thinks that it is proper that these schemes must be abandoned, it would mean, Sir, that the board must try to get a buyer, a willing buyer, because the board would be a willing seller in a scheme which belongs to a particular area. What I think, Sir, ought to be done is this—and I am making it as a suggestion—that the local authority should have the title deeds, and when the Central Government sees that this scheme cannot work properly it will tell the local authority; "You, the local authority, the county council, we have returned your land to you and we expect that you will follow the instructions of the Minister for Agriculture in putting your own people to develop that particular land for a particular crop which does not involve much cost in terms of production." That is one way out, Mr. Speaker, Sir, of making even the local man feel that this scheme is ours in the first place, while in reality, it is national property and he would work with the spirit of thinking that it is their own property which they are trying to develop. When it is given to the board, the board as a personality will just deal with that part, of course, in the interest of the nation, while paying very little attention, sometimes to the local spirit, the local feeling, whereas in this country, Sir, we have accepted that ours would be a socialist State, based on African traditions. Hence, we are given what we call African Socialism.

Now, these African traditions, which have been accepted as guiding factors in our own society which we are trying to build, should also apply in respect of the local feelings even when the nation sees that there is something of national importance emanating from a particular area. That area must be respected also. Mr. Speaker, it is true that the Government which we have is a national Government, a popularly elected Government and, for that matter, we have the confidence in it. But who

guarantees that tomorrow's Government would be similar to this Government? If there is a change in the Minister for Agriculture today and we have another Minister for Agriculture, that Minister may all the time be thinking that, "Well, because Gichoya comes from that particular area I must destroy Gichoya who has been opposing me throughout in the House." Consequently, in the area where Gichoya stays, he says, "Get me the clause of this particular Bill. I declare—under the Constitution of Kenya—the powers that are vested in me, anyway, that such-and-such a plot should be acquired for the national good." Let it be taken for the national good. But the local authority, which is the custodian of the soil in that particular area, let it be consulted and at the same time its views be respected because it has the title deeds. That is one point which I want to have examined properly by the Minister. Of course, if that one is accepted, Mr. Speaker, Sir, then clause 15 (h) and 15 (h) will be deleted as a matter of procedure.

Mr. Speaker, Sir, there is another point; that is scholarships as provided by this particular Bill. On the question of scholarships I would say this: the hon. Kase was trying to give an example of what he has seen outside, but—very unfortunately—he failed to understand that in his own area the community is so backward, so primitive, that they cannot—

Mr. Malsort-Itumbor: On a point of order, Mr. Speaker, is the hon. speaker in order to refer to the hon. Kase's area as being backward?

The Speaker (Mr. Slade): Yes, if he gives his reasons; he was just going to.

Mr. Gichoya: Mr. Speaker, Sir, it is from those backward areas, where we hear all the time people talking and telling the Government to give them primary schools, to build a secondary school for them, whereas where people are advanced, Sir, where development has taken place through the initiative of the people themselves—like Kirinyaga, those people have built their own secondary schools and do not need to have a secondary school to be built for them by the Government, but only that the Government should aid them—

Mr. Speaker, Sir, in the past we have seen people who have been to high schools going to universities. People who did not have the chances of going to secondary schools can definitely, Sir, not have a chance of going for a competitive scholarship. That is why we find so many Kikuyus in the United States of America, or in the United Kingdom or Russia, and so many

[Mr. Kase]

in that particular area would be able to put forward their views in the correct manner. Now, once this is done, Mr. Deputy Speaker, you would not find a tenant complaining. At the moment what happens is that whenever we have complaints from any particular irrigation scheme the member has to be a tenant himself before he can put the tenant's views across to that particular Minister, and I think that I would like to support the changing or the amendment of that particular place, so that it should be allowed in every irrigation scheme that at least those particular people should be represented by their own representatives.

Now, the other problem, Mr. Deputy Speaker, that I would like to point out, before I forget it, is the appointment to these boards. I notice, Mr. Deputy Speaker, that the Minister is going to appoint a chairman of the board. Since this person, as the Minister has indicated, is going to handle millions of pounds, I would ask this particular Minister to choose somebody capable. Not because he happens to be his friend near his farm, not because he happens—as the tendency is—in the Civil Service—to be of a particular tribe. We would like somebody really capable to do the job, whether he is from Masailand or from Turkania or from Mandera, for that matter, or from Lana River. We do not suffer from Kikuyu, because the President is from Kikuyu, not because all the district commissioners are Kikuyus, the majority of them, not because most of the district officers are Kikuyus, but we would like to get somebody who is capable and who can do the job.

It would be useless, Mr. Deputy Speaker, to get someone from Nairobi who does not hope on any day that Nairobi would come under Government for education.

The Minister for Home Affairs (Mr. arap Moi): On a point of order, is it in order to refer to you as Mr. Speaker rather than—though by virtue of your being Deputy Speaker—you are referred to as the Speaker?

The Deputy Speaker (Dr. De Souza): I think that is right. As I said before, and I think I have said this many times, looking at HANSARD I find that when the Deputy Speaker is in the Chair he is addressed as Mr. Speaker, but I have never really made a point of order out of it.

Mr. Kase: As I was saying, Mr. Deputy Speaker, it will be useless to appoint someone from Nairobi who has never been to see an irrigation scheme in Nairobi to be chairman of that board. It would be very much better to appoint someone who knows what an irrigation scheme is and someone who can go back, if he

is an elected representative of this Government, or a Minister of Government or any person, he must have some interest in irrigation before he is appointed as chairman. But it would be useless, Mr. Deputy Speaker, as our people have seen, that some members of boards never visit the areas of which they are the particular representative. It is very bad for such people to be appointed.

The other thing is the question of when the provincial agricultural board appoints or submits three names to the Minister. Here, too, I would like the Minister to give some direction to the provincial agricultural board as to what persons, or to advise at least on what type of people, should be appointed to these boards, because it is useless to select perhaps Mr. Patel, either he has never been on a farm or he will never be a farmer, and he does not know the job but just to select him because he happens to be a friend of the members on that particular board. Therefore I think the Minister must try to put in some people or advise agricultural boards in various provinces to select certain persons who are of real value to this board.

When I come to the functions of the board I will be very brief. The board has been given power to get cess from particular tenants. I thought here one sentence reads that this must be cess which is relevant to the scheme. Now, Mr. Deputy Speaker, I hope that this Bill will clear away the problem we have in the particular area of the Tana Irrigation Scheme whereby the tenant pays for—and I am glad there are some advisers of the Minister around—the electricity used by the police station, and the police do not pay for the maintenance of this electricity. The tenant pays for the maintenance of all Government vehicles whether it be irrigation, administration, police or any other department in that particular area. I am open for correction on this, but I doubt whether any Government department actually pays any money for the maintenance of vehicles and if this is wrong I am prepared to quote a few vehicles which have been using the irrigation garage and were asked to send the spare parts and have not sent them. Now, Mr. Deputy Speaker, while this is happening the tenant is having to pay a heavy fee every year and this is not fair. You have a hospital at Galole, prisons, police and many other departments and they, too, use all the water which the tenant pays for. I hope that when these bodies are constituted such matters will be got rid of, instead of Mr. Kase paying for the police officer's house maintenance, let that particular department pay for the maintenance of its offices there.

[Mr. Kase]

I am convinced, Mr. Deputy Speaker, at this moment where the tenant at the Tana Irrigation Scheme pays £60 year, if all other departments had been paying for the services for which the tenant is paying for instead, the tenant would only be paying about £30 a year or £40 for that matter but not £60. Perhaps some particular members would not know how this affects them. All the water that is used for all domestic purposes is drawn from at least one mile away from the river, now I believe that the transport for this costs at least £450 a year. Now this is a lot of money, and which the tenant has to pay. Mr. Deputy Speaker, we have another thing, a drinking club, where I was made an hon. member. This particular club uses all the facilities that the tenants pay for and the club does not pay anything in order to see that the tenant does not suffer.

*The Deputy Speaker (Dr. De Souza) left the Chair*

*[The Speaker (Mr. Slade) resumed the Chair]*

It might be said, Mr. Speaker, that a few Government officials are paying for this water but the Agricultural Department and the irrigation scheme and even those officers paying, I think there are about five or ten of them, but the rest of them who use this water do not pay for it. Electricity, they do not pay for. Maintenance of the houses and I doubt whether the officers who use these houses pay house rent, but I am open to correction on this. All the civil servants there I think do not pay any maintenance for their houses. Now the tenant is charged for the maintenance of all these things. I think that when this board is formed they will have to look into these problems seriously so that the irrigation schemes are not made so as to be a disadvantage to the particular people who are to be settled there. Irrigation schemes, I believe what the Minister said, should be made with one principle in mind and that is that the man is going to have a better life, but when it comes to the question of all you have worked for is taken away by Government and you will remain with nothing and you will have to work once more to repay what you have used before. This money is not going to benefit anyone, and such irrigation schemes will fall down. As far as this country is concerned, it does not matter how much you speak sweet words to the people, one day they will act in a proper manner.

Now I come to another thing, Mr. Speaker, 15 (2) (4). The board has powers to send some particular people overseas and here, too, I hope send these people on and not pick somebody

the board will select relevant scholarships (to from anywhere and send them under the auspices of this board. I do not think they will do that but I do hope that they will select persons who are really necessary for these scholarships.

Too, Mr. Speaker, let this board be told that scholarships are not for particular human beings from a particular area or particular surroundings. Now it is most interesting, Mr. Speaker. I have visited the two countries where most of our students go for further education, and in all the universities and colleges I have visited I have found that there is not one, in either Britain or America, where you would not find a member of the Kikuyu tribe and a member of the Luo tribe. During my own visit of six weeks to the United States, I saw only one Kalenjin, I saw only one Pokomo and none of the other tribes. I think there is only one conclusion to be drawn from that.

So I hope these scholarships will not be meant to promote some particular individual, because I do not believe they are meant to do so. These scholarships are meant for the advantage of everybody.

Another point, Sir, is that on these irrigation schemes we are carrying out the majority of people are foreigners; I do not think there are any Kenya citizens, though I stand for correction. I think the majority of the people are expatriate officers. When it comes to Africanization, we would like to see that in those four or five irrigation schemes which the Minister mentioned—I do not know exactly how many there are—at least we should not find all four or five managers are Kikuyu. Let the Minister take this into consideration and tell this particular board not to follow this line. We have looked very seriously as the public service and the civil servants, and I can tell the House that my area is flooded with Kikuyu, from district commissioners to district assistants. I have noticed too, Mr. Speaker, that in the President's Office only two out of ten are not Kikuyu. And this is happening in other departments. Let this board not be controlled, either internally or externally, by any other interested persons. Let the board decide who should be a manager of a particular area, or of a particular irrigation scheme. But if the board is riddled with the business that is being carried on in this country, I think we will find that things will go wrong in these irrigation schemes.

Finally, Mr. Speaker, when these irrigation schemes are established, I would like to point out that there is one scheme at least where the

[The Minister for Agriculture and Animal Husbandry]

Now, Sir, there are a good number of other areas that have potential. There is an area beyond Magadi under the Nguruman Escarpment, there is Turkwell in Turkana, there are minor irrigation schemes such as operated in Israel out of rivers like the Athi, the Taveta river in Elgeyo area, really countrywide. All these areas, as I have said, add up in fact to just under a million acres. Kerio is here. I cannot mention all because there are about thirty-one of them. Including Kerio Valley, Mr. Deputy Speaker. Kerio Valley is extremely well known not only to me, but better known to my Assistant Minister. Whenever we discuss irrigation we are continually reminded about two places Elgeyo and Kerio Valley, because of our Assistant Minister.

Now, Sir, the problem with irrigation, and it can just run over the figures. To complete Mwea we need £350,000; Tana River first phase is £75 million, the second and final phase may be another £60 million; Kano Plains somewhere between £12 million and £14 million; Yala £20 million; Taveta £7 million to £10 million, and the total including all the smaller schemes that I have mentioned, a figure of £200 million. When you look, Mr. Deputy Speaker, at developments being done in other countries in the world today by United Nations agencies and the great donor countries, you will find that £200 million is not a frightening figure. I know of many ivory towers being built in other countries which are costing very nearly this amount, and will not feed a nation, or employ nearly one million people. Therefore, I have no hesitation whatsoever in saying that if we go ahead on a national basis that we would have no difficulty at all in slowly, year by year, convincing the United Nations' bodies and the donor countries in helping us to develop these schemes, because so many of them are in fact, undoubtedly viable.

Now, Sir, I would like to move quickly to the Bill itself. I have, since the Bill was published some time ago, Mr. Deputy Speaker, spoken to certain hon. Members in this House, who have shown an interest in this Bill both to myself or to one of my Assistant Ministers. Arising out of discussions we have had, I am prepared as Minister, if it is so felt by Members of this House, to consider one or two amendments. I would like just to give before I start on the Bill these amendments which I am prepared to look at, that is if hon. Members want it and during

the discussions put it forward, so that I can get it framed into legal language and put into the Bill at Committee stage.

Page 305, paragraph 14, Mr. Deputy Speaker, the last line reads: "and to vest it in the board, for the purposes of this Act". Arising out of these discussions we are prepared if the Members so feel and it is put to me during the debate, to change this to read "and to vest it in the Central Government in lieu of the board". This automatically makes other consequential amendments in the Bill, which I do not think I need mention now. I think two of them fall into paragraph 15.

Another one, Mr. Deputy Speaker, again which I am prepared to consider if hon. Members so wish it and put it forward, and that is that under the Schedule, page 312, at the top, (c) which reads "one representative from each province", to put in here "at least one representative from each province", and at the same time I am prepared to give an assurance that when representation is put to me, if there is a big scheme in a province, or more than one scheme in a province, that the Government would be prepared to discuss with the local representatives of the area in which the irrigation scheme is, and putting on a local representative.

I do say that there may be other amendments which Members may like to talk about. If I may just talk about this one amendment. The problem is, and this has been put to me, Mr. Deputy Speaker, that we ought to vest the land in the local authorities or local government. The problem here is that donor countries are only prepared, as far as irrigation schemes are concerned, to put the money into a scheme which belongs to the Central Government, where the land belongs to the Central Government, or a statutory organization set up by the Central Government where the Central Government has control of that board by direction. This is a fact, Mr. Deputy Speaker, therefore if hon. Members feel that this ought to be changed to local government, then I would suggest to them that what in fact they are doing is killing this Bill even before it gets started, because although we may have all this type of work done for us, the donor money will not come forward unless the land is vested in the Central Government. I would also like to explain to hon. Members that under the Constitution there is nothing at any time to stop the Government acquiring land. But what we have put in here is that his land will be designated after discussion, and, Mr. Deputy

[The Minister for Agriculture and Animal Husbandry]

Speaker, it has been agreed in Government that I can say in this debate that no land will be taken for a national irrigation scheme without it being put to the House in the first instance. This would give the opportunity to Members to discuss the land which was being vested in the Central Government for a national irrigation scheme. Now, Sir, many hon. Members may want to know why we could not have done what is in this Bill administratively. I would like to explain to them why after a great deal of looking we did not do this administratively within the Ministry. What we found was, Mr. Deputy Speaker, as I said earlier in my address, that technicians—irrigation hydraulic engineers are some of the shortest technicians in the world, and when you look for an experienced hydraulic engineer he is virtually unobtainable, and the only way you can get them is by having them lent to you, lent to these boards for a period of time on direct loan on a technical aid basis. If this is so then we have a way to operate this type of aid. It is much easier also for a board, with the freedom which a board has, in being able to have members of the provinces, members of the local area in which the board is in, so they can pass opinion and get on with the job of work, in setting up these national irrigation schemes.

This type of board has a lot of power given to it, but although it has a lot of power given to it, it can always be directed by this House through the Government, because the Government has power to direct this board, the same as the powers which we have now taken in being able to direct a number of boards.

Members will see that the board can sue and be sued, which means that it has got to take care in its finances. It has got to have a proper trading and profit account balance sheet and all other accounts which from time to time the Ministry may request it to have. It also has powers of borrowing money and it also must make an annual report which will be laid in front of this House. It can also have committees because we envisage that most of its work will be done by committees and in fact the board, which is the largest board, will only meet, say, four times a year, to get down to policy, but that it would have committees of the board which would get down to the main work of operating these schemes.

Like all other boards they would have the full power of being able to call upon the Ministry for any help which could be given

to it. Not only the Ministry of Agriculture but, as I have said, all the other Ministries which get involved in an irrigation scheme, and here is where they will be able to operate more freely than if this was a division or department of one Ministry. They could have complete direct access to each of the Ministries which are involved.

The rest of the Bill, Mr. Deputy Speaker, is the normal filling and the normal paragraphs which are put in by our friends from the Legal Department, that is the number of meetings they must have a year, how the Chairman goes about calling a meeting if so many members want it, a quorum, the appointment of a secretary, staff and appointment agents, how many committees it can have and how it can delegate its powers and that it can pay itself with the approval of the Minister and how it can pay its members and its general manager, and that it must have a general manager, and that if a member has an interest in an irrigation scheme he must declare his interest, all of which are normal matters which are put into a Bill.

Mr. Deputy Speaker, I would like to end by saying to hon. Members that we have just been through a dry year and that is why I think that it is very appropriate that we have been able to bring the Bill forward at this time and I would like to end, Mr. Deputy Speaker, by strongly recommending this Bill which, although I am moving it as Minister for Agriculture, is really a Bill which involves seven Ministers.

I beg to move.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Murgor) seconded.

(Question proposed)

Mr. Kase: Mr. Deputy Speaker, in supporting this Bill I have a few observations to make and I hope the Minister will take them seriously, since I happen to be associated with one of the irrigation schemes that he has been talking about.

Mr. Deputy Speaker, I am happy to say that, although I was not among the Members who had negotiations with the Minister, the Minister has thought it fit that there should be, in the first instance, a local representative of that particular irrigation scheme on this board. This is necessitated by the simple fact that, although I do not doubt the appointment of some of these Members, you might find, Mr. Deputy Speaker, for like some members who are on other boards, for example, maize, they do not grow maize themselves, neither do they live near maize areas, and therefore, I doubt whether they do represent those particular areas properly. Therefore in such a case those particular tenants

**[The Minister for Agriculture and Animal Husbandry]**

This is very nearly the amount of sugar which Mauritius produces today. Over and above that, they have proved that from planting they are getting cuttings at under twelve months of cane at 95 tons per acre. When you consider that the main sugar growing areas in Kenya run round about 35-40, it shows you the potential. This is per annum.

The United Nations team has been producing over 3,000 lb. of cotton per acre. The most interesting thing which they have found is that they have a Guatemala variety of Kenaf, which is an hibiscus, to produce over 2,000 lb. per acre. This means that on field work it will produce at least 1,000 lb. per acre. The economic run-through is about 700 lb. per acre. This is very interesting indeed, because this is the soft fibre which we are short of in mixing with our sisal through the Bag and Cordage Company in producing bags which can bag every single thing we need, including fine grains and sugar.

To give hon. Members a further idea of the size of this irrigation scheme, if we put the whole irrigation scheme under groundnuts, we would out-produce Nigeria which is one of the biggest producers of groundnuts in the world. From this one irrigation scheme. The gross value of the turn-out of this irrigation scheme per year would be at least £13 million.

Mr. Deputy Speaker, this irrigation scheme could provide employment for very nearly ½ million people. Living in this area at the moment, counting men, women and children, at a very open figure, there are 30,000 people, and they are regularly fed by famine.

The first-phase of this scheme, under the figures put forward by the United Nations, will cost £75 million. This may sound a lot of money, Mr. Deputy Speaker, but when you look at our other agricultural enterprises and look at the gross value of this irrigation scheme and what it could be, in its employment, it is in fact a viable scheme.

Now, if I may move to Perkerra. Here, Mr. Deputy Speaker, we have a problem irrigation scheme. Last year, the best tenant on this scheme netted—this after all his payments—the unbelievable figure of £360; he netted that. The average for the scheme is £44. There are 1,200 people employed in this irrigation scheme, it has 1,400 acres; we are hoping to extend a further 200 acres in this next half-year, and it could be completely self-sufficient, mainly in onions. I am strengthening the extension staff. It is costing us as a Government £1,700 per year loss, and I want

to tell the House now that we have decided as a Ministry that if this irrigation scheme does not get off the ground in the next two years, we intend closing it down or leasing it to somebody else to have a go at it.

Mr. Deputy Speaker, here we are running into one of the main problems in this scheme and that is the human element. I want to be very frank today because I see listening to me are hon. Members who are interested in this area. Local politics, previously national politics, *matata fitika*, drinking, the female sex; Mr. Deputy Speaker, Sir, this irrigation scheme is—

Mr. Kamuren: On a point of order, Mr. Deputy Speaker, is it in order for the hon. Minister to allege that drinking and sex is going on in the irrigation scheme?

The Deputy Speaker (Dr. De Souza): I do not think he alleged anything of the sort, Mr. Kamuren. I do not think you understood him.

Please continue.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Deputy Speaker, Sir, if the hon. Member is jumping to conclusions, he is now making me very suspicious that there may be something involved along the lines of which he is trying to tell me. If he will just let me finish, some of our best people in that area are the female sex; that is what I am trying to tell him. The male sex mostly do not want to work. We have here a human problem which can only be rectified with the help of the local politicians, be they national or be they local or be they council or be they provincial. The human element at the Perkerra Irrigation Scheme has to be made to understand that they have to work hard and listen to the advice which they are given. It has been proved by one of who made £360 nett in his pocket, whereas the average is only £44. If one man can do it, then I ask, why cannot all the rest get nearer to him than £44?

The hon. Members who come from that area—I have visited the area with them—know the problem. We have to get over this problem and we can only get over it, Mr. Deputy Speaker, if we all pull together on it, but I promise hon. Members that here is an irrigation scheme with fantastic potential, one of the best of the lot, which is being ruined for the reasons which I have mentioned.

If I may now move, Mr. Deputy Speaker, to Bunyala. Today the project manager of the Food and Agricultural Organization—a child of the United Nations—has arrived to operate the beginning of this scheme. This is the 500-acre

**[The Minister for Agriculture and Animal Husbandry]**

reclamation scheme. Also, he is to look into the reclamation and drainage of the Yala Swamp. We hope that 500 acres will be developed and planted by the end of 1966. We are concerned at the moment that the 20,000-30,000 acres of the swamp which should make a very high potential irrigation scheme may now be found to be below the level of the Victoria Lake.

If this is so, then we have a very big problem and all we can do is to hope that when this project manager gets working that he will prove to us, and prove to the satisfaction of the donor countries, that this area is in fact a foot or two above the lake. Here I would like to take the opportunity of mentioning that we have another difficulty both in this area and in the Kano Plains area, which is that there are international obligations for the use of water. The United Nations has set up a survey of Lake Victoria and its waters, and this is on behalf of the United Arab Republic, the Sudan, Uganda, Tanzania, Kenya and the Congo. We have got to be very careful in the use of water which is international water. We have international obligations. That is why we were hoping that we would be able to make use of the swamp because we would then be adding water to Lake Victoria and on to these other countries, rather than take out which would then relieve the pressure on us utilizing water for the Kano Plains. We are hoping that the Bunyala Scheme will be mainly cotton and rice.

Now, Sir, if I may come to the Kano Plains area. This is up to 30,000 acres, the crops we have envisaged are cotton, sugar and rice. We had a survey done in the fifties by Sir Alexander Gibb, and at the end of 1964 we opened discussions with the Union of Socialist Soviet Republic's first mission that came here, and since then we have had a great number of meetings with visiting missions, and with visiting Union of Socialist-Soviet Republic technical people. We had on the 4th October, received from the Union of Socialist Soviet Republic technical and economic consideration on irrigation of land in Kano Plains. There it is. Unfortunately, Mr. Deputy Speaker, we only received this two months ago, and unfortunately we were only given two copies. Although we have repeatedly, both verbally and in writing on the day we received this asked for further copies from the Union of Socialist Soviet Republic. On the equivalent scheme on the Tana, we were given thirty-four copies, and even that was not enough and we had to ask for more. The

technical people of all the Ministries concerned need copies and in an irrigation scheme, Mr. Deputy Speaker, there are seven Ministries concerned. Natural Resources who are responsible for water; we are responsible for the land use of the irrigation scheme; Finance from the financial implications; Economic Planning from the planning point of view; Works for doing the works, etc., and the roads, etc., in the irrigation scheme; Local Government because of moving a population and the problems which arise, and also a very large problem in health and housing, etc. A great number of peoples lives are involved, therefore it is unfortunate that we have only been able to have two copies given to us, and it is also unfortunate that it is a very small type and on the type of paper which we have tried to photograph does not photograph well.

The outcome of this report is that all the technicians have not completed looking at it, but the interim report that we have had from the technicians who have been able to have the use of these two copies is that there are some technical shortcomings, and we have asked the Union of Socialist Soviet Republic to send their technicians who were involved in putting this together in Moscow, out here and have talks with us. Unfortunately there is a hold-up which is outside the bounds of my Ministry, and at the present moment until this hold-up is removed it is not possible for the Russian technicians to come and discuss this with the Kenya technicians, but I sincerely hope that within a matter of days this problem will be sorted out one way or the other.

In the Kano Plains Irrigation Scheme, there is a very great potential for cotton production, rice and sugar. From the little schemes that we have had in this area, we think that the cotton yield will be of exceptional quality and of a very good weight indeed.

Now, Sir, if I may move to one or two of the smaller schemes like Taveta. There is 14,000 acres potential at Taveta, soil is a very great difficulty. The Government of Israel is interested in having a look at this, and we are holding discussions with them at the moment. There is plenty of water, but what is needed is a good feasibility study of this area especially from the soil point of view, and looking at whether the crop that is suggested—bananas, orange backed, will yield on the soil the tonnage that we need to make it a viable scheme. Our own technical people think that we can.

**Mr. Argwings-Kodhek:** Three days' time! Mr. Speaker, Sir, this particular case needs political clearance and, as soon as that is effected, the appointment will be made. Not necessarily Luke Wafula.

**Mr. Masinde:** Mr. Speaker, Sir, in view of the fact that we have a system of appointing chiefs, and before chiefs are appointed a number of applicants apply, and the nomination is held—Here the district commissioner and the district officer held the nomination and presented three people who, to the knowledge of the Government, were considered to be the right persons one of whom was to be appointed. If Luke Wafula had the majority why was it not considered necessary for him to be appointed immediately?

**Mr. Argwings-Kodhek:** The Government is well aware that Luke Wafula of the Bukusu tribe beat his opponents, the Tesos and the Walugus. However, as I said earlier in the original reply, the chief appointed must be a person who can administer that particular district, and that is in dispute.

**Mr. Muruli:** Mr. Speaker, Sir, is the Assistant Minister aware that it is alleged there that if the person was a fit person he would have been appointed a chief?

**Mr. Argwings-Kodhek:** Not necessarily, Mr. Speaker.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

##### CHECK IN THE RISE IN PRICES

**The Speaker (Mr. Slade):** Order! Order! I will ask hon. Members to note that on the adjournment today, Mr. Masinde is to raise the question of rise in prices to which a reply was given a little time ago, not entirely to his satisfaction.

**Mr. Shikuku:** On a point of order, Mr. Speaker, is it in order for a Member in this House to follow up a question by private notice under Motion for the Adjournment?

**The Speaker (Mr. Slade):** Oh, yes, of course. In fact, as hon. Members know, they can give notice of their desire to raise on adjournment a matter which has not been the subject of a question at all. They do not have to do it in the House, they just have to give written notice to the Speaker.

#### BILLS

##### Second Readings THE IRRIGATION BILL

**The Minister for Agriculture and Animal Husbandry (Mr. McKenzie):** Mr. Speaker, Sir, I beg to move that the Irrigation Bill be now read a Second Time.

I want to start off with giving background to just what the value of irrigation means. I think, Sir, this is an opportune time to raise this for the simple reason that we have been through a very bad, dry agricultural year. As hon. Members will know, irrigation is one of the main defences that a country can have against famine. Nearly all the under-developed countries of the world today are moving towards having large irrigation schemes. This means that there is at the present moment a very severe demand on technical people with experience of irrigation schemes. It also means that there is a great demand on the availability of world finance for irrigation schemes. In the irrigation schemes which we, in the Ministry of Agriculture and the Ministry of Natural Resources, as well as the Ministry of Economic Planning are considering, we maintain that there is approximately a million acres of land in Kenya which could be irrigated. We also know from experience of the Mwea, Galole and Pekerra Schemes that this would roughly mean the employment of one man per acre.

Now, over and above the people employed in the irrigation schemes, you then get grade employment by the services, the industries, the exports, extra railroads, the operating of shops, etc., which arise from irrigation schemes. Later on I am going to give some facts and figures of the Mwea which is the most successful irrigation scheme.

Over and above that, Mr. Speaker, irrigation means that we are utilizing water which normally would just run out into our dry areas, disappearing into the ground, or running into the Indian Ocean, and feeding the Indian Ocean with water and food, and the food element being mainly taken up by foreign fishing ships fishing off our coast.

Over and above that, irrigation in a country such as ours means the use of land which virtually is non-productive at the moment. It is especially so in the Tana River Projected Irrigation Scheme and the Yala Swamp.

Over and above that, irrigation not only carries the benefit of land being irrigated, but also carries the benefit into a much larger area of flood protection and flood control. It gives the people a much higher standard of living and allows them to develop their own social services. Irrigation schemes are easier agriculturally and from good husbandry point of view to supervise.

Now, all these, Mr. Speaker, are points in why irrigation is so important to a country such as ours, but the main two are that we can utilize these irrigation schemes to fight famine by the generation, not only of food, but by

#### [The Minister for Agriculture and Animal Husbandry]

finance; and, secondly, by employing a very large number of people, and as I have said, up to a million in irrigating a million acres of land, which would mean that we could—if we could move immediately into irrigation—run into a manpower problem.

Now, Mr. Speaker, Sir; I would like to touch on each of our irrigation schemes and then come back at the end to the Bill and what the Bill means to these irrigation schemes.

Mr. Speaker, the Mwea scheme at this very moment is 6,300 acres in extent. There are 1,600 families—we call them irrigators—on this scheme. We also give permanent employment—this means employment for twelve months of the year to approximately 4,000 people, and casual labour generated by this scheme to a further 8,000 people. All these figures are generated from 6,300 acres under irrigation. This scheme is a highly economical scheme. One of the reasons why it is highly economical is because we have excellent—and I must repeat this because I will be repeating it again and again throughout my address—human material to work with. I think that this House ought to know that there is one irrigator at Mwea who has been turning out sixty bags of paddy per acre. This is sixty bags of 160 lb. each of paddy. This is one of the highest yields in the world. The average for the whole of our scheme is 2½ tons per acre and we can be proud, Mr. Speaker, that this is the second highest yield in the world for an irrigation scheme.

Now, Sir, 85 per cent of our rice in Kenya is produced off this irrigation scheme. Yet it is under one-third of the land, the area, which is under irrigation. The value of the crop each year is £350,000, each irrigator having four acres of land. The average net return per family, per irrigator, is £128. This is the amount of money that he gets in his pocket at the end of the year, after he has made all his repayments and kept enough paddy back to feed himself and his family. Over and above that, this irrigation scheme puts £12,000 into the pockets, direct of the county council. This is not taking into account the Graduated Personal Tax which this scheme collects on behalf of the county council. The ultimate of this scheme will be 10,000 acres at a further cost—and this is what makes it very interesting indeed—of only £100 per acre. Over and above this, inside the scheme, which is a black soil scheme, is 2,000 acres of red soil which can be developed for vegetable canning or fresh vegetable production.

Now, Mr. Speaker, Sir, there is a satisfactory, highly economical irrigation scheme. I want to emphasize again that one of the main reasons why this irrigation scheme is successful is because it has first-class human material who are prepared to operate this scheme.

Sir, if I may move to the Tana River Irrigation Scheme, at the present moment we have at Galole 1,200 acres which is operating as a pilot project or a pilot scheme for the Tana River Irrigation Scheme. At present, thanks to the United Nations special team who have been doing experimental work in the feasibility study, we have this year raised the average cotton production to £1,400 per acre.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Dr. De Souza) took the Chair]

On this scheme there are 650 people permanently employed.

Now, Sir, here, which has just become available—and I would like hon. Members to look at the size of this—is the interim report on the survey of the irrigation potential of the Lower Tana River Basin. This is the interim report; all this. The final report, we hope, will be ready in about eighteen months' time, but I want to tell hon. Members what the interim report has shown.

Hon. Members may say, "Too long," there is only one person who can hurry this on, and he is not, unfortunately, in this Assembly. Mr. Deputy Speaker, crops take a certain length of time to grow and you cannot operate the viability of such a large irrigation scheme potential without knowing what crops you are going to grow, what they are going to yield and what the average world price or local price on those crops is going to be.

There are other irrigation schemes in the world which have gone broke, which are now bush again, for the simple reason that they went ahead without proper survey. This survey has shown that there are approximately 250,000 acres of land in the Lower Tana which can be irrigated without any hope of failure from water; in other words, in the low, dry years, water from the Tana catchment area will irrigate 250,000 acres. But in here is a scheme whereby we will, in fact, operate a minimum of 400,000 crop acres per year; in other words, in certain crops and in certain parts of this scheme, we will double crop: that is to say, we will get 1.7 crops per year instead of one crop.

This scheme in its potential, and what is shown on the experimental plots, would produce—when it is complete—1 million tons of sugar per year.



## ORAL ANSWERS TO QUESTIONS

## Question No. 34

## CASES TRIED BY REGISTRAR OF AFRICAN COURTS, KITUI

Mr. Mwalwa asked the Attorney-General to tell the House—

(a) why the African Courts Officer had authorized the Registrar of African Courts, Kitui District, to try criminal cases; and

(b) was the said Registrar entitled and qualified to try such cases.

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): Mr. Speaker, Sir, on behalf of my friend and colleague, the Attorney-General, I beg to reply.

(a) Owing to a shortage of professional magistrates, there is no Resident Magistrate at Kitui, and the Registrar of African Courts at Kitui is the only officer resident in the district who can hear criminal appeals from African Courts.

(b) The Registrar of African Courts is a Magistrate of a Court of the Third Class, duly appointed by the Judicial Service Commission and, as such, he is qualified to hear appeals.

Mr. Mwalwa: Mr. Speaker, Sir, arising from the Assistant Minister's reply, could he tell this House the minimum sentence and fine that this officer could impose on an offender as compared with the powers of the other officer who deals with criminal cases in the same district.

The Assistant Minister for Education (Mr. Muiso): On a point of order, Mr. Speaker, is it in order for an hon. Member to read his supplementary question?

The Speaker (Mr. Slade): It is quite a common practice actually. I do not think it is strictly out of order.

Mr. Argwings-Kodhek: Mr. Speaker, Sir, I think it will be useful, for the purpose of clarifying one or two points for one or two Members, to mention this. First, I notice, of course, that the hon. Member read his question, which means that he had prepared it and that he has a bone to pick with a particular registrar. But I must tell him this. The cases that go on as appeals to this particular court are very minor cases and, in the first place, cases that go to African Courts, even if they are referred to as criminal cases, are really very insignificant ones. A serious criminal case is usually taken up by the police and taken to an appropriate resident magistrate for proper punishment. If, at that level, the magistrate has no

powers to impose a sentence commensurate with that, as the hon. Member believes from time to time, the matter is referred to the Supreme Court for sentence.

Mr. Nyaberi: Mr. Speaker, Sir, would the Assistant Minister really tell the House the minimum sentence this officer could impose?

Mr. Argwings-Kodhek: The minimum sentence of a day.

## Question No. 46

## KADU SIGNS ON BUILDINGS

Mr. Lorema asked the Attorney-General if he was aware that the Letters K.A.D.U. still existed on some of the buildings in some parts of Kenya.

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): The answer is, definitely, no, Sir.

The Speaker (Mr. Slade): Next question.

Mr. Lorema: On a point of order, Mr. Speaker, I did not understand the answer given by the Assistant Minister.

The Speaker (Mr. Slade): It was a very simple answer. He said, no, and then we went on to the next question.

Mr. Gichoya: On a point of order, Mr. Speaker, when the question was answered it was expected that a supplementary question would follow, because Members know exactly the existence of letters of this kind. Now, what can we do when the Speaker immediately says, "Next question"?

The Speaker (Mr. Slade): The Speaker allows a moment for supplementary questions, but not more than a moment when we are so hard pressed for time.

We have now gone on to the next question. If the hon. Member has information which the Minister has not, he can always give it to him outside this House.

## Question No. 48

## SWAHILI TRANSLATION OF THE LAWS OF KENYA

Mr. arap Bly asked the Attorney-General whether, in view of the general and genuine wish of the people of Kenya to understand the laws which were passed by their legislature, he would consider making a Swahili translation of all the laws which were now in operation and those which would hereafter be enacted.

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): Mr. Speaker, Sir, on behalf of my friend and colleague, the Attorney-General, I beg to reply:

## [The Assistant Minister for Internal Security and Defence]

Most of our laws are not of general interest, and I do not believe that most people including hon. Members want to read them. Even if they did, I am afraid that a Swahili translation would not make them entirely comprehensible to laymen. When an important law of general interest is passed by this Parliament, its meaning is explained to the people by our information services in languages which they understand.

Mr. arap Bly: Mr. Speaker, Sir, would the Assistant Minister agree with me that when the ordinary man in the countryside knows a bit of law, he avoids, as far as possible, committing both civil and criminal offences?

Mr. Argwings-Kodhek: Mr. Speaker, Sir, I also know of the ordinary woman who knows the law. Everybody, however ignorant they may be, will certainly avoid committing an offence, because every person knows the result of an offence and what punishment it carries. Every sane person is presumed to have intended the consequences of his actions. You do not go breaking into people's houses thinking that you are not breaking the law, even though the law may not be of general interest.

Mr. Muruli: Mr. Speaker, Sir, would the Assistant Minister tell the House what he means by the law being not of general interest?

Mr. Argwings-Kodhek: I would like to put it this way, Sir. We usually have Bills here, in his House, put in ordinary but very simple laymen's law language, and very few hon. Members take the trouble to read them. Even our own Constitution, I have discovered to my horror this afternoon, that hon. Members do not take the trouble to read. If you bring a volume of Company Law here, I am almost certain that 99 per cent of us will not be interested.

Mr. Gichoya: Arising from what the hon. Assistant Minister said, that laws made in Kenya are not of general interest, does he want us to accept that whatever laws we make here are meant for the betterment of the society for which we are supposed to care?

Mr. Argwings-Kodhek: I think this man made in India is twisting and trying to draw his own—

Mr. Gichoya: On a point of order, Mr. Speaker, can the Assistant Minister withdraw or apologize to me for calling me, this man made in India?

Mr. Argwings-Kodhek: Mr. Speaker, I only meant that this friend of mine was educated in law in India.

## QUESTION BY PRIVATE NOTICE

## APPOINTMENTS IN NORTH MALAKISI LOCATION

The Speaker (Mr. Slade): I think you have a question by private notice, Mr. Barasa? Will you ask it now?

Mr. Barasa: Mr. Speaker, Sir, I would like to ask the President the following questions:

(1) Has the appointment of Luke Wafula as Chief in North Malakisi Location, consequent upon his recent election, yet been confirmed?

(2) Why has a district assistant been sent to that location to do the work of the chief?

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): Mr. Speaker, Sir, on behalf of the President, I beg to reply. The appointment of Luke Wafula is still under consideration. Normally, the appointment of chiefs takes place about two weeks after the public have indicated their preference. It is necessary for the Government to ensure that any candidate to be appointed as chief will be able to administer the particular location, and also to investigate its background. This takes some time. The appointment of a chief for the North Malakisi Location will be made as soon as possible.

Further, Sir, a district assistant has been posted to the Central Division of Bungoma District to assist the district officer. Such an officer may, under the direction of the district commissioner and the district officer, work in any part of that division.

Mr. Shikuku: Arising from the Assistant Minister's reply, where he says that an official, or, rather, a district officer, I think, has been sent to the area to act, would he tell the House why none of the sub-chiefs could be taken over to act until the time of the appointment?

Mr. Argwings-Kodhek: The hon. Member for Butere is living so far away from North Malakisi that he does not know that we have already a sub-chief in the location who is acting for the time being until a chief is appointed.

Mr. Masinde: Arising from the Assistant Minister's reply, is he aware that a fortnight ago, in the Senate, the Government gave an assurance that the chief, that is, Luke Wafula, who had been elected by the public of Malakisi Location would be appointed in three days' time? And, secondly—

The Speaker (Mr. Slade): One question at a time, Mr. Masinde.

The Speaker (Mr. Slade): Yes, but he has given his reply; he has referred hon. Members to what he said yesterday. That is quite a sufficient reply for him. But that does not debar supplementary questions on what he said yesterday.

Mr. Masinde: Mr. Speaker, Sir, regarding the Minister's statement, which appeared to be the answer to this question, he told us that the Mwai Kibaki Report would be coming simultaneously with the Bill on the dairy industry in this country. But the question which we would like to put to the Minister here, Sir, is: could he tell us the reasons why the actual report was not published before the Bill was drafted?

Mr. McKenzie: Mr. Speaker, Sir, if the hon. Member reads HANSARD he will see that I answered that question yesterday.

Mr. Gatuguta: Mr. Speaker, Sir, why is it not possible to publish the Mwai Kibaki Report before the Bill is published?

Mr. McKenzie: Mr. Speaker, Sir, I answered this yesterday, but I will give the answer again. The problem was legal difficulties and problems of getting it printed. As I said yesterday, I hope that it will be printed by the 21st. We had to remove the printing from the Government Press, who are jammed, and put it out, at great cost to my Ministry, privately, so as to get it done.

Mr. Gatuguta: Mr. Speaker, will the Minister assure this House that the Mwai Kibaki Report will be published as decided originally, without any changes or censorship?

Mr. McKenzie: Mr. Speaker, I do not know why I must continue to answer questions which I answered yesterday. It is unfortunate that the hon. Member was not here yesterday, but it is not my fault if he had other business yesterday.

Mr. Ngala-Abok: Mr. Speaker, Sir, will the Minister say—because he is now running into difficulties created by himself—will the Minister—

The Speaker (Mr. Slade): Order! No, I do not think the Minister is in any difficulty. If a supplementary question is asked today which he answered yesterday he need only say, "I answered that yesterday."

Mr. Ngala-Abok: Well, Mr. Speaker, Sir, the question is: will the Minister tell the House why he chose to speak about this yesterday when he knew that this question was coming to be answered today?

Mr. McKenzie: Yes, Mr. Speaker, I am prepared to answer that. At one stage yesterday, it seemed as though I would not be here for the rest of this week because the Central Legislative

Assembly is sitting in Kampala, and my colleague from Tanzania and my colleague from Uganda, who sit on the same triumvirate as I do, are one in Rome and the other in London, attending Coffee and the Food and Agriculture Organization. It did look at one time as if I might not be able to be here today and tomorrow.

Over and above that, my statement did not only cover that aspect, but covered two other aspects of the dairy industry.

The Speaker (Mr. Slade): I think we must go on now. Mr. arap Soi?

Mr. arap Soi: Mr. Speaker, will the Minister agree with me that, of these two things, the report should have been published earlier—

The Speaker (Mr. Slade): No, I am sorry—Order! I was inviting you to ask your next question, Mr. arap Soi.

Mr. arap Soi: I am sorry, Mr. Speaker, I thought you were asking me to put another supplementary.

#### Question No. 56

##### COMPOSITION OF LOCAL SELECTION COMMITTEE FOR KERICHO SETTLEMENT SCHEMES

Mr. arap Soi asked the Minister for Lands and Settlement if he would tell the House why the members of the present local selection committee for the issuing of plots in the new settlement schemes in Kericho District were

The Assistant Minister for Lands and Settlement (Mr. Gachago): Mr. Speaker, Sir, I beg to reply: The local selection committee for issuing plots in new settlement schemes in Kericho District is comprised of: The District Commissioner (Chairman), The District Agricultural Officer, The Senior Settlement Officer (Sotik), The District Co-operative Officer, Messrs. F. R. A. Kitei and S. Langat, who are elected by the District Agricultural Committee.

Despite constant reminders from the District Commissioner, Kericho, the Rift Valley Provincial Council has not yet nominated its representative to the selection committee.

Mr. arap Soi: Mr. Speaker, Sir, why does this new selection committee consist mostly of civil servants and yet the people who are being settled are better known by the local people as regards making selections?

Mr. Gachago: Mr. Speaker, for the information of the hon. Member, all those civil servants I have mentioned are public servants and are expected to know the local people of the areas in which they are working. And, Sir, I do not think that any hon. Member knows the agricultural officers stationed in a particular district.

Mr. arap Bity: Mr. Speaker, Sir, would the Assistant Minister tell us why the County Council of Buret is not represented on this selection committee?

Mr. Gachago: Mr. Speaker, Sir, this representation is not made on the basis that the Member is thinking of. There are two members who are nominated from the local people, and it was up to the district commissioner to nominate the people he wanted in accordance with the rules.

Mr. Masinde: Mr. Speaker, Sir, arising from the Assistant Minister's first reply, will he not agree with me that the new system of selecting settlers consists only of civil servants, and it is because of this that we are now getting settlement schemes only of foreigners and people coming from towns who are not supposed to be selected for settlement, and also persons who have plots somewhere else and who are not landless?

Mr. Gachago: Mr. Speaker, Sir, I would like to disagree entirely with two statements the hon. Member has made. One, that the district selection committee consists only of civil servants: that is absolutely wrong, because there are two representatives who are not civil servants. Secondly, Sir, there are no foreigners being settled in any of our settlement schemes, and I would like the hon. Member to point out a case if there is one.

Mr. Shikuku: Mr. Speaker, Sir, arising from the Assistant Minister's reply—Mr. Speaker, I have two supplementaries, but I will ask one first.

The Speaker (Mr. Slade): It may be the only one you will get.

Mr. Shikuku: Yes. Is the Assistant Minister aware that the civil servants are being transferred almost every fortnight and therefore they do not know the people they are settling? And that it is necessary for the elected representatives of the people, those in the House of Representatives, to be on such committees to help the people?

Mr. Gachago: Mr. Speaker, Sir, we have two representatives who have been selected by the committee to represent the local people. We do not want to end up in a situation where a Member will only consider people from his own constituency. We want these committees to be as impartial as possible, and this is why, Mr. Speaker—

Mr. arap Soi: On a point of order, Mr. Speaker, is it in order for the Minister to say, as if it was a fact, that if a Member is elected to a committee like that he would only choose the people from his own constituency?

The Speaker (Mr. Slade): Order! No, it would not be in order if the Minister was alleging as a fact that that is what a Member of this House would do, but I think he is entitled to say that the possibility of a Member being so prejudiced in favour of his own constituency is one of the reasons for not wanting him. He is entitled to say that.

Mr. Gachago: This is exactly what I said, Mr. Speaker. In addition to that, Sir, the civil servants who are on this committee are very responsible members of the Civil Service and are expected to discharge their duties in this committee as impartially as possible.

Mr. Gichoya: Mr. Speaker, Sir, we have, on quite a number of occasions, come across irresponsible public servants and also, Sir, if we take human beings as they are, if we give power to the district commissioner to nominate the representatives of the people in that area, the district commissioner might be tempted to succumb to certain influences. Is the Assistant Minister willing to tell us that the Government is going to change this system?

Mr. Gachago: Mr. Speaker, Sir, the district commissioner does not actually nominate. The selection committee, which is composed as I have described, sits down and nominates. Sir, as the hon. Member has rightly said, the district commissioner or any other civil servant could be transferred any time, and therefore there is no point in his using favouritism, and he has no political interest in the area. He can have no personal interest, either, as he may be transferred at any time. Therefore, this is why the Government things that this composition is the most appropriate we can have.

The Speaker (Mr. Slade): I know that hon. Members are very interested in this question, but we must go on now. If you wish to pursue it, you will have to do so on an adjournment.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

##### UNSATISFACTORY REPLY TO QUESTION NO. 56: COMPOSITION OF LOCAL SELECTION COMMITTEE FOR KERICHO SETTLEMENT SCHEME

Mr. Masinde: On a point of order, Mr. Speaker, in view of the very unsatisfactory reply from the Assistant Minister, I would like to raise this matter on adjournment.

The Speaker (Mr. Slade): Next question.

Mr. Khalif: Mr. Speaker, Sir, while I agree that it might be wise at this moment not to reveal the names of those who are trying to undermine the Government, what is the Government doing to bring in those, if any, who are engaged in trying to overthrow this popular Government?

Dr. Mungai: Mr. Speaker, Sir, let me first of all say that the Government does not always reveal all secrets, particularly of security, publicly and these people will be heard of. If there are any who will ever attempt this, they will be handed over and will be in gaol and they will be publicised widely.

Mr. Kall: Mr. Speaker, Sir, while agreeing with the Minister that the Government cannot act on rumours, may we be assured by the Minister that the Government will act on these rumour-mongers?

Dr. Mungai: Mr. Speaker, Sir, as I have said, there seems to be a factory which manufactures rumours in Kenya. We are hunting for this factory and when we get it, we shall deal with the factory and the owner.

Mr. Sono: Mr. Speaker, Sir, will the Minister agree with me that this factory is within the Cabinet?

Dr. Mungai: Mr. Speaker, Sir, how can I reply to a question like that? It certainly is not in the Cabinet. We are hunting for it and even if we find it within the Cabinet, we shall deal with those Members of the Cabinet equally.

Mr. Kamurea: Mr. Speaker, Sir, arising from the Minister's reply, where he said that action would be taken towards the rumour carriers, there was a time when the Attorney-General did say on the radio that whoever is going amongst Members or any leaders of this country to spread any rumours about the people of this country, that there are people who are undermining the Government, then the Government is going to take firm action. Now, Mr. Speaker, Sir, my question is: what is the assurance from the Minister, because from when the Attorney-General said that up to now the same rumour is still going round and no action has been taken?

Dr. Mungai: Mr. Speaker, Sir, as I have said, we are looking for where these rumours are made and who spreads them, and once they are obtained, action shall be taken. In fact, many Members of this House will be very happy if we could make an example of an hon. Member, if he is caught, so that everybody will be sure that it will be done.

#### Question No. 54

##### ACCIDENTS ON THE NAIROBI/NAIVASHA ROAD

Mr. Gatuguta asked the Minister for Internal Security and Defence how many people

had been (a) killed, (b) seriously injured and (c) slightly injured on the Nairobi/Naivasha Road on that section of the road covered by Kikuyu Constituency during (i) 1964 and (ii) 1965.

The Minister for Internal Security and Defence (Dr. Mungai): Mr. Speaker, Sir, I beg to reply. The number in 1964 was: killed, 5; seriously injured, 2; slightly injured, 27. In 1965: 12 killed; 7 seriously injured; and 2 slightly injured.

Mr. Gatuguta: Mr. Speaker, Sir, may I know from the Minister whether any action has been taken against the drivers who have caused these accidents?

Dr. Mungai: Mr. Speaker, Sir, as usual, the drivers are taken to court and tried and action taken. Here I must say that the police have been warned to be very strict on people who break the laws while driving, while driving drunk or otherwise, and also the police right now are studying limiting the speed on these highways and also using some more advanced measures like radar, so that we have a combination of everything to deal with these criminals on four wheels.

Mr. Gatuguta: Mr. Speaker, Sir, in view of the fact that this area is a very dark spot from the numbers given of the people killed, could the Minister tell the house how soon the police are going to put in the speed limit in this area?

Dr. Mungai: Mr. Speaker, Sir, as I said, they are studying it. This does not only apply to Kikuyu Constituency where the hon. Member comes from and which borders my constituency—and my constituency is equally bad—but they are studying everywhere, all trunk roads in Kenya, so that we will come to a good conclusion and as soon as possible.

Mr. Okwanyo: Mr. Speaker, Sir, may I know from the Minister why the Chairman of the Transport Licensing Board gives licences to these drivers?

Dr. Mungai: Mr. Speaker, Sir, we would like to give him a lesson in the police.

#### Question No. 49

##### BEE INDUSTRY IN KERICHO

Mr. arap Bly asked the Minister for Agriculture and Animal Husbandry whether, in view of the record production of honey and beeswax in Kericho District and the persistent low prices offered to African producers, he would consider looking for a market within and outside Kenya for this natural product.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Murgor): Mr. Speaker, Sir, I beg to reply. The Government is looking into the possibilities of the promotion and produc-

#### [The Assistant Minister for Agriculture and Animal Husbandry]

tion of honey and beeswax, and to this end the Development Estimates allocated £4,510 in this purpose. However, the production of these commodities, not only in Kericho District but in the whole country, vary with the seasons, and most of it at the moment finds its way into the *pombe* calabashes. The prices offered by the private enterprises are in many cases, consistent with the uncertainty with which the commodity is produced. When there is a lot of it, producers are paid less than when the commodity is scarce.

Mr. arap Bly: Mr. Speaker, Sir, would the Assistant Minister give us an assurance that his Ministry is going to give a price which will have to be a controlled price for this commodity?

Mr. Murgor: Mr. Speaker, Sir, the price of honey is controlled, as any other commodity, by the world market. The world market in honey is dominated by large producers, such as Australia and Ethiopia, who produce big quantities of high quality honey at low prices. The chief problem of production in Kenya is that it is very irregular, so that buyers do not get regular supplies. When production goes up temporarily, a market is not organized to absorb it. Most of our honey is used for making *pombe*. People sell only what is left over after their thirst is quenched. It is very difficult to predict in advance how much will be sold.

In export markets, the price is related to that of sugar. If sugar prices are high, honey and beeswax prices are also high. This was the case last year, but sugar prices have fallen sharply this year and those of honey and beeswax have also followed suit. We cannot get good prices until the production of honey and beeswax is better organized and put on a regular basis. The Ministry of Agriculture is actively engaged in the development of proper bee culture. This will not only lead to regular production but also to an improvement in quality, which is very necessary for export purposes.

Mr. Areman: May we know from the Assistant Minister, Mr. Speaker, whether the honey being produced in Kericho comes under the law in Kenya so that it cannot be increased in price?

Mr. Murgor: Mr. Speaker, Sir, I said that this is for the whole country, and that the price of honey is controlled by world market prices.

The Speaker (Mr. Slade): Next question.

#### Question No. 53

##### REPORT OF THE KIBAKI COMMISSION ON DAIRY INDUSTRY

Mr. Gatuguta asked the Minister for Agriculture and Animal Husbandry if he could tell the House why the report of the Mwai Kibaki Commission on the dairy industry had not been published.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, this question was answered by a statement in this House yesterday and questions followed that statement. Therefore, I would like to advise the hon. Member to read yesterday's HANSARD.

Mr. Gatuguta: On a point of order, Mr. Speaker, this question was put down several days ago and while I appreciate the fact that the Minister made a statement yesterday I think that the House still has a right to ask supplementaries on this question.

The Speaker (Mr. Slade): I have actually considered this point. It is laid down by Standing Orders that a question shall not be asked when the answer has already been given in the same session, and I have read that as not referring only to the answer given to a previous question in the House but also answers which are given in the course of a debate, if they are full ones. But I cannot really regard a ministerial statement as necessarily a complete answer to a question, because it does not give the same scope for supplementary questions. Questions can be asked following a ministerial statement, but they have to be limited very strictly to questions seeking further information, whereas the scope of supplementary questions in the ordinary way is wider. So I thought it was in order for the hon. Member to have his question on the Order Paper, even though one would not expect very many supplementary questions in view of the statement already made by the Minister yesterday.

So it is in order for you to ask further supplementary questions now, Mr. Gatuguta, if you want to.

Mr. Masinde: Am I allowed to ask a supplementary question, Sir?

The Speaker (Mr. Slade): Yes.

Mr. Masinde: Mr. Speaker—

Mr. Anyleni: On a point of order, Mr. Speaker, would it not be in order for the Minister formally to reply to the question and then for Members to raise supplementary questions?

**The Speaker (Mr. Slade):** It depends on the question, I think. We cannot go on with all these hypothetical questions, I am afraid.

If there are any more supplementary questions on this question before the House now, let us have them.

**Mr. Anyieni:** Mr. Speaker, would the Government give this House an assurance that no proposals have been made by the commission so far to the Government, and will the Government also deny the rumour that the commission discovered that the 130 seats were not sufficient when they wanted to dish them out and, as such, the Government is now considering the demolition of the Senate in order to enable there to be enough constituencies for this House?

**Mr. Argwings-Kodhek:** Mr. Speaker, Sir, the hon. Member for Majoge-Bassi has gone beyond the realms of ordinary reason. It has been said many times that this Government does not govern on rumours, and the Government has received no decisions from the commission and the commission is entitled to go on as it likes. The pace is set, the date is fixed, and that is as far as we can go.

**Mr. Mhogohi:** Mr. Speaker, Sir, would the Assistant Minister tell the House exactly when and where this commission will start touring the country?

**Mr. Argwings-Kodhek:** Mr. Speaker, Sir, I am quite sure that before the commission starts touring the constituencies and the various parts of the country, they will make it known, but I would beseech hon. Members—including the Senators about whom there are rumours—that they should give it time and a little bit of rest for a month or so, then the two Speakers will be able to have time to go to the constituencies.

**Mr. Makokha:** Mr. Speaker, Sir, will the Assistant Minister assure this House that when it comes to the time of touring the country, each constituency will actually be visited by the commission?

**Mr. Argwings-Kodhek:** I cannot commit the commission to that one, sorry.

**Mr. Mabori-Tumbo:** Mr. Speaker, Sir, arising from the Assistant Minister's former reply, is he aware that still we have heard rumours from the commission, and from very reliable sources, that already the commission has decided on some constituencies' demarcation, all they want is to go and confirm on the already decided constituencies?

**Mr. Argwings-Kodhek:** I deny that because the commission is composed of very intelligent and learned men. They will certainly not go about spreading rumours and those people who are jumping the gun and starting to campaign, I wish them good luck which they will find themselves in need of.

**Mr. ole Tipsi:** Mr. Speaker, Sir, arising from one of the Assistant Minister's replies, would he be a little more specific by telling us that although he has left it to the discretion of the commission to prepare its itinerary, Members of both Houses will be informed of the movements and the time of arrival of the commission in various places which they are going to visit?

**Mr. Argwings-Kodhek:** I am almost certain, and I know it, that the members of the commission are certainly not going to steal around people's constituencies. They will be coming as public men and will be meeting public people in public places, and hear oral evidence, in your presence if you like, if you have any contribution useful enough to make.

**Mr. ole Tipsi:** Mr. Speaker, Sir, my second point is this. I strongly oppose that insinuation. I always contribute very fairly, better than the Assistant Minister.

The second point I have is this. Arising from the reply given by the Assistant Minister, to the hon. Member for Korossi regarding the criteria in demarcating the delimitation of constituencies, I would like to know from the Assistant Minister, who is well learned in this matter, whether he saw in the terms of reference of the commission anything to do with the dik-diks, trees and grass in limiting these constituencies?

**Mr. Argwings-Kodhek:** I have looked at the Constitution myself and there are the terms. It will depend on the population, but I know that there are about two million dik-diks in Masailand which will not be represented.

**Mr. ole Tipsi:** Mr. Speaker, Sir, on a point of order, surely the two thousand dik-diks are not within the terms of reference of the commission, whether the Assistant Minister—

**The Speaker (Mr. Slade):** That is not a point of order.

I do not want to discourage questions about this important subject, but I must rule that questions as to the terms of reference of the Electoral Commission are out of order, because they are set out in the Constitution, and it is no good asking this House what people can read in the Constitution.

**Mr. Shikuku:** Arising from the former question asked by the Member, the hon. Mr. Rurumban, as to the places in Kenya where the population has not been counted, is the Assistant Minister prepared to tell us what is going to happen where the population is not even known, and where people exist? That is the point, where the census has not been taken.

**Mr. Argwings-Kodhek:** Mr. Speaker, Sir, the question about censorship should be directed to my friend and colleague, the Minister for Economic Planning and Development, but in Kenya here we have a census from time to time. The figure has not been reached arbitrarily, but if you think that people should be counted in your areas, then any time it will be advertised that there shall be a census, please do not be afraid of enumerating your children and your wives, and give the numbers of them to the commission when it comes.

**Mr. Gichoya:** Mr. Speaker, Sir, arising from one of the Assistant Minister's replies, that the population is a factor, and in view of the fact that we have certain areas barely populated, and other areas having more population as a result of land settlement, what will be the position of the areas where the land settlement is going on and which they expect to have more population in future, would they be considered specifically as a special case?

**Mr. Argwings-Kodhek:** That will depend on the commission, and I cannot comment on that.

#### Question No. 43

#### NAMES OF THOSE UNDERMINING GOVERNMENT'S AUTHORITY

**Mr. Obok** asked the Minister for Internal Security and Defence if the Minister would reveal to this House the names and whereabouts of the people whose activities have been mentioned as aimed at undermining the authority of Government.

**The Minister for Internal Security and Defence (Dr. Mungai):** Mr. Speaker, Sir, I beg to reply. I would advise the hon. Member not to have any over-nervousness, or over-anxiety or over-concern over this question of names and whereabouts of the people whose activities have been mentioned as aimed at undermining the authority of the Government. I would like to say that it is not the policy of any Government anywhere to divulge the names and whereabouts of those people it knows to be subversive, and to be planning, in any degree, high or low, for the forceful overthrow of a properly constituted,

popularly elected Government like ours, and if there are going to be such people, they will find themselves inside.

**Mr. Obok:** Arising from the hon. gentleman's reply, Sir, since the Minister is not prepared to reveal the names of persons feared to be engaged or busy undermining the authority of our Government, will the Minister then not agree with me that people wanting to overthrow the Government, which is the song at political rallies these days, is merely an empty slogan which is meant to mislead the country, and possibly to undermine certain Members of this House?

**Dr. Mungai:** Mr. Speaker, Sir, it was only yesterday that I heard rumours in this House that there are two Members of this House who intend to overthrow the Government. This was brought to the House as a rumour and we cannot act on rumours. We have to make sure that we have good evidence and then we shall act and act properly, and I was most surprised to hear in this House that the Vice-President has been rumoured to be one of these Members, and the other one is myself. The question which we are not told is whether the Vice-President and myself are on the same side, or whether the rumour says we are fighting it differently or whatever it is, but I must warn this House that certainly this Government is not going to tolerate it, and the fact that we have to wait until we get good evidence to throw these people inside or deal with them firmly should not be mistaken as a weakness of the Government. The security forces are very watchful and this popularly elected Government of the people has to be guarded by the security forces, but we are not going to accept rumours as a basis of our action.

**Mr. Omweri:** Mr. Speaker, Sir, arising from the Minister's reply that the Government is not acting on rumours, would the Minister tell us what action he or his Ministry has taken on the broadcasting made by the Assistant Minister in the President's Office, that certain meetings aimed at overthrowing the Government are being held, and this broadcast was made through the radio which is a Government medium?

**Dr. Mungai:** Mr. Speaker, Sir, as I said, we are very watchful and we always take facts and we are very careful in terms of what is said, so that we are not misled by anybody. I think it is only fair to warn some people who could be misled that the Government would take action if they are caught in this net.

**[The Speaker]**

election. They can criticise the conduct of the Electoral Commission, though I think that would require a substantive Motion because they are in a quasi-judicial position. What hon. Members cannot do here is to ask Government about something that Government has no control over whatsoever, and that is the actual revision of the constituency boundaries.

**The Assistant Minister for Works, Communications and Power (Mr. Bomett):** Mr. Speaker, Sir, you say this is beyond the scope of Government and that it is only the affair of the commission. I wonder whether, therefore, an Assistant Minister or a Minister could ask questions from this House because it is not a Government affair?

**The Speaker (Mr. Slade):** I think, Mr. Bomett, is producing a contradiction in terms. If questions cannot be asked at all in this House on a particular matter, they cannot be asked by the Ministers or Assistant Ministers about that particular matter.

**The Minister for Agriculture and Animal Husbandry (Mr. McKenzie):** Mr. Speaker, Sir, would it help you if one of us took the Chair and you could answer the questions from the Floor of the House?

**The Minister for Economic Planning and Development (Mr. Mboya):** Mr. Speaker, Sir, I think there is a very important matter of principle here, and that is your ruling as to what might or might not be raised in the House. The question of representation must be a very important one for all Members, including the country. The only time when we are defamed from discussing anything is when it is *sub judice* in the context of the Supreme Court.

The commission is set up under terms in the Constitution which this House may determine from time to time. In fact, this House is empowered to amend the Constitution if it so wishes, and to determine what the commission might do. If your ruling is that this House may not question the actual proceedings of the commission, then I might ask who would?

**The Speaker (Mr. Slade):** All I am saying is that this House cannot ask questions at Question Time about something which is altogether out of the reach of Government. The decisions of the Electoral Commission on the regional boundaries is altogether outside the reach of Government, as the Constitution now stands. Indeed, hon. Members can raise, by way of substantive Motion, almost anything; certainly

criticism of the Electoral Commission, or even recommendations to the Electoral Commission on what they have to decide. It is only the limitation as to what questions can be asked. Questions have to be directed to the Government on matters on which Government has directly or indirectly some responsibility. That is why it is out of order, at this time, in this question, to ask questions about this matter that the commission has to decide.

I would not say that the commission is free from criticism; it would be a very unfortunate position if it was; but being quasi-judicial, I think that that criticism could only be levelled by way of substantive Motion.

**The Minister for Economic Planning and Development (Mr. Mboya):** Mr. Speaker, would these apply now in the case of the Public Service Commission which is also executive and whose functions in certain respects are safeguarded by the Constitution, and with which the Government may not interfere, for example the appointment of certain officers?

**The Speaker (Mr. Slade):** I do not think so perhaps I need notice really to consider that question, and I would have to study more closely the exact powers of the Public Service Commission before I could say that it was a thing for which Government had no responsibility. I should be surprised if it was so. If Government has any responsibility—directly or indirectly—then questions are quite in order.

**Mr. Nyaberi:** On a point of order, Mr. Speaker, may I seek your ruling to know why we have not received any interim report—

**The Speaker (Mr. Slade):** I am afraid I cannot hear. Would you speak up, Mr. Nyaberi?

**Mr. Nyaberi:** I am asking like this, Mr. Speaker, that is there any reason why we have not had any interim report from the Electoral Commission so far?

**The Speaker (Mr. Slade):** As I say, it is in order for hon. Members to ask questions of Government concerning the progress of the Electoral Commission and its activities generally. It is the questions as to the decision of the Electoral Commission on revision of boundaries—the decisions which ought to be made by the Electoral Commission, that is what is out of order. The first question was quite in order, and a supplementary question such as you want to ask now is quite in order if you like to ask it.

I think we will let Mr. Nyaberi ask his question of the Minister if he wants to. You want to ask why there is no interim report?

*(Resumption of debate on Question 36)*

**Mr. Nyaberi:** Mr. Speaker, I wanted to know if there was any reason why we have not had any report on what its findings are.

**Mr. Argwings-Kodhek:** Mr. Speaker, Sir, I have already stated to the House the amount of progress already made, in the body of my reply, but we cannot at this stage, and particularly when the date for the publication of this report has been deferred to 1966, December 12th. As you will notice in public documents and in the Constitution the recommendations were due to be laid on the 12th December of this year, but this has been put off. The particular significance of the 12th December of this year is not quite easily discernible at this stage.

But if you require, and particularly after the commissioner has had time to go and get oral evidence visit constituencies, see the difficulties of communications, the population, the voting centres, and various other aspects of life in the various constituencies, the difficulties that hon. Members experience, then they may—if it is so desired issue an interim report.

**Mr. Ngala-Abok:** On a point of order, Mr. Speaker, this is a fairly important question and how do you reconcile your ruling that—of course I am not arguing with the Constitution—Government has no control over the decision of the commission, whereas at this particular time the Minister is answering on behalf of the commission, and—in actual fact—he is in charge of all the matters and affairs of this particular commission; as in the House today the Government is answering on behalf of the commission. Where will the Government activities stop; how is it that the Government is not going to be in charge or will not be a body that will be approached by people complaining that the decision of the commission is unfair if, today, we have allowed the Government to be in charge of answering all matters affecting the commission, or concerned with the commission? Why is it not an entirely independent matter which the Government cannot handle as we are handling it?

**The Speaker (Mr. Slade):** I do not understand your point, Mr. Ngala-Abok. Would you make it shorter?

**Mr. Ngala-Abok:** My point is that we are discussing the commission today in this House and the Government is in charge of the affairs concerning this commission. The Government is answering on behalf of the commission. But you have ruled—and according to the Constitution

—that the Government will not have anything to do with the decision of the commission. Why is the Government already handling it?

**The Speaker (Mr. Slade):** I thought I explained that. I will again.

Government, indeed, answers on behalf of the Electoral Commission for its behaviour as regards being active or inactive, or anything that the Electoral Commission is doing except its actual decisions which, under the Constitution, are final and not the responsibility of Government at all. It is only that particular matter, which is given to the Electoral Commission among other matters, the matter of revising constituency boundaries, which is outside the power of Government altogether, and therefore it is no use asking Government questions about what decision the Electoral Commission will make. All other matters which are the responsibility of the Electoral Commission such as the organization of elections, the behaviour of the commission even in its review of boundaries, can be asked about here and answered by the Government, and the commission can be criticized as regards its decisions even, by substantive Motion, but not by question to Government.

**Mr. Ngala-Abok:** And, now, after the commission has made up its mind and has made a decision, and the people find that there is a mistake which the commission has made, the overwhelming majority of opinion is not followed by the commission, I do not say the commission is not going to follow the overwhelming majority of the commission, but in case people are dissatisfied in an area, what do they have to do? Do they have to deal with the commission directly, or will the commission rededicate or revise its decision on an issue?

**The Speaker (Mr. Slade):** I do not think it is any good our dealing with hypothetical questions, but I would say again that the conduct of the Electoral Commission—either before or after it makes its decision—can be questioned by substantive Motion in this House.

**Mr. Gatuguta:** Mr. Speaker, Sir, after the commission has made certain decisions are we, the Members of Parliament, entitled to question their decision in the way of questions, like the one we are asking now?

**The Speaker (Mr. Slade):** I could not quite hear that, Mr. Gatuguta, I am afraid.

**Mr. Gatuguta:** Can we ask questions based on the decision of the commission in this House and, if so, whom do we ask? Which Ministry?

**Mr. Argwings-Kodhek:** Mr. Speaker, I am not quite sure about the number the hon. Member is asking for, but I know that the district commissioner advertised long before the time for the revision of the Voters' Roll. And I also know that about a year ago, only nineteen people applied from that particular area. Of a total electorate of nearly 120,000 people, only 24,000 are on the roll. Whose fault is it?

**Mr. Nyaberi:** Mr. Speaker, Sir, arising from this explanation, is the Assistant Minister aware that this was so because the district commissioner restricted fuel and transport of his district officers to visit the places I am asking about?

**Mr. Argwings-Kodhek:** Mr. Speaker, Sir, I certainly deprecate that innuendo. The district commissioner did not restrict anyone from going to the voters' centres.

**Mr. Masinda:** Mr. Speaker, Sir, could the Assistant Minister tell me how many registration centres there were in North Mugirango constituency?

**Mr. Argwings-Kodhek:** Mr. Speaker, that question will require some notice to answer, but I know that in five of the registration centres in North Mugirango, not one single soul has applied since 1962.

**Mr. Tanui:** Mr. Speaker, Sir, can the Assistant Minister agree with me that the failure of people to turn up for registration is due to the administration entirely, because they do not circulate advertisements early enough?

**Mr. Argwings-Kodhek:** Again, Mr. Speaker, Sir, I object to that particular insinuation by the other Member from Kisii—I mean from Kamasia-Tugen—

**Mr. Tanui:** On a point of order, Mr. Speaker, Sir, is the Assistant Minister in order to call my tribe the Kamasia, which is a tribe which has died and been done away with long ago. He knows what my tribe is.

**Several hon. Members:** What tribe is it?

**Mr. Tanui:** Tugen!

**The Speaker (Mr. Slade):** Order! I think it would be better if hon. Members adhere to the time-honoured practice of referring to other Members by their constituencies, then we shall not have any trouble of this kind.

**Mr. Tanui:** On a point of order, Sir, in view of the fact that it is almost an insult to my tribe, will I be in order to ask him to withdraw? It is an abusive name.

**The Speaker (Mr. Slade):** If it is abusive, I am sure the hon. Member will withdraw it.

**Mr. Argwings-Kodhek:** If it is indeed abusive, Sir, I do entirely withdraw. I said "if", of course.

But, Sir, I was objecting strongly to the insinuation that the district commissioners and members of the Administration are restricting people from going to registration centres. This is exactly what they do not do; in fact, they do just the opposite. The ball is entirely in the court of the hon. Member and of the other hon. Members of this House. When they know—as they do know—that, according to our Constitution, registration of voters is revised regularly, they must go all out to encourage their people to come forward.

**Mr. Anyieni:** Mr. Speaker, Sir, would the Assistant Minister agree with me that one of the main reasons why the people in the countryside are generally not very interested in registering themselves as voters is because of the refusal of Government to implement some of the Motions which are passed by the Members who are elected to this House?

**The Speaker (Mr. Slade):** We are getting too far away from the main question.

**Mr. Argwings-Kodhek:** I disagree.

#### Question No. 36

#### THE ELECTORAL COMMISSION AND CONSTITUENCY BOUNDARIES

**Mr. Nyaberi** asked the Vice-President if he would tell the House of the progress and changes which had been achieved by the Electoral Commission, in reviewing the number and boundaries of the constituencies into which Kenya was divided before 12th December 1965.

**The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek):** Mr. Speaker, Sir, on behalf of the Vice-President, I beg to reply: In spite of initial difficulties over suitable staff and the heavy parliamentary and other duties of the chairman and vice-chairman (Mr. Chokwe and Mr. Slade respectively) considerable progress has been made by the Electoral Commission in its review of constituency boundaries. Hundreds of memoranda from individuals and organizations throughout the country have been considered carefully and in detail, and the commission is now in the course of arranging a tour of the whole country to gather oral evidence from selected individuals and organizations.

Sufficient time will be needed not only for the tour, but also for the sifting and collation of the mass of evidence received and for the recommendations of the commission to crystallize. It is essential that the commission should be given

#### [The Assistant Minister for Internal Security and Defence]

ample time to produce a report of lasting value to the country. It has therefore been agreed by the Government that that report should be submitted by 12th December 1966. The necessary amendment to the Constitution will be put before the House as soon as possible.

**Mr. Nyaberi:** Mr. Speaker, Sir, is the Assistant Minister aware that before the Electoral Commission finishes its report, that it will give North Mugirango as the largest constituency in Kisii District as far as population and area go?

#### CONSIDERED RULING

#### QUESTIONS OUT OF ORDER WHICH INVOLVE ELECTORAL COMMISSION

**The Speaker (Mr. Slade):** Order! Order! I think I should point out to hon. Members, as a matter of the Constitution, that a revision of the constituency boundaries is the sole responsibility of the Electoral Commission, and Government has no power whatsoever to interfere. So, questions directed to Government concerning the revision of constituency boundaries is out of order, because they are not a matter of administration over which the Government has any power at all.

**Mr. Anyieni:** On a point of order, Mr. Speaker, when you say that is strictly a matter for the commission, do you mean to say that the Cabinet will have nothing to do with it, and that the commission will not give any recommendations to the Cabinet for it to consider? Will it be only the sole responsibility of the commission to decide?

**The Speaker (Mr. Slade):** Exactly that. If hon. Members read the Constitution they will see that the commission does not recommend, it decides.

**Mr. Rurumban:** Mr. Speaker, Sir, will the Assistant Minister tell the House, and honestly too, the criteria that is used by an Electoral Commission to determine the boundaries for each constituency, in view of the fact that there are some districts which have never been censused?

**Mr. Argwings-Kodhek:** Mr. Speaker, Sir, first of all I object to the use of the words "honestly too" used by my friend there. There is everything wrong with it. However, I will not press the issue but will tell him one little thing. If he had taken the trouble to read the terms of reference, or the Constitution for that matter, regarding the delimitation of constituencies, he would not have wasted the time of this House in asking me that particular question.

Further, Mr. Speaker, Sir—

**Mr. Shikuku:** On a point of order, Mr. Speaker, Sir, is it in order for the Assistant Minister to insinuate that the Member, by so asking his question, is wasting the time of the House?

**The Speaker (Mr. Slade):** No, that should never be said by any hon. Member about the remarks of any other hon. Member, whatever you think. That particular phrase is objectionable.

**Mr. Argwings-Kodhek:** If it is objectionable and unpleasant to the hon. Member I do withdraw it. However, I must say this very strongly, Mr. Speaker, Sir, that the commission will not delimit constituencies for representing dik-diks, grass and empty air.

**Mr. Shikuku:** Arising from the Assistant Minister's almost arrogant reply, where he talks of dik-diks, is he aware that these constituencies are going to be based on population or the size of the area and not on dik-diks as he is trying to tell this House?

**Mr. Argwings-Kodhek:** Precisely, Mr. Speaker.

**The Speaker (Mr. Slade):** Order! Order! I would say again to hon. Members that they cannot ask questions as to what the commission should recommend, or rather should decide, as I said. It is in order to ask questions about the progress of the commission or as to its conduct, but not as to the actual decisions it has to make with regard to constituency boundaries. That is outside the reach of Government altogether.

**The Minister for Economic Planning and Development (Mr. Mboya):** On a point of order, Mr. Speaker, is it not in order for hon. Members to ask the criteria on which the commission determines the constituency boundaries?

**The Speaker (Mr. Slade):** Yes, except so far as they can read it in the Constitution. It is contrary to Standing Orders to ask questions the answer to which are readily available in public documents. The criteria are actually laid down in the Constitution.

**The Assistant Minister for Works, Communications and Power (Mr. Bonetti):** Mr. Speaker, Sir, in view of your ruling that this does not concern the Government, and since it is a very important question, would anybody ask a question about this commission irrespective of the ruling that Ministers cannot ask such questions?

**The Speaker (Mr. Slade):** As I say, hon. Members can ask questions about the progress of the commission's activities, they can ask questions about all other matters for which the commission is responsible, such as the conduct of

[Mr. Ogle]

always subjected to torture, beating, detention, confiscation of property, chasing away from our towns and homes, etc., this House urges the Government to safeguard the rights and interests of loyal Somalis.

Mr. Ngala-Abok: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

**FREE PRIMARY EDUCATION: STANDARDS I-III**

THAT in view of the fact that the Government still finds it difficult to implement its Kanu promises on giving free primary education up to Standard VII and noting with appreciation the free Form V and Form VI already announced, this House urges the Government to introduce as a first step within the year 1966, free education to Standards I and II.

**ORAL ANSWERS TO QUESTIONS**

*Question No. 42*

**ATTORNEY-GENERAL'S OFFICE**

Mr. Obok asked the President if the Office of the Attorney-General was, strictly speaking, a political one or if it belonged to the Civil Service?

The Minister for Internal Security and Defence (Dr. Mungai): Mr. Speaker, Sir, I beg to reply on behalf of the President's Office.

The Office of the Attorney-General is an office in the Public Service, and the position of the Attorney-General is unique in any constitution, and in Kenya this office is regarded as having Ministerial status, but hon. Members should note that this does not imply that the Attorney-General can make political decisions. The political functions of the Attorney-General's Office are exercised by the President.

Mr. Obok: Arising from the Minister's reply, Sir, that the Office of the Attorney-General, as I understand it from his reply, is not a political office, why does the Attorney-General then run around at political meetings and take an active part in any of them, secondly, does he give political advice?

The Speaker (Mr. Slade): One question at a time.

Dr. Mungai: Mr. Speaker, Sir, to my knowledge I do not know of any political meeting which has been licensed in the name of the Attorney-General.

Mr. Obok: Arising from that reply, Sir, does he give political or legal advice at these meetings?

Dr. Mungai: Mr. Speaker, Sir, not only the Attorney-General, but at political meetings usually it is good for many other people to attend to hear what is going on in the country, and the Attorney-General is not exempted from this. Besides, he is the President's and the Government's legal advisor.

Mr. Mbogoh: Mr. Speaker, Sir, arising from that reply, then is the Minister telling this House that when the Attorney-General goes to meetings, let us say with the President, he also speaks like any other people who are called by the President to speak as sometimes I see him introducing the police inspector or somebody else and then the Attorney-General takes the same part?

Dr. Mungai: Mr. Speaker, Sir, I believe in this African Government that it is good for many people in the public to know who holds what positions and I have also seen not only the Attorney-General, but the provincial police officer, the provincial commissioner and the Director of Medical Services and many others introduced by the President to people, so that the people can have a good look at them.

Mr. Ngala-Abok: Mr. Speaker, Sir, is the Minister aware that the Attorney-General is always responsible to this House and he has always answered highly political questions regarding his particular department, and in this case, is it not true that at least he is carrying out some political functions?

Dr. Mungai: Mr. Speaker, Sir, I said political decisions are made in the President's Office by the President, but section 57, subsection 2 provides that the Attorney-General shall be an *ex officio* Member of the House of Representatives. There is no point his being a Member of the House of Representatives and just being quiet here. He has to answer things relating to the Attorney-General's Office.

*Question No. 47*

**REPORT ON THE KARA-POKOT**

Mr. Lorema asked the President if he would tell the House the progress of the report on Kara-Pokot issue.

The Minister for Internal Security and Defence (Dr. Mungai): Mr. Speaker, Sir, again on behalf of the President, I beg to reply. The House will remember that the hon. Member for West Pokot

[Mr. Lorema]

raised a Motion in April this year on the question of Kara-Pokot. The House was assured that the Karasuk boundary issue was very much in the mind of the Government, but that there were certain difficulties to be overcome before a final solution could be reached.

However, since that time the matter has been pursued through correspondence between the Governments of Kenya and Uganda. Mr. Speaker, Sir, I would like to assure the House that, when concrete proposals emerge, the House will be informed.

I would also like to mention that we are dealing with a friendly Government, that of Uganda, and they too would like to see this matter speeded up. We are doing everything possible to speed it up.

Mr. Lorema: Mr. Speaker, Sir, would the Minister tell the House how many meetings have been held between the two Governments which would speed up negotiations on this issue?

Dr. Mungai: A lot of correspondence is going on right now from both sides, and I assure the hon. Member that the Government of Kenya is very much interested in settling this problem.

Mr. Aremam: Mr. Speaker, Sir, may I know from the Minister whether he knows that a lot of cattle are being stolen in raids by the Karamojong who are in the same district? They say it is because they know that these others, the Karasuk, will be reunited with Kenya.

Dr. Mungai: Mr. Speaker, I am very much aware that there have been cattle raids on both sides, and, in fact, last month I took part in a meeting with the Minister for Internal Security and the police in Uganda itself to try to solve this problem. As was mentioned here yesterday by the hon. Member from Gem, we have police operations going on now along the Uganda border so that we can minimize this problem.

Mr. Aremam: Mr. Speaker, Sir, may I know from the Minister whether the Minister himself or the Assistant Minister can tour the Karamoja District with the Kara-Pokot, whether Namudat or Moroto, to school these people and then we will have no trouble?

Dr. Mungai: Mr. Speaker, Sir, the suggestion is wonderful and in fact we have planned to do so. Not only that, we have set things up so that the district commissioners on both sides, all along the border, are meeting together and also meeting with the police, because we do not want a recurrence of what happened with the Turkana crossing over into Uganda and Uganda thinking that they were being invaded by the Turkana!

Mr. urup Sol: Mr. Speaker, Sir, can the Minister tell the House whether the usual development of the area, as well as food and other things which are necessary, is being carried out by the Uganda Government and, if not, is our Government willing to negotiate with them so that development is carried out in that area?

Dr. Mungai: Sir, I cannot answer on behalf of the Uganda Government, because I am not a member of that Government. But I said that we are negotiating so that this is settled and then we will get good settlement and good development in the area.

The Speaker (Mr. Slade): Next question.

*Question No. 35*

**REVISION OF VOTERS' ROLL, NORTH MUGIRANGO**

Mr. Nyaberl asked the Vice-President if he would tell the House why there had been such a poor general revision of the Voters' Roll in North Mugirango.

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): Mr. Speaker, Sir, on behalf of the Vice-President, I beg to reply. The suggestion that there was a very poor revision of the Voters' Roll in North Mugirango is not based on any evidence whatsoever, and is therefore unacceptable. The machinery for a thorough revision, which included the necessary personnel, equipment and massive publicity, was set in motion by the district commissioner long before actual revision was due to start, and any number of applications for registration could have been processed efficiently within the allotted time. Moreover, the same arrangements continued when the period for receiving applications was extended for a further month.

If the hon. Member means to ask why comparatively few people in this area applied for registration, the answer is the unaccountable apathy of the people themselves. The co-operation of Members in the organization of a concerted drive to ensure that as many potential voters as possible apply for registration at the appropriate time could contribute immensely to the attainment of the desired results.

Mr. Nyaberl: Mr. Speaker, Sir, despite the fact that the Assistant Minister has given a long explanation, can he tell this House why there was no revision done in the settlement schemes adjacent to North Mugirango, in chiefs' camps or even in the big markets? Could he tell me the number or does he know the number of persons registered during the revision of the Voters' Roll?

[The Minister for Economic Planning and Development]

Mr. Speaker, the hon. Member for Homa Bay has made a point which is very interesting, and that is that a civil servant or a district commissioner may announce at his *baraza* that there is going to be a meeting of a Minister at a certain place and that people should attend. Ministers are politicians and also Government. When they speak in any area it is important that the people of that area should hear what they have to say. It is quite right that an announcement can be made in the *baraza* that a Minister is visiting the area, depending on the nature of the visit. If I go as Secretary-General of Kanu, Kanu arranges my visits and my meetings, but if I go as Minister for Economic Planning and Development then the chief, the district commissioner and everybody else will attend the meeting and will ensure that the people in the area also attend the meeting. If the Member for Butere, or the Member for Homa Bay, wishes to ask the chief to announce at a *baraza* that he, the Member for Homa Bay, would be attending the next *baraza*, the chief would never refuse to do so. It is for him to take the initiative, instead of waiting to blame these people.

Mr. Speaker, it is said that the Ministers, when they go to these meetings, should confine themselves to a certain subject. If you are opening a health centre, you should only talk on health, and if you are opening a co-operative society you should only talk on co-operative societies.

Mr. Speaker, this is a lot of nonsense. If I go to an area and I know the problems of that area, or the difficulties of that area, it does not matter whether I am opening a road or I am opening a health centre, I will speak on the subject which is uppermost in the minds of the people of that area, because we are trying to help them to move forward, we are trying to help them to appreciate what the Government and they can do together. This is all that Ministers try to do. The hon. Member for Homa Bay indulges in this perhaps more than any man in this House.

ADJOURNMENT

The Speaker (Mr. Slade): That is the end of the day. The House is now adjourned until ~~tomorrow~~ Wednesday, 1st December, at 2.30 p.m.

The House rose at thirty minutes past six o'clock.

WRITTEN REPLY TO QUESTION

Question No. 2320

(Outstanding from Second Session)

ELECTRIC GENERATORS FOR COFFEE FACTORIES

Mr. Mate asked the Minister for Co-operatives and Marketing:

(a) How many coffee factories in Meru had their own electric generating machines to facilitate the pulping of coffee at night.

(b) What amount of diesel oil was consumed monthly in that process.

(c) What was the capital outlay that the Meru coffee industry had had to pay to install these machines.

REPLY

The Minister for Co-operatives and Marketing (Mr. Sgei): (a) Of the ninety-three coffee factories in Meru, thirty-seven have their own electric generating machines to facilitate the pulping of coffee at night.

(b) During the peak of the crop, twenty-four gallons of diesel is consumed per machine per month. The figure drops to eighteen gallons during those times when operations are carried out up to 11 p.m. each night.

(c) An average of Sh. 4,500 per machine has been paid for the thirty-seven machines.

Wednesday, 1st December 1965

The House met at Thirty Minutes past Two o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS

ADMINISTRATION OF OATHS

The Oath of Allegiance was administered to the following Members:—

Elijah Omolo Agar.  
Japhat Zacharia Kase.  
Justin Kaptingei Tuwei.

COMMUNICATION FROM THE CHAIR

BOWING TO THE MEMBERS

The Speaker (Mr. Slade): Hon. Members, I would like to make an informal communication. I had thought, when we came into this Chamber, with seating which is designed to represent one party only, it would be more suitable if I made one single bow to the centre of the Chamber. I find that by doing that I cannot have the privilege of looking at you, as I bow; and I think would rather revert—if hon. Members will agree—to bowing to either side, when I am actually bowing to you.

PAPERS LAID

The following Papers were laid on the Table:—

Report No. 3

Loans from the United Kingdom Government for Land Settlement Schemes.

Report No. 4

Loan from the United Kingdom Government for the Land Bank and the Agricultural Finance Corporation.

Report No. 5

Loan from the United Kingdom Government for Oil Kalou Co-operative Farming Scheme.

Report No. 6

International Development Association

Credit No. 77 KE—(Tea Road Project).

Report No. 7

Corrections to Report No. 1 and Report No. 2.

(By the Minister for Internal Security and Defence (Dr. Mungai) on behalf of the Minister for Finance (Mr. Gichuru))

The Canning Crops Act (Second Schedule) (Amendment) Order, 1965.

(By the Minister for Internal Security and Defence (Dr. Mungai) on behalf of the Minister for Agriculture and Animal Husbandry (Mr. McKenzie))

NOTICES OF MOTION

Mr. Mbogoh: Mr. Speaker, Sir, I beg to give notice of the following Motions:—

SPECIAL FORCE FOR RHODESIA

THAT in view of the menace created by the Rhodesia Prime Minister, Ian Smith, by declaring independence unilaterally against the wish and disregarding protests of all African nations, this House urges the Government to call into service all the Russian, American, Chinese or any other foreign-trained Kenya guerrillas to join a special force to operate in Rhodesia as a contribution to the cause and call of the Organization for African Unity to help Africans in Rhodesia from the inhuman treatment by the white minority imperialists.

DISBANDING OF THE KENYA NATIONAL YOUTH SERVICE

THAT in view of the fact that Kenya National Youth Service is not achieving the aims behind its establishment, this House urges the Government to dismantle it completely and replace it by military services for all the youth of this country with the priority given to those youth who are already in the National Youth Service.

Mr. Kerich: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

LEGISLATION ON UPKEEP OF THE POOR

THAT in view of the fact that there are so many aged and beggars in big towns like Nairobi, Kisumu and Mombasa and the country at large, this House urges the Government to introduce a legislation so that the rich are compelled to pay for the upkeep of the poor.

Mr. Ogle: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

SAFEGUARDING OF LOYAL SOMALIS

THAT in view of the fact that loyal Somali citizens of Kenya are always in a state of fear and despair and are doubtful as to whether their sincere loyalty is being recognized by our Government, and in view of the fact that loyal and innocent Somalis are



[Mr. Shikuku]

told this and I quote—by the Provincial Commissioner, Western Region, who told me that this is a political Government and we think that there is no difference between the civil servant and politicians, so we can also speak politics. When I drew his attention to the fact that he could be sacked, he said, “We cannot be sacked, this is a political Government.” I want the Government today to tell me where the difference is between the civil servant and the politician, and if there is a difference what action they are going to take about the Motion that this House passed in connexion with civil servants taking part or meddling in politics. Either the Government has got to tell us that all the civil servants, plus the politicians, that they are all going to be politicians and let us know it, or they tell us that this is going to be the issue that if a civil servant is reported to be indulging in politics, he will have to be sacked. But so far, Mr. Speaker, civil servants are very free and they tell you that this is a political Government and they can go ahead with politics and nothing will happen. Reports are being made daily, Mr. Speaker, to the authorities, privately, I do not mean to air these views here in Parliament, we should also try privately to report the activities of civil servants in some cases where they indulge themselves in politics, but no action has been taken. This has made these civil servants have swollen heads and they do not even listen when you go to their offices, they think that you are just a small little man, coming into that office to waste his time when you report these matters to him.

I feel that there must be definite steps taken by the Government to tell us today either that civil servants are going to take part in politics or we are going to be the only fellows in the political arena. I do not either welcome the idea of the Members of Parliament trying to interfere with the civil servants. We know they are there and they have got to carry out their duties, but we are not going to stomach for a minute civil servants indulging themselves in politics and when we report these matters to the authorities concerned, who are also civil servants, they take no steps. If that is going to be the issue, Mr. Speaker, the Government, I hope, will not blame us sometimes when we become completely unco-operative and which will not be in the interests of the country. We want to co-operate with everybody, but the civil servants have got to be told what their job is. One day the question, and I quote again, in my area, you will find that some of the civil servants there speak openly on politics and when I reported this matter to the authorities

there they told me that they do not even have Special Branch to cover the chiefs or the provincial commissioner's meetings. How will they take steps against these civil servants if they are not covering them by having the Special Branch listening to whatever they say? How can we see these people and bring them to court for indulging in politics or saying something or defaming an elected representative of the people? So far the Government does not even send Special Branch to these meetings where the civil servants talk politics and also defame the Members of Parliament. I would like the Minister, when he replies, to assure this House that the meetings of the provincial commissioners, the district commissioners, the district officers and chiefs all have to be covered and any statement uttered by a civil servant which is political or which defames a Member of Parliament or an elected representative of whatever grade will have to be paid for by his being sacked, and this will teach them a lesson and teach them to confine themselves to their job which is to help to promote the development of this country by confining themselves to their jobs and not politics. If they want politics, let them come out, and we will teach them a lesson by defeating them openly in the field.

With these few remarks, Mr. Speaker, I beg to support.

**The Minister for Economic Planning and Development** (Mr. Mboya): Mr. Speaker, Sir, I think that I ought to remind the House of the original question which was placed before Parliament and to which a reply was given and which has resulted in this adjournment debate.

The original question was what disciplinary action the President took against Government servants who were found indulging practically in political activities, and in reply it was pointed out that if civil servants were found to contravene the Code of Regulations, then the following action could be taken.

Dismissal, depending on the gravity of the offence, reduction in rank or seniority, stoppage of increment, withholding of increment, deferment of increment, reprimand, including severe reprimand, recovery of the cost or part of the cost of any loss or breakage caused by default or negligence on the part of the public officer, and retirement of an officer in the public interest. That was the question and that was the reply, and from the point of view of the Government the reply was quite satisfactory. But it appears to me that the remarks made this afternoon are not entirely related to the question or to the unsatisfactory nature of the reply.

**The Minister for Economic Planning and Development**

The questions raised this afternoon raised matters of an entirely different nature, and I would like to refer the House—and particularly the Member for Butere—to the President's speech the other day. In that speech, the President only has pointed out that, as far as Kenya is concerned, we are not going to copy the blueprint of any other country in regard to their structure of the Civil Service. We have made up, the President said, our own minds to make our own experiments and, as far as we are concerned, the civil servants will remain isolated or away from politics. He has cited here the question of Tanzania. We are not responsible for what Tanzania does, nor are we to be told that we must do what Tanzania does; we will do what is good for Kenya and what is practical in Kenya. What is practical in Kenya, as far as we are concerned, is that the civil servants should be insulated from politics.

Now, Sir, it must also be pointed out that, in fact, this ruling only affects a certain category of civil servants. Certain people in the Civil Service, that is the lower grades, may become members of political parties; that has always been the case and it is the case even today, so that it is only at a certain level—the level of administration who deal with matters of policy, matters of security, secret matters and matters of Government policy—that the civil servants may not become members of political parties and may not take part actively in politics.

The second point, Sir, that I must make is this. It is right that the Provincial Commissioner of Western Region or Western Province should point to the Member for Butere that Kenya now has a political Government, so that the civil servants—whatever their rank—must take an intelligent interest in the affairs of this country, they must be able to guide, to help with advice, to co-operate fully with the politicians. It is not like the old days where they had to work in hostility and antagonism against politicians; that is what the provincial commissioner must have been saying. I know him to be a very intelligent and mature person and I cannot believe that he would have made an irresponsible statement or that he would not have considered his words very carefully. But, Mr. Speaker, both the Members of Parliament, both the party and the President, have pointed out every time at public meetings that, in this Government, the chief, the district commissioner, the provincial commissioner, the Member of Parliament, the county councillor, all these people in the areas in which they operate,

must work and co-operate together. This, Sir, means that the hon. Member for Butere and the hon. Member for Homa Bay should attend the chief's *baraza* from time to time to hear the chief is telling the elders and, also, to take the opportunity at the *baraza* to tell the elders what he thinks should be done in his area. More advantage should be taken of these facilities instead of adopting the old mentality, opposition mentality, of thinking that the only way the civil servant can be a good man is when he says “yes” to every politician.

The civil servant is right, Mr. Speaker, if and when he thinks that a politician is not giving the right advice, to draw his attention to this fact. When he does this, it does not mean that he is interfering with the politician or that he is being hostile to the politician, and I suggest that if every Member sincerely made an effort to cultivate the friendship and the co-operation of the chief in his area, the district officer in his area, the district commissioner in his area, that area would develop much faster than the area where these people are working at loggerheads. The politician has a greater responsibility to try to cultivate this atmosphere of co-operation even perhaps than the civil servant, and we say to the civil servant every day, “Do not just be a salaried man waiting for your pay at the end of every month, be involved—emotionally involved—in the affairs and development of your area.” Now, Sir, this is the spirit of Independence, and this is how we want the civil servants to work with the politicians. But we would say to the civil servants, “Avoid the mentality of colonial days where you suspected every politician, opposed every politician and looked at him as an interference.” But, similarly, the politician must also avoid the old mentality of trying to challenge the district commissioner, the district officer, the chief every time, to humiliate them in public meetings and to run them down at public meetings, and to make them the subject of ridicule at every public meeting they address in their area. If you do this, then you cannot escape the antagonism and hostility of the civil servants in your area. After all, he is a human being, with feelings, with pride, and with a sense of belonging just like any of us here, and many of them are very highly educated people who know their subject very well, who are technically qualified to advise on this subject; in some cases more technically qualified than any Member in this House. We must give them the opportunity of making available this service to the people, instead of hindering them and interfering with the advice they try to give, quite genuinely and seriously, for the advancement of the area.

[Mr. Ngala-Abok]

Government was clearly a Government run purely and simply by civil servants, political participation was not required by the people of the country, there were no political leaders, there were no politically organized parties, and the Government had the say from the Governor, sometimes Parliament was not capable of doing anything at all. Everything depended on what the people running the Government said.

But at the present time, I think we have a big duty towards explaining to the politicians where they are to co-operate with the Government and when this co-operation takes place how do we find, or how do we judge a civil servant as being involved in politics? Mr. Speaker, I would have liked to explain quite a number of points where I personally think that I could show that the civil servant is involving himself in politics, but I think I may be asked to substantiate and this I do not want to do. But I think that since this arises from a question that was given an unsatisfactory reply, I think that I will leave it to the Government to clarify to the House how they could punish a civil servant because he involves himself in politics. Now, I think the whole point here is that if at my meeting I asked a district commissioner or district officer from my area or an agricultural officer to convene a meeting for me, and to go round in his Land-Rover explaining to the people that Ngala-Abok will be holding a meeting at such and such a place, please do attend, or a civil servant as such goes round to these *barazas* and informs the chiefs and uses the entire Government machinery to campaign for me to hold this meeting, then that I think would be one of the things that I would pick on to show that a civil servant is participating or involving himself in politics. If the Government thinks otherwise, it is up to them to say so.

Another thing, and I think that this is one of the things where politicians are to blame, is that you will find a politician involving civil servants himself in politics. Not because the civil servant wants to become involved. A politician goes to open a building, a society or a health centre and instead of talking about that health centre and informing people about that particular business that he has gone to do or to open, he goes all the way and talks about politics. He organizes five or six politicians to speak pure politics at such a meeting and at this meeting the civil servant himself will have known that since the Minister himself hates such a chap, or such a person, or such a politician so much, and since he has said so much about him at the meeting that we are all attending, such as "I am sure

this man is a criminal or this man is bad, and I think that the Government agrees with me." Then next time you will find this civil servant in his office talking to some individuals who are his friends, explaining how so and so is bad. This is not because this civil servant would like to talk about this man as bad or this politician as bad, but we are given the impression through the activities of Government Ministers, whom we should respect, he has heard so much from politicians who are supposed to be direct Government representatives of the President, crashing or damaging or destroying or openly defending another politician who should also be equally respected. Here you will find that this civil servant will definitely go into politics and there is no doubt about it. Therefore, I would like to ask the Government to explain to us today, if civil servants are not all politicians, who are civil servants and what do we mean by civil servants. I only know that if I went to the Central Province today, I would not be allowed to say certain things by the civil servants. If I went to Nyanza today, civil servants would not like me to say certain things; they would refuse me a licence because I would like to say some things that they do not want me to say. Why should we allow this? It does not matter what we may say as a politician, provided you do not break the law you can go to any extent. If you break the law and go to the extent of what could be considered as breaking the law, it is up to the Government to consider whether what you have said is bad or good, but what I have learned and realized is that since we achieved independence, even civil servants themselves, realize only too well, that Ngala-Abok is not an up to date honest politician, but they will not tell him so to his face. This is where we feel that civil servants must be cleared out completely from politics by the Government stating today in answer to this Adjournment Motion, where they would not like civil servants to participate in politics and what they mean by that.

Let no Member say that I am shallow, because if a Member feels that we have got something concrete and definite, he should stand up and say so. I need not be detailed to say that the district commissioner controlling the area for the Member for Lurambi is involved in politics. This is not my duty. But it is up to the Government to see that the answer is not unsatisfactory by explaining how the Government would consider punishing a district commissioner, how the Government would consider punishing a district officer, how the Government would consider punishing a

[Mr. Ngala-Abok]

'civil servant who becomes involved in politics. Because the answer was as shallow as my debate tonight. The answer was so shallow that I considered it absolutely useless, because what the Government did was to enumerate the various steps that the Government would take against the civil servants participating in politics. But the Government did not say that civil servants would be considered as participating in politics if they did this or that, because this would also help the civil servants in the field. After that reply, I went and consulted other civil servants and I found that they never know that what they did could be considered as participating in politics. They have not known even up to now. Sometimes a matter which is social is made political, whether by a Member of Parliament or by a Minister. A function which can be purely social is highly political. This is to the dismay and disappointment of civil servants. Now how could the civil servants themselves know when they can be charged by Government? We have to overhaul the whole law and we must explain to our civil service where they could go wrong, what would be considered political involvement, because the Government has invited us to attend to its Six-year Plan which is being devised and this should be implemented both by politicians and by civil servants. We have our paper on African Socialism, here the civil servants and the politicians should both carry it out. Now, where are the political differences between the politicians and the civil servants as far as Government is concerned? When I stand up to say that we have insufficient health centres and the Government has not done much towards giving us secondary schools, or we need more people to be settled, or that we need more officers for land settlement or that we have Government officers who are transferred too often, we want more stable officers in our district, then here the Government will consider us as—to use the term—communists, because we are criticizing the present Government. I do not see where the term communism comes in. Some people have even gone so far as to say that so-and-so is a communist—

The Speaker (Mr. Slade): Order! I agree that it does not come into this, and you have come to the end of your time, Mr. Ngala-Abok.

Mr. Shikuku: Mr. Speaker, I am very glad that you have given me the chance to speak, but I have one or two points to touch on in support and I will try to be a bit different from the hon. Member who has confessed that he was shallow.

Mr. Speaker, I recall the time in this Parliament when a Motion was moved that the civil servants should be brought under the control of the elected representatives of the people in this House. I remember when I said that I had in mind the question of the civil servants tending to indulge themselves in politics but I thought that the Government would act by more or less taking the Tanzania style where the politicians who have the support of the people were made heads of the administrations and things are going very smoothly in Tanzania. To be specific, Mr. Speaker, it is evident that the civil servants now tend to be bigger than their boots. It will be recalled, Mr. Speaker, that during the struggle for independence, we fought very hard to get rid of the imperialists, and some of the civil servants who then held very minor positions or held very low positions in the Government used even to report whatever activities were going on and I remember the hon. Member for Nairobi, Mr. Mboya here, when we were busy with the N.P.C.P., they had to report all the time how many committees we had, and whom we talked to and what we talked about, to their bosses then. When we gained independence, we forgave them all that and started fighting for their promotion in the Civil Service. When we have got them into the positions where they are now they tend again to look down upon the elected representatives of the people. This does not go for the Ministers, Mr. Speaker. Ministers are respected and I want the Government to tell this House why the Ministers consider themselves the Government of this country and that they are the only people who have the mandate of the people and not the Members of this Parliament. It appears, Mr. Speaker, that the civil servants respect only the Ministers and not the Members of this Parliament.

The Speaker (Mr. Slade): That is not the point Mr. Shikuku. The point is "political activities by civil servants".

Mr. Shikuku: Why I say this, Mr. Speaker, is that the hon. Member, the Mover, feared to say it openly and sometimes you will find that the civil servants are engaged in organizing political rallies, for some of the Ministers who are politicians, to speak politics against other people and I think that that is involving themselves in politics.

The Speaker (Mr. Slade): The point whether they respect Members or not, it is a different issue.

Mr. Shikuku: If they were respecting us they would do the same thing to us. Mr. Speaker, you will find, for example, that these days civil servants will tell you point blank—and I have been

**[The Minister for Economic Planning and Development]**

it is available, and, in every district there is a district agricultural officer who would help any Member if he does not know what to do, to advise him on what to do. These technicians are employed in order to help the people with their different problems, and we would like to see them used more than in the past, instead of waiting until a debate takes place in this House. A lot can be done.

Now, Mr. Speaker, the Government and the President in this particular case never pretended that all the problems of pre-Independence had been solved in the first two years of Independence, nor do we promise, as I have already said, to solve them in the first five years. But, anyone who looks at the score board, anyone who is interested sufficiently to study the achievements of this Government in the past twenty-two months, will no doubt agree that a lot of steps have been taken forward. The President analyses all these steps in his speech. In the field of health, steps are being taken to eliminate two aspects of the burdens to the ordinary man. Children get free medical services. Out-patients get free medical services. We are left to do the next. We are left to take the next step which is the need to introduce free medical services for in-patients.

Now, Mr. Speaker, Sir, if the Member for Lurambi takes this as a very amusing joke, I do not, and, I do not believe that the people in his constituency do either. I do not believe that it is true to say that before the 1st of June, 1965 there was free medical service for children and out-patients in Lurambi constituency—

Mr. Masinde: On a point of information—

**The Minister for Economic Planning and Development (Mr. Mboya):** I refuse to give way.

Mr. Speaker, Sir, the hon. Members must be serious because the purpose of this House is to be serious. It is quite interesting to make some statements which the gallery might applaud, but in the final analysis we are charged with the responsibility of developing this country, not of making people applaud or amused or laugh. In the final analysis, the people of this country will judge us by how much we are able to do for them, not by how much talk and debate we are able to undertake.

Mr. Speaker, Sir, Members have referred to the problem of Africanization of economy. This is a matter which is very important for Members to be constantly interested in. But, Sir, the solution to Africanizing the economy does not lie, as the

Member for Majoge-Bassi would like the public of this country to believe, in Africanizing all means of production in this country. I do not want to repeat the arguments that we have gone through during the debate on Sessional Paper No. 10. The Government accepts that certain industries or certain public utilities will be owned by the State in the interest of the public, but the Government does not accept, and, this House does not accept that every means of production must be nationalized in order that we may be able to move forward. In fact, Sir, this is the kind of sentimental thinking which is devoid of logic. It also seeks to avoid to face the realities of our situation and the problems before this country.

I think it is the responsibility of every Member to tell the people of this country the truth and you are not going to help them by pretending that there is an easy way towards development, wealth and prosperity. Wealth and prosperity will only come through hard work, and a lot of other sacrifices, and any Member who would like to deceive the public of this country that we can develop this country only by going through Government Road and taking over all the Asian shops and thinking that that means development is fooling himself, fooling the public and very soon he will find that his own arguments catch up with him.

Mr. Speaker, Sir, the Government agrees that we must Africanize the economy, and in the commercial and industrial sector the Government has created machinery for this process to start. The Kenya National Trading Corporation, the Industrial Commercial Development Corporation, the Kenya Development Finance Corporation, and many other Government agencies are functioning today. I would like to advise Members here that it would help them and help their constituents if they could call at the offices of these agencies and find out what they can do for their own people in the different areas through the facilities of these agencies. Do not wait at home and come only to Parliament and expect that these things will happen, without some assistance from the Member through these agencies. I know, Mr. Speaker, that when Members have gone to see representatives of these agencies they have found that assistance can be given to farmers, assistance can be given to business men, which in the past they thought did not exist, but which does exist. No Government in the world will carry money in a basket, go round every village and ask every villager "Do you want a loan".

Mr. Speaker, I see that my time is coming to an end and since this debate is limited I just want to make two points.

**[The Minister for Economic Planning and Development]**

One of these points relates to the cold war. Too many Members get up here and in the public and complain that they have been labelled this or that. Now, Mr. Speaker, the public of this country is quite intelligent, and it does not help matters for a Member to think that being labelled a communist means that you are a hero; or being labelled anything else means that you are not a leader. I, for one, have been called a communist once. I do not think it raised my status one bit, and I do not think that there is anything to be proud of in it. I think, Mr. Speaker, that what everyone needs to do is to be firm, to be frank and to be honest with himself, and to tell the public on every occasion the truth, what they mean and what they stand for, but when people make too many contradictory statements, they blame only themselves to blame when the public misunderstand their stand. Mr. Speaker, Sir, the President made a clear statement on the cold war problem when he spoke to the nation on the 1st June 1965. If every Member in this House can use the President's speech of 1st June on every occasion, then there is no chance of his being misunderstood, but if Members insist on thinking that the public because they are not educated can be deceived by slogans they are making a big mistake.

Mr. Speaker, Sir, I beg to support.

**The Speaker (Mr. Slade):** As no other hon. Member wishes to speak and the Mover is not here to reply, I will now put the question.

(Question put and agreed to)

**MOTION FOR THE ADJOURNMENT****POLITICAL PARTICIPATION BY GOVERNMENT SERVANTS**

**The Speaker (Mr. Slade):** That concludes the business on the Order Paper, but there is a matter to be raised on the adjournment. I will call on a Minister to move that the House do now adjourn.

**The Minister for Economic Planning and Development (Mr. Mboya):** Mr. Speaker, Sir, I beg to move that the House do now adjourn.

**The Assistant Minister for Agriculture and Husbandry (Mr. Murgor)** seconded.

(Question proposed)

**Mr. Ngala-Abok:** Mr. Speaker, Sir, I think I will apologize to the House if they find me a bit unprepared on this issue because I just arrived late from home to find that I am called upon to raise

this matter on adjournment, but I think I am not going to be as unprepared as some Members may feel, because I am acquainted with the problems here and I know the boundaries of politics and situations where I would think that a civil servant is supposed to be involved in politics, or could get easily involved.

The matter I am raising on the adjournment, is the subject of a reply from the Assistant Minister in the President's Office, concerning the question that civil servants should not be involved in political affairs. I wish to raise this matter on the adjournment, because I feel that the Government has not sufficiently explained to the country what functions are purely for Government civil servants, and which ones are for politicians. Since we achieved Independence, we have adopted a kind of Government which is very confusing indeed. Some politicians may find themselves criticising other politicians, when they should actually criticise a civil servant. You may find that an individual politician has preferred to have all his duties carried out by a civil servant instead of himself, and you find it very difficult to blame him because a Government civil servant will always be carrying out his duties within the limits of the law. I would not like to see a politician transferring his duties to a civil servant, and I think the Government must here be asked to explain how a Government servant can be punished.

On this day, Mr. Speaker, you will remember that the Assistant Minister enumerated quite a number of things that the Government could do or steps it could take against a civil servant found to be involved in politics. There were quite a number of steps that Government could take, and I feel very concerned about the lack on the part of the Government to explain where we could blame a civil servant, because, at the moment, when I come to this Parliament, I would like to support the Government, and when I criticise the Government I am merely carrying out my duty as an elected Member. I am not trying, in any way, to let down the Government or to be seriously concerned with what I say as to end in subversion or to find myself in the way of overthrowing the Government as some people allege, because the criticism I or any Member makes in Parliament, is merely a carrying out of the political duties of a representative of the people concerned. Sometimes such a Member who makes so many criticisms, may find himself indirectly at loggerheads with Government officers in the field. How can the Government punish a Government civil servant because he has got involved in politics? How can the Government carry out this one? Because the former Colonial

[Mr. Kamuren] who was also a Kikuyu. Our people have been wondering what is happening and when we went to Elgeyo District we found the same thing was happening there. Now we must be told, Mr. Speaker, in no uncertain terms that in future the Public Service Commission will consider all tribes equally. Our people are quite aware that all this time opportunities have only been given to one tribe. We had a long struggle during the colonial régime of removing the heavy burden which was put on our shoulders by the Europeans.

I would now like to say a few words on the present system which is being carried out, the system of dealing with mismanaged farms.

This has brought a lot of confusion, especially in the Rift Valley. Mismanaged farms, Mr. Speaker, only come from those Africans who have not been given a big enough loan. These Africans have been given land, after struggling to get a half of the purchase price in whatever place they can get it in the province. Now what happens is this. When they are given a form to apply for a loan, we do not know the composition of those people who give out loans in the Government, but these people are told that there is no loan unless they develop that particular land for a period of time, before they are given a loan. Now, Sir, the person goes on selling his own cattle, selling his own house, wherever he is, and then he uses his whole energy to make sure that that farm is developed. And then later on the Government sends a person, a European, and tells him to go and see the farm. That European—because he wants to get a job and to have more responsibility so that he gets promotion from the Government—comes and says, "This farm is mismanaged" and the farm is taken back by the Government.

Now, Sir, our people are suffering and I am sure I am not the only one who has seen this. Members of this House can see in their own areas that people are being chased at the moment from the areas where the Europeans were before, and after a farm has been taken by an African for only a short while—say, only one or two months—he is told, "Go back home."

The Speaker (Mr. Slade): Order! You do not have to look at the Spgaker all the time, Mr. Kamuren, but you are supposed to be addressing the Chair and not the other end of the House.

Mr. Kamuren: Thank you, Mr. Speaker.

Mr. Speaker, I would like to mention also, even though the Nationally Elected Member from the Rift Valley, Mr. Bometi, has already made this clear to the Government, that in the speech

made by the President there is a part of it which was categorically put, that primary education is essential in this country. If it is essential, Sir, why has the Government taken steps to see that free education is given at the top, instead of helping those poor people, who were left alone during the colonial régime, to enjoy the fruits of this Government?

In my own district particularly, if I go to my constituency, it is useless even to speak about it, because I have not even one School Certificate boy. In my own district it may possibly be only one out of 170,000 population who is going on to do Higher School Certificate. Now people are paying a lot of taxes in that district. Where is this privilege being taken to if our own boys in Baringo District are not enjoying it at that level? We wanted to see the Government helping these people by accelerating free education from the lower primary stage, so that we have seven-year education from Standard I to Standard VII free, to cover the poor people, and to make sure that when we go to address a meeting or a rally anywhere our people are behind the Government.

Now there are so many people who have been going on asking whether we were the Members who came to this House and passed a unanimous resolution that free education be started from Form V and Form VI. We have been telling the people that it was not us, and it possibly was, that it was discussed in this House during my absence, if I may say so. Otherwise, no. We did not know and we were very surprised to hear it announced on the radio, Mr. Speaker, when we were telling those people that the majority of their children who started from Form I would be given free education, we heard it announced by the President that free education would be for Forms V and VI. It was astonishing and we were surprised, and we said, "All right, we have to make sure that the people of this country see what is going on."

Mr. Speaker, I congratulate the President for having done that, but I am also putting forward the point to the Government that it was not a solution for the people of this country.

Now, Sir, I would like to make a few further points on education. *Harambee* schools have been awarded to some districts in this country more than to others. If we go to Baringo District, we see that there is only one. This district is so large that we should have been given more than the one we have at the moment. Each constituency should be represented by being given one of these privileges. Our people have been asking why we have been given only one *Harambee* school, while we hear that in Kiambu District they almost

[Mr. Kamuren] have a *Harambee* school in each and every constituency, if I may say so. Now, Sir, we do not know who laid down the question of whether a district in this country should be given a *Harambee* school or not. We thought that the Government was coming openly, and saying that the people who contributed up to Sh. 40,000, not Sh. 120,000, would be given help so that the Government would take over these *Harambee* schools on self-help projects after a year, but our people are being given a task which they thought not to have in their lives.

Now with regard to the visits of Ministers to different parts of the country, Sir, this has brought also a lot of confusion. We do not know whether some districts are neglected or not, because we sometimes hear of Coast Province, the President going there, Ministers going there, the Vice-President going there, but in Rift Valley Ministers come and go along the developed areas, such as Molo and Mau Summit, then come to Nakuru and return along the tarmac road to Nairobi. They do not appear in a district like Baringo to see the complications, to see the places where those people are situated.

Now, Sir, this has been very surprising. We hear also that Ministers, when arranging to go for tours, touring some parts of this country, go in a convoy. It is true that we would like them to come openly to their people and then we could show the people that these are the Ministers who run the Government of this country. But instead of coming and visiting people in a complicated and difficult area, areas like Pokot, Njemps and Tugen, they only come along a well developed area and then go to a lodging like the Midland Hotel, the Stag's Head, and then after that they go into their beautiful cars and run into their own houses.

The Speaker (Mr. Slade): That is the end of your time, Mr. Kamuren.

Mr. Kamuren: Mr. Speaker, I would like to emphasize that when the Minister is going to reply, he would consider such points seriously.

The Speaker (Mr. Slade): Order! That is the end of your time.

The Minister for Economic Planning and Development (Mr. Mboya): Mr. Speaker, Sir, I intervene since there seems to be no other Member interested in speaking.

First, I would like to thank those Members who have made a contribution to this debate for the points they have brought up in discussing the President's speech. Now I would like to state

that the President's speech on this occasion was an important statement of our approach to economic development. In fact, if Members have read it properly, they will have recognized that the President avoided bringing in purely political issues and dealt more with the realities of the country, in terms of economic and social development. I regret that not many Members seem to have appreciated this fact. It is necessary, I think, from time to time, for Government to outline or to analyse the problems through which we are passing, the economic problems, in particular. There is no need at this stage, as far as the Government is concerned, for people to make purely political statements and slogans. It is not going to help development, either in their constituencies or in the various districts for which Members speak.

Mr. Speaker, many Members have asked, "What is the Government doing about the less developed areas of this country?" If they have read this speech well, and if they have read the paper on African socialism, and the Development Plan itself, they will have realized that, in fact, special emphasis has been given to the need to develop the less developed areas. But we have always said that development is not something that you achieve overnight nor can we promise this country that we will have fulfilled all the aspirations and demands of all the people in one week, in one month, in one year, or even during the life of this Parliament. We will continue to strive to develop. We will continue to take steps forward. But in the final analysis what is going to matter is how much is being done on the ground, both by Government initiative and by private initiative. By private. In this case, I mean the men themselves, the individuals themselves. Here is a place, Sir, where the Members can help rather than talk. It is important that each Member in his area helps the farmers for example, to appreciate the meaning of new seeds, how to get the fertilizers, where to get the loans and things like that. I am surprised that in this House this afternoon an hon. Member gets up and asks publicly that he would like to know how to get a loan from the Government to buy land or to develop his land. This is the gentleman upon whom many thousands of peasants in his area rely for advice, guidance, and leadership.

Now, Sir, if by this time a Member does not know the procedure of getting a loan, then, Sir, what do you expect of people in his area? Mr. Speaker, Sir, I would like to suggest seriously, that if Members are not aware of these procedures, instead of waiting for a debate in the House they contact the Ministries concerned and get the relevant information. It is always there.

[Mr. Kamuren] who was also a Kikuyu. Our people have been wondering what is happening and when we went to Elgeyo District we found the same thing was happening there. Now we must be told, Mr. Speaker, in no uncertain terms that in future the Public Service Commission will consider all tribes equally. Our people are quite aware that all this time opportunities have only been given to one tribe. We had a long struggle during the colonial régime of removing the heavy burden which was put on our shoulders by the Europeans.

I would now like to say a few words on the present system which is being carried out, the system of dealing with mismanaged farms.

This has brought a lot of confusion, especially in the Rift Valley. Mismanaged farms, Mr. Speaker, only come from those Africans who have not been given a big enough loan. These Africans have been given land after struggling to get a half of the purchase price in whatever place they can get it in the province. Now what happens is this. When they are given a form to apply for a loan, we do not know the composition of those people who give out loans in the Government, but these people are told that there is no loan unless they develop that particular land to a certain extent before they can get it. Now, Sir, the person goes on selling his own cattle, selling his own house, wherever he is, and then he uses his whole energy to make sure that that farm is developed. And then later on the Government sends a person, a European, and tells him to go and see the farm. That European—because he wants to get a job and to have more responsibility so that he gets promotion from the Government—comes and says, "This farm is mismanaged" and the farm is taken back by the Government.

Now, Sir, our people are suffering and I am sure I am not the only one who has seen this. Members of this House can see in their own areas that people are being chased at the moment from the areas where the Europeans were before, and after a farm has been taken by an African for only a short while—say, only one or two months—it is told, "Go back home."

The Speaker (Mr. Slade): Order! You do not have to look at the Speaker all the time, Mr. Kamuren, but you are supposed to be addressing the Chair and not the other end of the House.

Mr. Kamuren: Thank you, Mr. Speaker.

Mr. Speaker: It would like to mention also, even though the Nationally Elected Member from the Rift Valley, Mr. Bennett, has already made this clear to the Government, that in the speech

made by the President there is a part of it which was categorically put, that primary education is essential in this country. If it is essential, Sir, why has the Government taken steps to see that free education is given at the top, instead of helping those poor people, who were left alone during the colonial régime, to enjoy the fruits of the Government?

In my own district particularly, if I go to my constituency, it is useless even to speak about it, because I have not even one School Certificate boy. In my own district it may possibly be only one out of 170,000 population who is going on to do Higher School Certificate. Now people are paying a lot of taxes in that district. Where is this privilege being taken to if our own boys in Baringo District are not enjoying it at that level. We wanted to see the Government bringing these people by accelerating free education from the lower primary stage, so that we have seven-year education from Standard I to Standard VII free to cover the poor people, and to make sure that when we go to address a meeting of a tribe anywhere our people are behind the Government.

Now there are so many people who have been going on asking whether we were the Member who came to this House and passed a unanimous resolution for free education for Standard Form V and Form VI. We have been telling the people that it was not us, and it possibly was that it was discussed in this House during my absence, if I may say so. Otherwise, no. We did not know and we were very surprised to hear it announced on the radio, Mr. Speaker. When we were telling those people that the majority of their children who started from Form I would be given free education, we heard it announced by the President that free education would be for Forms V and VI. It was astonishing and we were surprised, and we said, "All right, we have to make sure that the people of this country see what is going on."

Mr. Speaker: I congratulate the President for having done that, but I am also putting forward the point to the Government that it was not a solution for the people of this country.

Now, Sir, I would like to make a few further points on education. *Harambe* schools have been awarded to some districts in this country more than to others. If we go to Baringo District, we see that there is only one. This district is so large that we should have been given more than the one we have at the moment. Each constituency should be represented by being given one of these privileges. Our people have been asking why we have been given only one *Harambe* school, while we hear that in Kiambu District there are almost

[Mr. Kamuren]

have a *Harambe* school in each and every constituency, if I may say so. Now, Sir, we do not know who laid down the question of whether a district in this country should be given a *Harambe* school or not. We thought that the Government was coming openly and saying that the people who contributed up to Sh. 40,000, not Sh. 120,000, would be given help so that the Government would take over these *Harambe* schools on self-help projects after a year, but our people are being given a task which they thought not to have in their lives.

Now with regard to the visits of Ministers to different parts of the country, Sir, this has brought also a lot of confusion. We do not know whether some districts are neglected or not, because we sometimes hear of Coast Province, the President going there, Ministers going there, the Vice-President going there, but in Rift Valley Ministers come and go along the developed areas, such as Molo and Mau Summit, then come to Nakuru and return along the tarmac road to Nairobi. They do not appear in a district like Baringo to see the complications, to see the places where those people are situated.

Now, Sir, this has been very surprising. We hear also that Ministers, when arranging to go for tours, touring some parts of this country, go in a convoy. It is true that we would like them to come openly to their people and then we could show the people that these are the Ministers who run the Government of this country. But instead of coming and visiting people in a complicated and difficult area, areas like Pokot, Njemp and Tugen, they only come along a well developed area and then go to a lodging like the Midland Hotel, the Stag's Head, and then after that they go into their beautiful cars and run into their own houses.

The Speaker (Mr. Slade): That is the end of your time, Mr. Kamuren.

Mr. Kamuren: Mr. Speaker, I would like to emphasize that when the Minister is going to reply, he would consider such points seriously.

The Speaker (Mr. Slade): Order! That is the end of your time.

The Minister for Economic Planning and Development (Mr. Mboya): Mr. Speaker, Sir, I intervene since there seems to be no other Member interested in speaking.

First, I would like to thank those Members who have made a contribution to this debate for the points they have brought up in discussing the President's speech. Now I would like to state

that the President's speech on this occasion was an important statement of our approach to economic development. In fact, if Members have read it properly, they will have recognized that the President avoided bringing in purely political issues and dealt more with the realities of the country, in terms of economic and social development. I regret that not many Members seem to have appreciated this fact. It is necessary, I think from time to time, for Government to outline or to analyse the problems through which we are passing, the economic problems, in particular. There is no need at this stage, as far as the Government is concerned, for people to make purely political statements and slogans. It is not going to help development, either in their constituencies or in the various districts for which Members speak.

Mr. Speaker, many Members have asked "What is the Government doing about the less developed areas of this country?" If they have read this speech well, and if they have read the paper on African socialism, and the Development Plan itself they will have realized that, in fact, special emphasis has been given to the need to develop the less developed areas. But we have always said that development is not something that you achieve overnight nor can we promise this country that we will have fulfilled all the aspirations and demands of all the people in one week, in one month, in one year, or even during the life of this Parliament. We will continue to strive to develop. We will continue to take steps forward. But in the final analysis what is going to matter is how much is being done on the ground, both by Government initiative and by private initiative. By private in this case, I mean the men themselves, the individuals themselves. Here is a place, Sir, where the Members can help rather than talk. It is important that each Member in his area helps the farmers for example, to appreciate the meaning of new seeds, how to get the fertilizers, where to get the loans and things like that. I am surprised that in this House this afternoon an hon. Member gets up and asks publicly that he would like to know how to get a loan from the Government to buy land or to develop his land. This is the gentleman upon whom many thousands of peasants in his area rely for advice, guidance, and leadership.

Now, Sir, if by this time a Member does not know the procedure of getting a loan, then, Sir, what do you expect of people in his area? Mr. Speaker, Sir, I would like to suggest seriously, that if Members are not aware of these procedures, instead of waiting for a debate in the House they contact the Ministries concerned and get the relevant information. It is always there.

[The Assistant Minister for Works, Communications and Power]

instead, and if the father says "All right, today I am accepting this," he goes and brings the child and then the father goes home. Mr. Speaker, so I think it is very important that these areas which were neglected should be brought up now into the category of those that have no means of income. I would therefore appeal to those Members who believe that they can develop the area, especially of the country, especially in the Rift Valley to forget about it, but instead to join hands with the people of the Rift Valley in order that we have viable and strong counties irrespective of the composition of the tribes or races that make them. Mr. Speaker, Sir, we get the privilege of being Members of this House, that is all right, but we believe in this Chamber that the Members and also those who are Members of the county assemblies have a duty to see that the backward areas are brought into line with those which are more developed.

I would like to touch also on the question of the water system. In most of the pastoral areas, water is lacking. I would want to see a system of water preservation, not only water preservation, but also the means of using water in the best way. This should be examined by a body from the Ministry of Natural Resources to see that the areas which are now in places like Maasi, Turkana, West Pokot or Baringo, dry areas get water for human consumption and for cattle. People have to drive their cattle something like fifteen miles or more in search of water. They can have to travel long distances in order to get water for their families. This is a very unfortunate state of affairs.

Now I come to employment. There is a system which I believe may sound fair, all right and genuine, that we base on employment rather on educational standards. At the moment it is the school certificate. I challenge the education because I know some people like Chemeli who were held a school certificate and got the job in this country. Therefore I believe that it is not only the school certificate which will make a man a better officer. We must give a chance to all the tribes of Kenya to be in Government employment. Let us ask a question. How long will it take to have a school certificate student from Turkana or West Pokot, for that matter? There are many people who reach Kenya Preliminary Examination standard at Kipsergani, Mandi or Baringo, but they are unable to secure jobs of their own interests or any other posts in the Administration. I want the Government to find ways and means

of training the tribes that were unfortunate not to have been given a lot of education in previous times.

I am in the Government but I am now speaking as Specially Elected Member from the Rift Valley. So I am speaking the minds of the pastoral tribes from where I come.

Mr. Speaker, Sir, I would like also to touch on the question of foreign policy. The present policy of non-alignment is the only policy that will save this country. I have been to most of these countries and I have seen that apart from Government-to-Government attitude, nobody cares whether Kenya is dead or still exists, whether it is in America, Russia or any other country, they are only interested in their own countries. So, Sir, I feel that we must not involve ourselves with the affairs of other countries. There is no reason why Kenya should bother to be interested in East Germany, for example, to argue that this country must also be represented here. That is not our question, that is the question of history, that is the unfortunate affair of the particular country concerned. We hope that one day the two countries will form one united Government, but we are not concerned with that. We are not concerned at all. What we should be concerned with is the decisions that will help this country. If they stand a hand of assistance we grab it, but that is enough. We can offer them assistance later. We would assist them not only with money but by giving them guidance and philosophy of African Socialism as we have expounded it. Some people question this policy of African Socialism, but I say I understand African Socialism very well indeed. In the African system we have no classes of people. Whether you have twenty cows or whether you have one cow, or whether you have a house, that does not permit you to have a class of your own. Those people who go around saying that someone one has a house, or because one has a car he is a capitalist and wrong to take capital out of that, are entirely wrong. People of Kenya are all equal. This applies to all the tribes. Whether you have one cow or whether you have a hundred cows, this does not matter. Nothing I am proud of this.

I will not in any way believe in those who subscribe to foreign ideologies and those who would like to drag this country into a situation whereby we are puppet of other countries. I would like to see that we remain for our own sake in Kenya and that our loyalty should only be toward the President and the flag of Kenya.

With the few words, Sir, I beg to report.

53 Motion

Mr. Kamuren: Mr. Speaker, Sir, I rise to congratulate Members who have already contributed to this debate, and who have tried to inform the Government of what is wrong. I would like to take a few points even though I may be repeating things mentioned by other speakers.

I want to take the question of whether Kanu as a party is existing or not, first. Mr. Speaker, Sir, this point is being debated by Members here and I would like to say that this party was there. It was a party which was working in concurrence with other parties such as Kadu and the African Peoples Party. Now, Sir, when the other parties were disbanded—I remember this because I was one of the Kadu members—we joined the Kanu party and we thought it was a genuine party. At this time there was no other party for Members to speak about, Members could not challenge each other because they belonged to different parties. This brought about the spirit we have today in the House of Representatives, and I would like to say that the Member who stood and said that the House be dissolved is wrong. Instead of this he should have said that the Cabinet be re-shuffled.

Mr. Speaker, this House has brought no complaint, no confusion here. Members of this House have only been loyal to the Government of Kenya and they have also been loyal to the Ministers in the Cabinet. However, when we come to this House we see the Ministers are completely divided. Every Minister tries to make sure that wherever he comes from, all the Members from that area must be behind him. This is absolutely wrong because a Member is elected by his people to come to this House and represent the people in the constituencies. So, it is not good for a Member to come here and speak of another Member, especially if he has no people to represent.

I now move to the question of settlement schemes. The settlement schemes we have at the moment in the Rift Valley, for instance, Sabatia Settlement Scheme and Anabkoi are affected by drought. It is high time the Government had a commission of inquiry into some of the settlement schemes such as Sabatia. There has been a drought throughout the greater part of this year, the people have had no produce from their land, and yet the Government expects those people to pay their first instalment which is due after six months. It would be a good thing if the Government were genuine and truly represented the indigenous people of this country. The people should understand that the Government is straightforward and acts according to the way it should.

There was a time when we had a senior settlement officer in that area. This settlement officer was a *kaburu* who had his own land in that area which was bought by the Government. Then this land was divided to provide settlement for the African people to take over. Now, Sir, the European was there to represent the Minister for Lands and Settlement, he had to go round and look for cattle for the people. These people had never seen grade cattle for most of their lives. The European did not do the work he was supposed to do, according to the instructions of the Government. He used to go to his European friends and get some cattle which were completely barren, and he handed these animals to the people in the settlement schemes. As a result of this the people there are suffering. I would like to inform the Government that these people are in a precarious position and unless they are given some help and support they will receive orders of eviction. If these people receive orders of eviction from time to time who will the Government have to hand over the land to? If these people are going to be evicted because they failed to pay the first instalment as well as the second instalment where will they go?

I would like to touch on irrigation schemes. In my area, Baringo, particularly, there is the Perkerra Irrigation Scheme, as has been mentioned by hon. Bennett. This irrigation scheme was meant only for Tugen and Njoms, but at the moment there is a colour-bar which is coming along in the form of a machinery from the Government. This machinery is being put there by the European who is there, the man who is managing this particular irrigation scheme. He says that a person who has been there for the last three to four years, a person who was detained during the *Kikuku Mau Mau* must have the first chance to become a driver, must have the first opportunity to take over land from an indigenous person of the district. This is very wrong. I would like to ask whether Kikuyu were treated the same in the Mwea/Tabera area with a view to getting part of the irrigation scheme. Now, Mr. Speaker, I must make this clear because we do not want our people to suffer.

We, in the districts, were elected by the people and we thought that the Civil Service Commission would have a proper representation of Government officials. Instead what happened was this. We had a district commissioner who was a Kikuyu, a district officer who was a Kikuyu, a district assistant who was also a Kikuyu, we had a district clerk who was a Kikuyu, we had an administrative officer at Marigat who was a Kikuyu, we had another officer at Eldama Ravine

[Mr. Anyien]

Mr. Speaker, there are rumours, and these rumours were started and we must blame ourselves as Members of Parliament. First there were rumours of communism, now I do not know whether they will continue to shout this communism, but it seems to have died down a little. Then we are told that there are people who want to overthrow the Government. Now, Sir, I think our Government should be able to show that it is mature, and some of this propaganda which is intended to smear the name of Kenya in the world should be stopped by the President, and not by anybody else. If it is true that there is somebody who is trying to overthrow the Government, that somebody should be arrested and brought to court and the whole country should be told who this man is. There is no point of people going to the public and just making speeches, it seems as if some of our politicians now have become bankrupt, they have nothing to tell the people, so they go around telling the people that this is what is happening. I would like to thank Mzee Kenyatta for refusing to listen to these rumours, because if he had listened to these rumours our country might by now have been on the rocks.

Mr. Speaker, Sir, there is one thing that the President did say at Nyeri which I do not think it was proper for him to say. He did say that the constituents would form a committee, as was reported in the *Standard*, and these committees would go to the Member's house and find out whether the Member was maintaining his own family, whether he had a house, whether the Member was feeding and clothing his children. Mr. Speaker, it is fully reported in *The Nation*: even when the President speaks in Kikuyu we have Kikuyu reporters who can tell us what is going on. Mr. Speaker, I do not think this is proper. For example, Sir, if the people—for example, in my constituency—were to come to my house and find that I have a very poor house and that my children are not well fed, it must show that I am an idiot and that they would have the right at the next election to remove me. But, suppose that they came to my house and found that I had a real palace and that my children were very well fed, that they were very strong and very well clothed, that everything there was like a paradise, would the people vote for me next time because I fed my children well? The people did not elect a Member to this House to take care of his own family, the people sent Members to this House to represent their constituencies. When there are many people in my constituency whose children are going naked, even if my children were clothed, I would rather have my children naked

also like theirs, so that they would not become jealous. My people would say, "Now look, this man whom we elected, he is all right now, he has a big family and a big car, and we are still suffering." It must be realized, Sir, that if people are going to think that to be a good Member means that you should sit in your house all the time and be like everybody else; this is what the Ministers are doing and that is why the country is not progressing as it should be progressing.

Mr. Speaker, I also want to say that we have land settlement in the countryside. We should also have business settlement, like *dukas*. We should have settlement in Government Road; the Government should set aside some money and settlement should be done with these *dukas*. As it was done with the Europeans, it should also be done with these Asians who have the *dukas* because it looks very degrading when you see somebody coming from outside and he finds that only Mr. Patel has something. Mr. Speaker, it must be realized that *Uhuru* will not be recognized as *Uhuru*.

Mr. Speaker, I was able to stay at Nyalii Beach for one or two days when I went to Mombasa, and there you find a lot of Europeans who are the people coming to the shops there. The only black man that I saw there was a servant. Now, when people come from outside, when they are trying to see the independence of these people, we know that we have independence here, but if the economic side of this is not in the hands of the Africans, I think this is a mockery.

Mr. Speaker, Sir, to that we will support that some nationalization should be able to take place. The people of our country support that this big hotel belongs to the Africans, so that when the tourists come here and spend money, that money will go and help the Masai and the children and also to the Kikuyu people who are suffering. I do not know why our Government has completely refused to nationalize some of these things.

Lastly, Mr. Speaker, Sir, because I think my time is nearly over I feel that we must warn our Government. Our Government is borrowing, borrowing and borrowing. I do not know how much money we have borrowed since independence and I do not know what our debt is, but I think it is very big, and it maybe that whoever takes over from Mzee Kenyatta, when he is old and retires, finds a big debt which he cannot deal with and face. So, Mr. Speaker, Sir, if it were left with me I would just write the debt off, and break off diplomatic relations with United States.

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

The Assistant Minister for Works, Communications and Power (Mr. Bonetti): Mr. Speaker, Sir, I am going to speak as my friend did, the Member for Rift Valley, and I would like to join the chorus of the other Members who have thanked the President for the way he delivered his speech and the policy speech.

Mr. Speaker, Sir, I would first of all like to touch on the question of land, which, I believe, Sir, is the lever of progress and economic growth of this country. There is too much waste land in the African areas as it was known before, which, with a little planning and hard work on the side of the Government the land could be brought to bear more foodstuff and fruit for the people of Kenya. For example, Mr. Speaker, Sir, I have in mind irrigation schemes. We have an irrigation scheme in Baringo which is known as the Perkerra Irrigation Scheme. This irrigation scheme, at the moment, is producing first-class maize. It is also producing top-grade onions which could be exported and other kinds of produce. But, Mr. Speaker, Sir, in spite of the fact that there is plenty of land around that area, and in spite of the fact that the people are willing to give more land to irrigation, there is not much which has been done, and the land which has been farmed, and which is now used, is the land which had been planned some four or five years ago. I feel, Mr. Speaker, Sir, that the Government should see that there is more money going into the irrigation schemes all over the country.

For example, Mr. Speaker, Sir, when one travels from Mombasa to Nairobi you see that there is plenty of land between Mombasa and Voi which is nothing but bush. People are still starving and therefore live just around the Tana River and the Sabaki River, and during the rainy season, what happens is that there is plenty of water which causes floods, but because there is so much water flowing about during the rainy season and it is not irrigated, then during the drought there is no water, as the water from the floods drains away, and is not irrigated. What should be done, Mr. Speaker, Sir, is that reservoirs should be built, and I speak with authority, because then you will find that during the rainy season water will be confined into these big reservoirs and used in the drought to create more agricultural land in what is known as a dry semi-arid area.

Mr. Speaker, Sir, having spoken on the question of irrigation and land, I would like to turn to the question of education. Education, Sir, in Kenya you find is split up into three categories. You find that education in urban areas has been

developed before, and you also find education in areas that have never been touched, and have never been developed, such as the Turkana, the West Pokot, the parts of Baringo—East Pokot and North Tugen, and also the lower parts of South Tugen and Masai in the Kajjado and Narok Districts. Now, Mr. Speaker, Sir, when I read the report of the commission which was appointed to go into the question of education, there is a lot of food for thought and I feel that this country has to think, and think hard on this point, because there is a tendency that those who have already will be given more. For example, Mr. Speaker, Sir, in Nairobi you find that there is a lot of money to spend, a lot of money to spend on education, on water systems, a lot of money to spend on other amenities. But, Sir, if you go to Turkana District, what do you find? You find absolute poverty, and nobody cares about this. You go to Baringo, for another example, and there you find absolute poverty, and as a result of this, some Members of this House who are even Ministers are encouraging divisions in the area councils deliberately, because they say that they come from districts that are wealthy, as they want to keep away the districts that are not well developed. Mr. Speaker, Sir, I would say that we have to think as a nation. Mr. Speaker, Sir, either we think as a nation and integrate ourselves properly, and develop those areas which were not developed by the British, or else we shall have two distinct parts of Kenya in future, which will create more problems and friction.

Mr. Speaker, Sir, I would like to see that the Masai, the Tugen, the West Pokot and Turkana are able to have free compulsory education, and have, not only compulsory education, but boarding schools, as you know they are nomadic tribes, and therefore wander around the countryside. They do not stay in one place for a great length of time, and because of this it is inevitable that these people should have a boarding school. For example, Mr. Speaker, Sir, if you fill a primary school in West Pokot today, then next month they move to another area, and as a result you will not be able to educate these people. But, Mr. Speaker, Sir, and I speak on this subject from experience, because I remember in 1942 the Government at a school in Tambach forced the parents to bring the children to school and the hon. Vincent Too is the product of this compulsion they used to get the children from the villages, bring them to the boarding school and force them to attend school, but, Sir, if the child absents himself from the school and runs away the father is brought

**[The Assistant Minister for Labour and Social Services]**

he possessed the higher qualifications, he was not taken, but his place was taken by another non-Kenya citizen of European origin. So, Mr. Deputy Speaker, this is a very serious affair. I would suggest that whenever there are conflicts between non-Kenya citizens and Kenya citizens a priority should be given to a Kenya citizen.

With those few remarks, Mr. Deputy Speaker, I beg to support.

Mr. Anyieni: Mr. Deputy Speaker, before I say much I would like to draw the House's attention to the President's speech where he said that Parliament is the supreme authority in this country. I wish that the President would really mean what he was saying when he said this. I want to prove that this Parliament is becoming like a rubber stamp when we were elected by their people to come to this House and speak to the Government about what they are saying. Sir, I think we should start with federation, where the majority of the Members voted that they wanted this federation and I think this has not been done at all and now what is happening is that when we want to go to Kampala we have to pay a toll there, and the next time when we want to go to Tanzania we shall have to pay a toll there, and so on.

Mr. Deputy Speaker, the maize question is raising a lot of problems, not only the Maize Marketing Board, but the price of maize. This House recommended that the price of maize should be Sh. 47/50, but the Government has just refused to implement that resolution.

The Government does not take any notice of this House. For example, we brought one Motion and we demanded that the Nyalii Bridge and all the ferries should be nationalized so that the people could use them freely. This was passed here, but when I was there yesterday I saw that the people were still paying. I hear the Assistant Minister saying that they have done it. I was there last night, we paid when the car crossed the ferry. I can even produce the chits here—the people on bicycles were still paying, and so on. Where the people are on foot the price at the Likoni Ferry is to be put up, where the people on the other side are passing without paying anything. This is for the information of the Assistant Minister who does not care to go down there to see for himself.

Mr. Deputy Speaker, I think this is causing our House to be laughing stock, and the people outside are now wondering as to whether this is a place where people like Anyieni should come and shout and go away, the people congratulate them

for their speeches, but nothing is done. I do not think that the people brought us here so that we could make speeches, what the people really thought was that we should come to this House and bring out the views of the people in the countryside and for Government to implement these views as much as possible. We do not expect Government to implement everything, but if they were to implement 75 per cent and then consider the difficulties involved in implementing the other 25 per cent—

Now, Mr. Deputy Speaker, the President did say that the Government to start with has given free education for Form V and Form VI, but I want to state very clearly, Sir, that I cannot say this to my constituency because there is not one student in my constituency in those forms who would benefit from this. So, as far as my constituency is concerned, this is a useless move by the Government.

The other thing, Sir, is what we promised during the time of the elections, so that it was just Kanu and not Kadu, was that we should provide free education from Standard I to Standard VII and we do not expect Government to have done that but we expect that Government should have started maybe with Standard I this year, Standard II next year, Standard III the next year, and so on. But to start from the top is favouring those who do not even need to be helped by Government, because people who already have School Certificate—some of the Members here may not even be of School Certificate standard—are lucky, they can always get a job. The people who need this more are the people below there who cannot read or write.

Now, Mr. Deputy Speaker, Sir, I want to mention something about the Administration. Whoever is appointing people—I must say again that I do not have people from my constituency in the Administration, and when I go home the people feel that this is not their Government because they do not see anybody from that area working in the Government. This is said to be because they do not have the qualifications required, but I know a lot of district officers and district commissioners who can hardly speak English, and I am trying to find out whether some of them have even Standard VI, or Standard VIII. In my constituency I have very many boys of School Certificate, who have had these certificates for a long time and if they were given opportunities these people could become much better administrators than some administrators whom we have in the field today.

*[The Deputy Speaker (Dr. De Souza) left the Chair]*

*[The Speaker (Mr. Slade) resumed the Chair]*

**[Mr. Anyieni]**

The other thing, Mr. Speaker, is that whoever is posting these people to different areas; I do not know who is advising him but he is making very unpopular moves. For example, Mr. Speaker, in Busia District you will find that the district commissioner—When I am saying this, Sir, I am not against any particular tribe, it is only that in Kenya there are different tribes and we should give respect to every tribe and when we mention things like this nobody should think that we are against any particular tribe; but from what I will mention it really shows that there is some short-sightedness somewhere which some people do not want to recognize. In Busia District, for example, the district commissioner is a Kikuyu from Kiambu, and then you have the district officer I—there used to be a Luo there, but they have kicked him away—who is also a Kikuyu. The district officer II is also a Kikuyu; the surveyor is also a Kikuyu. The district health officer is also a Kikuyu. The assistant superintendent of police there is also a Kikuyu. And then you find some of these Criminal Investigation Department officers who do not even understand Kisii, are Kikuyu who do not know the people or the language and they write very wrong reports to Government here. This is wasting public money, and I think the best thing would be that if we have so many people in the Administration what should be done is to probably have a district commissioner, and maybe the district officer I or the district officer II, one should be a Masai, the other should be a Kalenjin, and the other should be a Coast man, and so on. But now, Mr. Speaker, the people there are saying that they were colonized by the British but that they are now being colonized by the Kikuyu.

I suggest, Mr. Speaker, that what the Government should do is to bring different tribes to these areas so that it does not look as if the people are being colonized by one tribe. These people get on the phone and they ring and it is always, "Hello, hello 'aietere'".

The Ministry should be told what they are saying. People are wondering what will happen, they think that we are really doomed. Mr. Speaker, I think that they should not even, as a matter of fact, send only Kisii to a Kikuyu land if there are enough Kisii to make this, they should distribute them all over the country and not send them only to one place.

Now, Mr. Speaker, I want to come to the Ministry for Foreign Affairs. I see that the Assistant Minister is here. Our country should be truly non-aligned, for example, you will find that our

country refuses to recognize that there is East Germany and there is West Germany, our country says there is only West Germany, and that is the only country they recognize. Our country has succumbed to the threats from West Germany, those threats which were given to Tanzania, that they must never recognize East Germany. I think it should be recognized that there is East Germany and there is West Germany. Also, Mr. Speaker, it should be recognized that after a long, long cold war there is a country called North Korea and there is another one called South Korea and the Government should be able to recognize that there are two countries like that. We object very strongly when we have South Koreans coming here and saying that they come from Korea. They should be able to say that they come from South Korea. For our policy of non-alignment I think it is important for all these countries which are independent and self-supporting to be recognized by our country.

On the question of the party, Mr. Speaker, the President said that the party should be helping the country in the development, but what you find, Sir, is that people like John Washika who are hand picked, people from practically nowhere, people who would never win an election even in their own little clan, are picked and brought to the front and you find them going around the country and saying that they are the people who are supposed to supervise elections. As a matter of fact, I want to warn that what these people are doing is preparing our country for a two-party system, because what happens is that they go to places, they stage a *coup d'état* and they elect officers of their own. The other people are dissatisfied, so you will find that in almost every district now they are completing the whole game, there is camp "A" and there is camp "B", and what is going to happen is that when these people become fed up with one another the outcome may be a two-party system again. We would like to ask the President—as a matter of fact, in our Kanu constitution there is no post for an assistant executive officer, there is only one executive officer, and that should be the hon. Mwai Kibaki. But it seems as if Mr. John Washika is being sent to places and is confusing the countryside, making Kanu a very unpopular party because the people are not informed of when elections are going to take place, as in the Kisii District. I am glad that they are finding a lot of difficulties now in planning the branch, the general secretary made a statement the other day saying that he had resigned because he was listening to the wish of the people in Kisii District.



The Deputy Speaker (Dr. De Souza): Well, I do not know about the empty House, but I think you are right that there is no quorum. Do ring the Division Bell, please.

(The Division Bell was rung)

The Deputy Speaker (Dr. De Souza): We have a quorum now, Mr. Agar.

Mr. Agar: Mr. Deputy Speaker, I was giving this House an example of how our President has taken certain steps and appointed certain, or rather created certain departments and these departments have not shown any progress, in fact after their creation the position has remained the same, if it has not become worse. I think one has to tell this House exactly how co-operative movements have improved anything in the African rural areas among the farmers. I think in my area, as an example, I have seen that the people expected help from the co-operative administration and they have just been disillusioned and have failed to see any benefit from it, so that now they prefer to work in their own way.

Mr. Deputy Speaker, Sir, we heard some time back of the formation of a National Trading Corporation and in this House some Members asked about the activities of the National Trading Corporation whether it has been extended to all the people in Kenya, to remote parts of Kenya, to all towns and what sort of commodities this corporation deals in. How do they sell it, how is it processed, from wholesalers to the retailers? Mr. Deputy Speaker, Sir, there is no doubt about what is going on in Kenya. The National Trading Corporation has been a complete failure and a disillusionment. The Minister will have to stand here and tell us how, for example we hear that sugar is being distributed to African traders, how do they get it? You hear of a person who says "Oh, you see, the Ministry has granted me 500 bags of sugar" and then a member of your constituency hears about it and goes to try and apply for the same thing. He does not get it and is told that he must deposit Sh. 12,000, or something like that. The other man who got the 500 bags says nothing about any deposit. How do you put different standards, and why do we put different standards, when teaching our people about Government activities, I was going to suggest that that kind of co-operative should be dissolved and something else should be formed instead of it, or, Mr. Deputy Speaker, these are the things that justify our demands that this Cabinet should be reshuffled. It is very shameful for me as a Member of Parliament to witness people being favoured in the Government

and I cannot explain it to my constituents. It remains only to say we should move a vote of no confidence in the whole Government unless things change.

Mr. Deputy Speaker, Sir, take the Ministry of Education as an example of a Ministry that is deteriorating and which is sinking lower and lower and which is becoming absolutely useless. In fact I think that education now is just being run by groups or by individuals or by schools as they please. There is no Ministry of Education guiding anything in the countryside. You find every district interpreting things about education in their own way, and every teacher interpreting whatever he likes with the Government policy on education. The question of teachers, the salary of teachers, the discontent of teachers, teachers running away from the Ministry of Education, from teaching, and Mr. Deputy Speaker, I cannot see an African who is a patriotic man and who knows what he means by development and then he does not see anything about education at all. We know how many young men, good men, brilliant men, scientists who can teach our children but who have gone away to other departments and are now earning better salaries, but education is neglected. You find a secondary school being run by one teacher, a man who has never studied science is to teach science. There is no one to see to these things. Mr. Deputy Speaker, Sir, instead of borrowing money for anything else we beg the Government to obtain any money they can to improve the lot of teachers so that we can retain good teachers in the teaching profession. It was so shameful when I went overseas when our pupils who have gone to become students in the colleges are given science tests and they seem not to have studied any science at all. They speak very good English, yes.

The Deputy Speaker (Dr. De Souza): I am afraid your time is up.

Mr. Agar: Mr. Deputy Speaker, Sir, what about the extra three minutes.

The Deputy Speaker (Dr. De Souza): Yes, you got the extra three minutes.

Mr. Agar: May I finish what I was saying?

The Deputy Speaker (Dr. De Souza): Only one sentence.

Mr. Agar: Mr. Deputy Speaker, Sir, the last of my sentence is that we want to see the *Shifita* menace in the North-Eastern Province successfully completed or abolished by the Government as soon as possible or else the Minister in that Ministry should leave it to someone else to try

(Mr. Agar)

and obtain a new system of fighting the *Shifita* and shifting them away otherwise we are wasting so much money and it will be for nothing as nothing is being done against the *Shifita* at all.

The Assistant Minister for Labour and Social Services (Mr. Kubai): Thank you, Mr. Deputy Speaker. I rise to join my hon. colleague in congratulating and supporting the public policy contained in the Presidential speech at the opening of this Session. However, I would like and I am speaking as the Member for Nakuru East which is a farming area and full of problems. Though I am happy that the President in his speech has covered most of the farming problems that we have, I would like to make a few observations which I hope the Ministers concerned will follow up and try to solve those problems. The squatter problem is one of the greatest problems that we have in the Nakuru District. At the outset I must congratulate the Minister for Agriculture and Animal Husbandry for appointing this special commission for squatters and although in his Presidential speech no mention was made about squatters, I hope more attention will be given to this class of people.

In Nakuru District, Mr. Speaker, with a population of about 400,000, of whom three-quarters are farm workers, more than 100,000 workers are unemployed and landless. These people have no other home; their forefathers were brought there by Europeans farmers in those early days of scramble; and they have no other connexion with their places of origin. At present, more and more of these people—I mean, squatters—are dismissed and evicted from the farms. They have families and children who are schooling. They sleep in the railway station and are arrested as trespassers on the farms when they go looking for shelter and employment. This is a serious affair, Mr. Deputy Speaker.

One disturbing point is that since Nakuru is in the Rift Valley Province, these people are not accepted for land settlement schemes now going on in other districts and provinces. I should like to stress the need for a settlement scheme in the Nakuru District immediately so that this section of people is relieved of its plight.

Mr. Deputy Speaker, though Nakuru District is a potential area for industry, allocation there has not been made for these industries. The district is blessed with water, power, raw materials and communications, but although places like Naivasha and Gilgil have been visited by many industrialists, and although these men find the area very suitable for industry, nobody knows what happens; the next thing we hear is

that they are at Thika, Mombasa, Nairobi. The price of land in Nakuru District is very high, and the prices in these particular areas, like Naivasha and Gilgil, are scaring the industrialists. Something should be done about the land prices. I suggest that the Government set aside land for industries, in particular at Naivasha and Gilgil, so that squatters be given employment.

The African farmers are not happy with the non-Kenya citizens who are valuing the farms, and are pressing the Government to appoint Africans as valuers.

Coming to the Meat Commission, farmers are complaining about the prices of meat. They think that the meat for export is so cheap that the stock breeders do not get anything and a review of world market prices of meat should be carried out.

Again, new farmers who get Land Bank loans are finding difficulty in repaying their loans and would like to have a five-year moratorium to enable them to cure their farming problems.

Now to go on to maize, which is the crowning point today, some time ago the Government used to give farmers a rebate on oil and petrol to enable them to produce more maize with an assured price. Farmers are finding it difficult to grow maize because the cost of production is higher than the price offered. I hear that Tanzania is giving a rebate to its farmers and so, if I am correct Kenya should do the same.

On the subject of education, in the former European farming areas I think education should be reviewed. Some of the European farmers are to be congratulated for giving permission to their employees to build a school, but then it becomes more difficult when such farmers sell their farms, because if some unscrupulous farmers get the farms they dismiss all employees and demolish those schools, and the whole area suffers. I suggest that the Government should set aside land for schools in various farming areas, or negotiate with farmers and carry out the excision of a few acres on each large farm, so that even when a farmer sells his farm such schools would continue.

Mr. Deputy Speaker, Sir the question of citizenship is also worrying my constituency. My constituents are worried about the slowness of registering Kenya citizens. I have a number of people who applied as far back as January 1965 and who up to now have still not been registered. This question of citizenship is worrying many people. Those who have taken citizenship are becoming frustrated because of the way they are treated. I have a case where a Kenya citizen of European origin applied for a job, and though

[Mr. Gichoya] non-existent. If it exists it is controlled by the Government. This shows exactly, Mr. Speaker, Sir, what goes on in that line. Finally what we are going to do is to establish the rule of one individual. Not the rule of the majority as based on the party. The party is the spokesman for the people, and it is put here by the people. The people who are entrusted with seeing that this machinery of the party is run properly, as quietly and nicely because of their own positions, let us dismiss them; let them go their own way. Can we be proud of Kenya having a one-party system? Mr. Speaker, Sir, we are having factions in Kenya, which have replaced the national party. The Kenya African Democratic Union was dissolved, the African Peoples Party was dissolved; but after the dissolution of these parties there has never been a proper integration of these parties by conducting elections for officers to lead the party. So we are having a situation, Mr. Speaker, whereby there is still a Kenya African National Union and Kenya African Democratic Union, and there is also the African Peoples Party. I say this, Mr. Speaker, because the last elections of the Senate, particularly in Kitui, did show clearly that there were two Kenya African National Unions, A and B. The Kenya African National Union A led by the Minister for Labour and Social Services, Mr. Mwendwa, and Kenya African National Union B led by the Minister for Co-operatives, Mr. Ngei. In Kitui the Kenya African National Union B which was the African Peoples Party won the election, against the candidate of the Kenya African National Union A. It showed, Mr. Speaker, Sir, that there are two Kenya African National Unions in existence in that area. Again what is the Kenya African National Union, Mr. Speaker, Sir? The Kenya African National Union must be a policy, and this policy must be clearly understood. When there is confusion who can say there is the Kenya African National Union? There is no Kenya African National Union, Mr. Speaker, Sir. People who are using the title of Kenya African National Union are in one way or the other judging the constitution of the Kenya African National Union, the practicability of the constitution of the Kenya African National Union, they are not actually officers of the Kenya African National Union, and there is no legal officer of the Kenya African National Union.

As a matter of fact, as it has been put here by one Member, the Member for Teso, the Kenya African National Union must be outlawed so that we have no party, and we have no individuals busy in our respective areas with their own thoughts, different from others. Or, for that matter being guided by African Socialism, this one can

be the party manifesto, or this individual or that individual can put it to suit his own area. Mr. Speaker, Sir, I still maintain and I appeal to those who are in authority to see to it that the machinery of authority is made a real machine for this country. Failing which we will be looked at by other parts of the world as a people who are very good in talking, but very poor in organization.

With these few words, Mr. Speaker, Sir, I thank the President for putting the party as Number 1, and I request the Minister for Economic Planning who is the secretary-general of the party, not to go to sleep but to go and see the President and tell him we need the party machinery being revised. With these few words I thank the President.

Mr. Agar: Mr. Speaker, Sir, the policy pronounced by the President in his speech is quite fitting the principle we pledged to our people right from the beginning during the election campaign, and following up with certain papers that have been drawn up for the guidance of this country. I see Mr. Speaker, Sir, that the President has placed the importance of leadership in the Government to the country, particularly to a new country like Kenya, and we also do know as Members of Parliament, responsible people elected to safeguard the security and the unity of this country, that without sound leadership from the top to the bottom, this country cannot make any progress, let alone exist. Mr. Speaker, Sir, we may think so many words about who is wrong and who is right, who is bringing disunity and who is uniting, who is doing a lot and who is doing a little. If an army is defeated in the war, Mr. Speaker, naturally each officer will try to blame another, but actually the person who should bear the blame, and who should accept the blame, is the man at the top, the general, the commanding officer. Here, Mr. Speaker, I do not want to say that our President has failed this country, one only needs to travel in Africa or in the world, and hear what others look at Kenya and say about Kenya, our President has done a lot for this country. There are a number of failings that have come up, but this House and the Government should be prepared to examine the causes of these failures that are creeping into this country, and the causes of the failure that make members of the public in this country begin to feel that this African Government is no better than the Imperialist Government. If there are senior Ministers in this House they cannot stand and challenge anyone here, they cannot deny that wherever you go now in the country, in the towns and in the rural areas, people sincerely and genuinely speak against our Government.

529 Motion

[Mr. Agar] and they genuinely say that the Government is a big members of the public, and that the initiative that should have been taken by the Government to boost their morale for rapid progress, economic progress, has withered away, and the majority of the people are getting frustrated. I think, Mr. Speaker, in my mind I see clearly that the President must act quickly, after so many speakers in this House, whatever has been said, the President must take the views of the Members very seriously. He must act very quickly. In his Cabinet alone it is evident, it is apparent, that he is running the country with a divided Cabinet. We should not fear saying this, because in public, in the Press we have seen contradictory statements. We have seen Ministers hurling criticism against one another outside the Cabinet room, and I do not see, Mr. Speaker, how you can run a country with a complex Government like ours, with a divided Cabinet. We suggest, and I think this is quite genuine without anyone desiring to have a post in the Government, that the President should look into his present Cabinet and have a reshuffle. To find men, if he can, who who can do better in certain posts than the ones who are there at the moment. Mr. Speaker, Sir, you cannot just tell the people, month after month, year after year, that we have a sound economic socialist plan and they do not see any change, they do not feel that they are participating and the people are not lazy. When they were called upon to fight for freedom it was seen that our people sacrificed their lives to gain their freedom. Now it is the war against poverty, against ignorance and disease and our people must be guided and be made to participate and here we need a united leadership. We call upon the President, Mr. Speaker, and we repeat it, and I hope that this is the feeling of many Members that the Cabinet should be re-shuffled first and the President must look for a newer Cabinet with more vigour so that we can start anew, so that we do not sink into this kind of apathy. If we lose the confidence of our people then we shall know the consequences. We know what is happening in other countries. Why should the President sit idle and here the Ministers struggle for power and speak against one another?

Mr. Speaker, Sir, then this House is just a witness of what has happened in countries where such things are allowed to happen. We know what happened in the Congo last week when the Army saw that the Ministers and the people at the head were just pre-occupied with the idea of who was going to be President and who was going to be the Prime Minister, then the Army stepped in. But what are those poor chaps going to do,

they are just Army officers. They do not know the complexities of politics and of the Government.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Dr. De Souza) took the Chair]

But they were forced to go into that kind of thing. We do not want Kenya to go into that kind of thing. We have sufficient brains, sufficient vigour, sufficient educated young men who can run things and the President has the power and he should not fear doing this kind of thing. We look forward to the President taking active steps to see that the Cabinet is shaken. A Member has suggested that this House should be dissolved that new elections should be held. Mr. Deputy Speaker, Sir, much as we see his point of view, I do not see anything wrong with Members of Parliament. I have seen certain Members of Parliament driving day and night in mud, working with their hands in self-help projects in every area, telling their people to be patient with the African Government and telling them to work harder on their own initiative, but those who are failing the Government are those at the top. Those people who are supposed to take major decisions.

Mr. Deputy Speaker, Sir, if you take examples of certain activities, certain economic projects, that were supposed to be launched to get our people on the road to economic prosperity, the President took steps and he went as far as forming a Ministry for Co-operative Development. Mr. Deputy Speaker, Sir, you go to the rural areas and see the co-operative bodies that have been formed and see how lamentable the situation is. The situation is so bad that now farmers prefer to work on their own individually than to go into any co-operative movement at all. The co-operative officers who have been put into the field know that the co-operatives are not run properly, that there is money being lost every week, that the farmers sink their money into it and put their trust in these co-operative leaders and then, all of a sudden, they hear there is no money at all in the bank and every year everything is becoming worse. Now, we referred these things to the officers and to the Minister and no action was taken. Mr. Deputy Speaker, Sir, how can we expect our people to continue trusting—

#### QUORUM

Mr. Anyien: On a point of order, Mr. Deputy Speaker, is it in order for the hon. Member who is making a very good speech to be making it to an empty House, where there is not even a Minister of the Government present?

Mr. Kali: I am not prepared to tell you. You can shut your ears if you do not want to hear.

Mr. Speaker, Sir, I have some other things which are a little parochial.

Here in Nairobi we have a wonderful City Council with money, we have a beautiful city, beautiful roads, beautiful everything; but then just walk across to Makadara or Pumwani and see how dirty the places are. This is an African County Council with all this money and all that they are interested in is to have a beautiful centre of the city, but there is a very dirty African area. This sort of thing cannot be tolerated.

An hon. Member: Sack the Mayor.

Mr. Kali: We should not take our silent millions for granted, they cannot remain silent all these years. We want this money of the City Council to be spent, most of it in the African areas.

Mr. Speaker, Sir, I am grateful to the Minister for Home Affairs for what he has been trying to do to help the Africans in the Nairobi area with famine relief. But then that is not enough. I have seen in the newspapers, I have heard over the radio the President presenting cheques in many areas, but I have never heard of the President presenting a cheque to any single area of Nairobi. We have proper poverty in Nairobi. You can walk through any location and see people living in shanty houses, hovels, because they have nowhere to go. The Minister for Lands and Settlement—I always mention him—should also consider Nairobi when dishing out settlement schemes. We have presented this case—all the Members for Nairobi have done it—but up to now he has not done anything. I appeal to him again to treat Nairobi as an area with so many homeless, landless, jobless people, very poor people. In fact, Mr. Speaker, Sir, famine in Nairobi is perennial. Now, for example, we have rain and within three or four months the rural areas will be all right, but Nairobi will still be Nairobi, people will still be suffering. So, Mr. Speaker, Sir, I appeal to the Minister for Lands and Settlement to consider very seriously and immediately allocating some areas for Nairobi Africans.

With these few words, Mr. Speaker, Sir, I beg to support.

Mr. Gichoya: Mr. Speaker, Sir, I am happy to say something on His Excellency's speech which, as a matter of fact was a plan for our own economic, social and political development.

Mr. Speaker, Sir, there is one thing which, as a young man, I always admire. We have been told many times by Ministers that you must possess property. Mr. Speaker, Sir, I think Independence, as a matter of fact meant running away from poverty towards prosperity but it so happens, Mr. Speaker, that some of us, after leaving school or college, joined the poor party—Kam. For all the period until Independence, until we were elected to Parliament, we were earning practically nothing. As a matter of fact, there was no money to run the party, but we made sacrifices. Now, having come to this House, whatever we earn, we spend it for our own survival politically; in other words, we campaign in our own areas, using the money we receive.

But again I am told to be an example. My friend, the Minister for Economic Planning, mentioned that in my own area that I, Gichoya, must give the people an example. I demand, Mr. Speaker, through this speech, that I must be given a loan, a loan to buy a *shamba*, a loan to set up a house. Mr. Speaker, Sir, I am not asking for a loan to marry, but a loan to set up a house, a loan for a *shamba*. This I am prepared to repay according to terms agreed between me and the Government.

The other thing I want to say, is this. When we had the Minister for Economic Planning in my own district, he was so much impressed by the efforts made by the people of Kirinyaga. I quote from His Excellency the President's speech: "One of the most heartening features of today is the still growing enthusiasm for self-help schemes. Construction of more than a hundred *Harambee* schools. . . ." Mr. Speaker, Sir, I am in one way or the other at a loss to find out what is going to be the future of these *Harambee* schools. In the first place, people accepted what the Father of the Nation said: "Let us help ourselves," and by so saying he knew for certain that when schools have been planned and built by the people, the Government must be ready to come and assist the people, failing which the people would say, "Well, we did our part, but the Government has failed us."

I say this, Mr. Speaker, Sir, because it is through the small earnings of the people, put together in the spirit of *Harambee*, pulling together—that we have been able to put up thirteen secondary schools in the Kirinyaga District, a district of two divisions only; represented by two Members of this House and with a population of less than 200,000 people. That shows to me it is a communal effort, and the Government should be ready to aid these

[Mr. Gichoya] secondary schools. Many times here I have supported a case put forward by Members from Turkana who say that they want to have a primary school established by the Government.

Mr. Speaker, Sir, primary schools are established and they are permanent buildings, not temporary buildings and our secondary schools too, are on the same par, permanent buildings.

The Government, being a Government of the whole country, means that it is not a Government to look after only the interests of the Turkana people, the interests of the Wajir people, or the interests of the Nyanza people, but the interests of the whole country. The people of Kirinyaga have a case to put before the Government that they need their *Harambee* schools to be aided. That is one point, Mr. Speaker, Sir, which I have put forward and I hope the Minister for Education, although he has failed us twice when we had invited him to come to our area, after promising to do so—he cancelled those programmes twice and we raised more than Sh. 5,000 for establishing a school. Nevertheless, it was an honour we were prepared to him, and I think it was not a right, that he failed to turn up.

The other thing, Mr. Speaker, Sir, that I wanted to say was this. It has been stated many times that unless you have a family, that is unless you have a wife, you cannot make a good parliamentarian. Mr. Speaker, Sir, I challenge any hon. Member in this House who can say this about the Member for Gichugu! On the other hand, I have seen many people, Mr. Speaker, Sir, with more than ten wives, but they cannot even rule a location, but the Member for Gichugu, Mr. Speaker, Sir, does rule the country through the Parliament.

Mr. Speaker, Sir, another point I would like to raise is, His Excellency the President said that the hon. Members must clearly understand that rapid Africanization of our economy can only spring from more domestic development. Here, Mr. Speaker, we have done something in Kirinyaga District. The best scheme that is existing today in Kenya is known as Mwea/Tabere, that is within my own constituency. This Mwea/Tabere scheme, the tenants, who are the people working on that place, knowing the economy of this country will survive by the conservation of what we possess, have agreed to contribute money and build a factory. The Government is willing to establish this factory, a rice mill, but the condition that exists is that the money that was borrowed from West Germany should only be used, and that local sources, that means the societies that are existing in our own areas which

have money, and they have saved money, they cannot be allowed to invest in that particular project. This again, Mr. Speaker, Sir, is one way of disapproving what His Excellency says here. We make a saving, and when a saving is made we invest that saving in the country, whatever we have, and we encourage more savings which means more investment. I would request the Ministry concerned with the establishing of this factory, that the people of Kirinyaga, local people, must be allowed to buy shares in that particular factory, hand in hand with the people who have already contributed money and also the Government should say alright that as you people of Kirinyaga can manage, we, the Government, have agreed that you can proceed. If that is so, Mr. Speaker, Sir, I would say that in future even these *Harambee* secondary schools which are thirteen, maybe even fourteen in the future, because we are ready to invest in social services.

The other thing, Mr. Speaker, which I wanted to say was this. The hon. Member for Nairobi East did say that there is no party. It is a fact, Mr. Speaker, Sir, that the party which is the party of the Government, the party which is the mother of this Government, has been completely neglected, and surprisingly enough here I see the hon. General Secretary of the Kenya African National Union. Mr. Speaker, Sir, we can do so many things to make the party function as a party. There was a time when we said "Let us recognize the party." We were told "yes", so let us do it; let us start from the bottom. In the Central Province, we finished the whole reorganization. I do not know whether it was some individuals in the national headquarters, who said that the characters that were put forward by the people as leaders of those branches were not the characters they expected, consequently the national elections have never been carried out. What has been going on, Mr. Speaker, Sir, is manipulation of the party, and what has been going on has been a move trying to institute another party, and hence creating more confusion. Mr. Speaker, Sir, here I will say this to party officials, servants of the party, that when the party is not functioning properly it means that these party officials cannot earn a living. In the headquarters of the Kenya African National Union, unless I am told to the contrary, there is no money to pay the general secretary, no money to pay the president, no money to pay the executive officer, no money to pay the vice-president or the treasurer or the other people who are working in the office, but when the situation is like this, a country with a one-party system, the party which ought to control the Government is today

The Speaker (Mr Slade): I am asking you to substantiate, not to ask me questions. What is our ground for alleging what you did about Mr Kounge?

Mr. Masinde: I do not wish to waste time now, so I think I may perhaps withdraw.

The Speaker (Mr Slade): Yes, perhaps you had better do that, or better still, not make the allegation.

Mr. Masinde: I withdraw that because I do not wish to quote the particular time.

Mr. Speaker, what I would like to mention here is that it is very necessary to be careful, because today unless we are careful we will be caught unawares on various things.

The President came here and told us that we now have free education for Forms V and VI. We know this very well because we have had free education in Forms V and VI since colonial times. Those who went to Makerere, those who are at the Nairobi College receive free education; they do not pay anything. It is very confusing to tell the people that we have free education. What we want, Mr. Speaker, today, is for the President or the Minister for Education to help those areas which are backward, and which do not have many schools, to have free education. Those parents who have no employment should be exempted from paying school fees. In this way people will go ahead.

Then, we should not be told that we now have free medical services when they are not true stories. Throughout the countryside the people know very well that during the colonial times they were getting free medical attention. We never paid in those days for any medical treatment. If it is going to be a repetition of what the previous Government did, then it will be very wrong.

Sir, instead of Ministers running back to their own homes in a team—and it is unfortunate that we have about five Ministers coming from one place—they should look at the whole of Kenya. They were appointed by—

The Speaker (Mr Slade): It is the end of your time, Mr. Masinde.

Mr. Masinde: They were appointed by Mzee to work for the whole of Kenya.

Mr. Kalli: Mr. Speaker, Sir, first of all I will touch on one part which appeared in the President's statement, where he speaks of the party, Kanu. Sir, it is alleged that Kenya is a one-party State, but the question is, where is this party? It is merely an abstract noun, because no actual fact it does not exist. The party died immediately after Independence and this can be

proved in many cases. In other words, Mr. Speaker, at the moment, in Kenya, there is a political vacuum which can be filled by anything, because the party has not been reorganized according to what has been promised. The President has said time and again that the party is the people, and that the party is the ruling party. Where is it? Where is Kanu? Kanu is no longer popular today, Kanu is no longer the people. It is just a mere name. Therefore, I think it is time that the President thinks very seriously of reorganizing the party.

The other thing, Sir, which disturbs the mind of the public is rumours and counter-rumours in the country. We have heard rumours around that Mr. Odinga is going to topple the Government. Today we are told that Dr. Mungai is planning to topple the Government. These are very serious things. These things bring about confusion, and this confusion is brought about by the Members of the Lower House. So, I appeal to the President to dissolve the present Lower House and let the people of Kenya elect new people to run the Government. I will give my reasons, Mr. Speaker.

Mr. Anyieni: He fears for his seat

Mr. Kalli: I do not care about my seat.

Mr. Anyieni: Not you, the other man.

Mr. Kalli: I fought for the independence of this country without being a member of any thing.

I will give my reasons. One, when we campaigned to be elected into this House, Kenya was not free. We were campaigning under so many policies. We had the African People's Party, Kadu, Kanu and independents. Soon after independence—

Mr. Shikuku: Interjection.

Mr. Kalli: Shut up. I am sorry, Mr. Speaker. Soon after independence, Mr. Speaker, Sir, there was no election—

Mr. Shikuku: On a point of order, Mr. Speaker, is it not in order to have interjections, and is the hon. Member in order to shout "shut up" to people in the House?

The Speaker (Mr. Slade): Order! Hon. Members know that it is in order to make interjections; or, rather, they have always been allowed, though not strictly in order. It would be very dull if they were not allowed; but hon. Members who make interjections are liable to get rather rude answers, and they must not complain unless they are very rude.

Mr. Kalli: Mr. Speaker, Sir, soon after independence, we had the African People's Party crossing the Floor, soon after that, we had the status of a republic and still the people were not given a chance to give us a new mandate to run the country. Soon after that, Mr. Speaker, Sir, two other important changes occurred—one, Kadu dissolved itself; two, we had the Sessional Paper No 10—and still the people were not given a chance to say whether they agree with all these things. So, I feel, Mr. Speaker, Sir, if we are sincere to ourselves and our people, we should allow our people to give us a new mandate for a new term to run the country, and that can only come about if there is a free election. So I appeal to the President to dissolve the Lower House and have a general election.

Now I will come to another thing, Mr. Speaker, citizenship. There are some people who have been going around saying that they want Asians and Europeans to register as citizens. You cannot force people to be citizens of a country if they do not want to. It is no use telling people, "You must register, you must do this". It is no use. If somebody does not like your country, you cannot force him. So, what I think, Mr. Speaker, should be done is that we should have a census throughout the country in the ministries and departments. Anybody who is not a citizen of this country should not hold any position in the Government. We want only citizens to be responsible for their own country; we want only those expatriates who are on contract, but, from the bottom to the top, people who hold important positions must be citizens of this country.

The other thing I want to mention, Mr. Speaker, is this. In my area there are two people—one is an artist and the other is a prominent business man—who wanted to acquire offices in the centre of the city. But then, when the landlord found that they were Africans, he said "no". Can you imagine in a free Kenya that no African can be allowed to own an office in a certain area, and yet we are free? This is a mockery. I think we should not be taken for granted by some people. The President has told us to forget the past, but then some people should not force us to remember it. I know and I can prove it.

So, Mr. Speaker, Sir, I want the non-Africans living in this country to accept our gesture of friendship. We have allowed them to stay with us, but then they should not take us for granted. They should change with the changes, they should forget the old mentality of "super-somebody". We want these people to live in

harmony with the Africans. We want the Africans to own shops and offices along Government Road, but today you do not get even a single African there; you cannot get an African shop along Government Road.

We want the non-Africans to accept what we have already promised, and we have promised in good faith that they are welcome to live with us. But then we are not prepared to be looked down upon in our own country. Mr. Speaker, Sir, I think we are compromising too much. It must be known now that the emphasis in Kenya today should be on the African. We have suffered for many years, we have been humiliated in our own country for many years, and still we do not take revenge. But then some people take us for granted. We want this to be known, and we want the Government to take this into account and take it seriously, because when you remember what has happened in this country, if you go back just a little, you will see that we have really suffered, but we have been told to forget this and we have forgotten it.

Mr. Speaker, Sir, I may be termed as an extremist, but here we are used to this kind of thing because in Kenya, when you speak the truth, you are called all sorts of names. I remember in 1946, when we were running the Kenya African Union, Kenyatta was called a communist. I remember even in 1950, Odinga and all these other members who were fighting then were termed as communists.

An hon. Member: What about Mboya?

Mr. Kalli: I said all those, including Mboya.

Mr. Anyieni: He has never been termed that.

Mr. Kalli: So, Mr. Speaker, even today some Africans have inherited this thing, to call their fellow Africans communists. If I am to be called a communist because I speak what I think my people want me to speak, I accept the name. I do not mind you calling me anything—the devil or anything—but I have nothing to fear. So this kind of thing, Mr. Speaker, should be forgotten. Some people are trying to bring the cold war to our people, something which we have rejected. You hear that So-and-so is a communist, So-and-so is an American. Do we need this? We do not. What for? We do not need this kind of thing. We have our declared policy, laid down clearly, so why should some people try to represent some other people in this country?

Mr. Shikuku: Tell us who they are.

## THE COPYRIGHT BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

## THE BOARD OF ADULT EDUCATION BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

## THE RENT RESTRICTION (AMENDMENT) BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

## THE EVICTION OF TENANTS (CONTROL) (MOMBASA) (AMENDMENT) BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

## THE BETTING, LOTTERIES AND GAMBLING BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

## THE TRADING IN PROHIBITED GOODS BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

## COMMUNICATION FROM THE CHAIR

## BILLS ALREADY DEBATED IN OLD SESSION

The Speaker (Mr. Slade): With reference to those Bills which have just been read the first time, hon. Members may have observed that three of them appear somewhat familiar, in that they went through this House only about a month ago. I have to explain to the House that, although those Bills appeared to go likewise through the Senate, and to be passed ready for assent, it transpired that the prorogation of Parliament had been proclaimed in such terms as to raise a suggestion that the Senate was prorogued at the start of the last day that it sat. So, these three Bills, which went through Third Reading in the Senate on that day, are considered to have been passed on a day when the Senate could not sit. As we have now started a new Session, we have to go through these Bills all over again.

They come to this House again, and they will then be passed on again to the Senate, but I do hope hon. Members will bear in mind that they have already been debated in full.

## MOTION

## THANKS FOR THE PRESIDENTIAL ADDRESS

THAT the thanks of the House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on the 2nd November 1965.

(The Vice-President on 9th November 1965)

(Resumption of debate interrupted on 11th November 1965)

(4th Day)

The Speaker (Mr. Slade): Mr. Masinde, you were speaking, I think, when we adjourned. You have nine minutes left.

Mr. Masinde: Mr. Speaker, when we adjourned last time, I was trying to explain a point which touches the Civil Service of this country. I said that it is very unfortunate, though we have attained Independence, that all Africans in Kenya, when we were fighting the imperialists, did not differ in the way of our approach to tackle the Europeans in this country. However, after getting Independence, some clever person has sat down and worked things so as to make us believe that it is the Government of just one tribe. As such, he has entrenched his brothers and sisters into the service. I am mentioning this in this House because I feel it is necessary to do so. There are things which are happening now, and they are happening because the advice given to the Government of the day only comes from one place. Therefore, Kenya as a country is failing in very many things.

Sir, today we are told that if we want to go to Uganda we must have a permit to enter this territory only once a year. They will not allow you the second time. These things have not been happening for some time but we have not been told anything. We have to be careful or we will find that our Government will be very much informed. When a Minister comes to this House, when he tries to represent the working teams in his offices, he gives the House very different and misleading reports.

I come now to the development of this country about which His Excellency the President tries to touch on. He did not, however, tell us what is happening in various provinces. He told us generally what has happened. He told us that a number of things have happened, but some of us, even if we cannot speak for our constituencies, come from various places and provinces which deserve development. Mr. Speaker, you cannot develop one part of Kenya and pretend to develop

[Mr. Masinde]

to a united country like this one. If you want to show everybody that the Africans of this country are going to live happily together, then we have to spread our development.

Sir, since independence we have been promised a lot of things and, Mr. Speaker, you have heard in this House several times Minister after Minister standing up and saying that a paper factory will be started in Broderick Falls. For how long are we going to be given empty promises? When they stand here they say that a textile factory will be started somewhere in Busia. They make all these promises, but to date nothing has been done. Today we have seen a very clear demonstration of an Assistant Minister who does not know the geography of this country. He has been mentioning that since Independence Kakamega has been opened as a school. Yet Kakamega was opened even before he was born.

Mr. Speaker, some of us believe that it was better for us to have the Europeans and the colonialist Government because a *mzungu* did not know who was a Kisii and who was a Luo; he employed the person according to his merits. Today we have tribalism and one needs a certificate before one can get employment. It is on this principle, Sir, that today His Excellency, Mr. Jomo Kenyatta must discipline his Cabinet. He must tell them not to run about, following him even when he goes on holiday to Mombasa. When he goes there you find the full Cabinet also resting there, doing nothing. The other day, the Minister for Education went to the Western Province where we were talking with the provincial heads; we were talking about his Ministry, development of secondary schools and such things, and all the time the Minister was in that area rotting in some person's house. He did not attend the meeting. I understand he claimed mileage. He went by chartered plane. The money came from the Kenya Government funds. Here was a meeting affecting his Ministry and he did not attend. Sir, are we going to allow our Ministers to run around and spend public funds just because somebody favours them? If it is a question of sitting on the bench, I think they have warmed those seats enough. Some of them should leave the seats and give them to the proper people who are dedicated to building this country.

We have been told a number of things. It is said that today because we have a very imbalanced Government, because the alliance which was there between the Luo and the Kikuyu—and this alliance still continues today—the development of this country is based on that alliance.

An hon. Member: What is wrong with that?

Mr. Masinde: Somebody is saying what is wrong with that. Sir, unless we change the plan of how to build this country we are going to be caught unawares. We would like the President of this country to get people who agree, people who he thinks can work with him and do something for Kenya. We do not want Ministers who are earning all this money while most of the time they are on their farms, selling eggs and milk when they are supposed to do the jobs they were elected to do. Why cannot the President say—

The Assistant Minister for Education (Mr. ole Konechallah): On a point of order, Mr. Speaker, can the hon. Member substantiate who are the Ministers who spend all their time selling eggs and milk instead of doing their work?

The Speaker (Mr. Slade): Yes, Mr. Masinde, can you do that?

Mr. Masinde: Mr. Speaker, Sir, I sit on various boards and I have been approached by one Minister who wanted a tender to supply of eggs.

The Speaker (Mr. Slade): All right, can you say which Minister?

Mr. Masinde: His own Minister. The confused Minister.

The Speaker (Mr. Slade): Order! Order! You have been asked to substantiate, Mr. Masinde. Now, that means that you must say exactly what you are alleging and why.

Mr. Masinde: Mr. Speaker, I said the hon. Koinange. I can name a number of them, Sir.

The Speaker (Mr. Slade): Well, do so.

Mr. Masinde: But I will name only one now. I have named one, hon. Koinange as an example.

The Speaker (Mr. Slade): And what is your evidence for saying that?

Mr. Masinde: The Minister for Education, selling eggs.

The Speaker (Mr. Slade): Order! Order! I am very sorry, but we cannot allow so much hilarity over points of order which involve substantiation of allegations against people. It is never a very funny thing to allege things against other people. It is a serious matter when hon. Members are required to substantiate what is alleged.

Mr. Masinde has not done this yet. He said who he is referring to, but he has not said on what evidence he alleges what he alleges.

Mr. Masinde: Mr. Speaker, it might be possible that Ministers get opportunities to do so. For instance, if I find a Minister at a place like the New Stanley negotiating to sell eggs during working hours, what am I to think?

**[The Minister for Agriculture and Animal Husbandry]**

It is also the Government's intention to give hon. Members time to consider both the report and the Bill before it is debated.

**Mr. Kall:** Mr. Speaker, Sir, I am one of those who have been very much concerned at this Kibaki Report because there have been very serious allegations that the report was given to unauthorized people. I would like the Minister to deny this allegation.

**The Minister for Agriculture and Animal Husbandry (Mr. McKenzie):** Could the hon. Member repeat exactly what allegation he is making?

**Mr. Kall:** Mr. Speaker, Sir, in one editorial in one of the local papers it is alleged that this report was given to some interested parties whilst it was still confidential, and up to now the Ministry has not denied this.

**The Minister for Agriculture and Animal Husbandry (Mr. McKenzie):** Mr. Speaker, Sir, I think that we would all live in a very difficult world if we believed everything that was written in every editorial in the newspapers which are published in Nairobi. The point is that Government have, with those people who are involved in this industry the statutory board, the Kenya Co-operative Creameries and its directors, been discussing this report and also Government, arising from that, have passed through the Cabinet a Bill which is now going to be published on the 21st December. This then, Mr. Speaker, would be the time when the report will be made public. The report has been treated as a confidential document within the industry, within the statutory board and Government and the Co-operative Ministry and the Co-operative Department, and everybody else in the Government machine who is involved in this. To my knowledge, and to the knowledge of my Ministry, no copy of this report has been allowed to go outside the people whom I have named.

**Mr. Kamau:** Mr. Speaker, Sir, it is very good that the Minister has given this information to this House. Could he then, since he has said that this Bill is coming to this House, see to it that no election of the statutory board's officers, of the Kenya Co-operative Creameries, will take place before the House has studied the report of the hon. Assistant Minister, Mr. Kibaki? Because, Sir, there is a feeling—whether it is allegation or not—that now that the members of the statutory board are out there is something wrong with this board. Therefore could the Minister make sure that no elections will take place until this report has been studied?

**The Minister for Agriculture and Animal Husbandry (Mr. McKenzie):** Mr. Speaker, I am responsible for the statutory board, and as far as that board is concerned, there has never ever been any intention of holding any elections, because none of the members are elected; they are appointed in various ways. There is no alteration going to be made to the statutory board whatsoever.

The Kenya Co-operative Creameries falls under another Ministry. It does not fall under mine. But I do know that the Kenya Co-operative Creameries have put off their elections as long as they can legally. We were hoping, as a Government, Sir, to have been able to have had the Bill in front of this House three months ago, but, as I said in my statement, we ran into legal difficulties, and we had to circumvent these legal difficulties, difficulties which we had inherited over many years.

Now, the position, as I understand it, is that the Kenya Co-operative Creameries are obliged to hold elections, but hon. Members need have no fear about these elections whatsoever, because if this Bill is passed, with amendment or without amendment, in this House or in the Senate, the new Kenya Dairy Commission will then be set up, as passed by this House and by the Senate. This will mean immediate implementation of a new commission which will then get rid of the Dairy Board and get rid of the Kenya Co-operative Creameries. And depending on what the hon. Members of this House agree to in the Bill, that will be how the new commission is formed. So the matter is entirely in the hands of the hon. Members.

**Mr. ole Tips:** Mr. Speaker, Sir, I think the hon. Minister ought to clarify the position rather than try to confuse it. What I mean is this. The Kibaki Commission was appointed to inquire into the whole dairy industry and, as such, it had both oral and written evidence from all the interested parties, including the statutory board to which he has referred. As such, of course, the confidential report sent by the Kibaki Commission—

**The Speaker (Mr. Slade):** I think we had better have your question now, Mr. ole Tips.

**Mr. ole Tips:** I am coming to that, Sir.

**The Speaker (Mr. Slade):** Well, quickly.

**Mr. ole Tips:** This was reported to the Minister. Why should he then send the confidential report back to the statutory board and not to the Government, when the Government could then put a White Paper to the House. Why refer it backwards and forwards?

**The Minister for Agriculture and Animal Husbandry (Mr. McKenzie):** Mr. Speaker, Sir, the hon. Member has been a Member of this House long enough to know exactly what the position is when reports are made to the Government. Sir, this report was a report to the Ministry. In being a report to the Ministry, it is a report to the Government. It was not a report set up by this House to this House, it was an inquiry set up by the Ministry on behalf of the Government. Now, Sir, when we obtain that report, we then found that there were complete new findings and new thinking on the part of the people in the country as shown in this report; this meant that if we, as a Government, were going to accept these recommendations, we could do one of two things. We could either publish a White Paper and debate it or we could go into ways and means of seeing how we could accept the majority view on this report, legal ways and means of doing this, because this involves movement of properties, of assets, and is very complicated, as the House will see when the Bill comes before the House. And we, as a Government, in the Cabinet, judged it by far the best to fight all these difficulties before bringing it to the House, and we could then explain to the House how we could get over these difficulties.

We then decided to put forward a Bill to this House, and to put forward the report to the House. This means that everything is in front of the House; we cannot hide anything. And, as I said to the first questioner, Mr. Speaker, it is up to this House as to what we decide in setting up the new commission. All the Government have been doing is finding out the legal ways in which we could get over the difficulties put forward by the report of the Kibaki Commission, and I am pleased that there are hon. Members in this House who were members of that commission and who know these difficulties.

Arising out of the discussions I had with them, they also advised that this was the best method of doing it. Now, Sir, when I, as Minister, get advice from members who were on the commission that this is the best way to do it; and when I also get advice and agreement in Cabinet that this is the best way to do it, I think that when hon. Members see the Bill and the Report they will also suggest and agree that this is the best way of doing it.

**Mr. ole Tips:** I rise for your guidance, Mr. Speaker. The hon. Minister raises a very controversial issue, but it is no good for him to try to hit the ball back at me.

**The Speaker (Mr. Slade):** What is the point of order, though, quickly?

**Mr. ole Tips:** I rise for your guidance, Sir.

**The Speaker (Mr. Slade):** Yes, but it has to be a point of order, you cannot just ask for guidance unless it is on a point of order.

**Mr. ole Tips:** If you refuse your guidance, Sir, then I sit down.

**The Speaker (Mr. Slade):** If it is a point of order—The only matter of guidance is a point of order.

**Mr. ole Tips:** No, I seek for your guidance.

**The Speaker (Mr. Slade):** Well, if it is not a point of order, sit down.

**Mr. ole Tips:** All right.

## POINT OF ORDER

## FRAUDULENT POINTS OF ORDER

**Mr. Kamau:** Mr. Speaker, point of order. As it has been very clearly alleged that this Kenya Co-operative Creameries Statutory Board, the majority—

**The Speaker (Mr. Slade):** Be careful! Is this a point of order you are making, Mr. Kamau?

**Mr. Kamau:** That is right.

**The Speaker (Mr. Slade):** What is the point of order?

**Mr. Kamau:** My point of order is this. Could the Minister for Agriculture, since he is responsible for that Ministry, order the postponement of this election so as—

**The Speaker (Mr. Slade):** Order! Mr. Kamau, that is not a point of order. I am getting very tired of warning hon. Members. The next time this happens, this sort of blatantly false point of order, I am going to send the hon. Member out of the Chamber.

## NOTICE OF MOTION FOR THE ADJOURNMENT

## POLITICAL PARTICIPATION OF GOVERNMENT SERVANTS

**The Speaker (Mr. Slade):** I would inform hon. Members that on the Adjournment today, Mr. Ngala-Abok is to raise the matter of the reply to Mr. Odera-Sar's question concerning political participation by civil servants.

## BILLS

## First Readings

## THE IRRIGATION BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

**Mr. Arupwings-Kodhek:** Mr. Speaker, Sir, at the moment—and every day—and from time to time they are checked. They will not be granted any licences if they are found to be faulty. This does not apply only to these particular vehicles but all public service vehicles are checked before they are given a licence to ply on these roads.

We do not want any taxis carrying Kenya citizens or any other citizens to be driven at breakneck speeds. I know that you also see big buses tearing along at terrific speeds. The police are on the highway, and when you drive along that road, you will see almost every three or four miles a number of police on patrol and they are doing their duty very well.

#### Question No. 30

#### LAND CULTIVATION IN KERICHO TEA PLANTATIONS

**Mr. Nyaberi** asked the Minister for Agriculture and Animal Husbandry if he would tell the House why labourers of the tea plantations in Kericho and other places had been stopped from digging some idle pieces of land adjacent to their respective living quarters so as to help in the relief of famine.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Murgor): Mr. Speaker, I beg to reply. To the best of my knowledge, labourers on tea plantations are still allowed to cultivate small plots adjacent to their living quarters for the purpose of raising subsistence crops.

**Mr. Nyaberi:** Mr. Speaker, Sir, the question is: why is the land adjacent to the living quarters of labourers working at the tea plantations left idle, when they wish to dig and help in famine relief?

**Mr. Murgor:** Mr. Speaker, Sir, some of this land which the hon. Member is referring to as lying idle is reserved for future development.

**Mr. Nyaberi:** Mr. Speaker, Sir, can the Assistant Minister tell the House whether, when land is left under a natural forest, it can really be said to be for future development? When land is left as bush and someone is ready to dig, can you explain the future development of that?

**Mr. Murgor:** Mr. Speaker, I think I had better try to help my friend.

I want to give him more information than he has just asked for. A plantation owner has a clear right to determine how his unused land should be utilized. Plantation wages are fixed on the basis of providing a reasonable living income and permission to cultivate small plots must,

therefore, be regarded as a bonus and not a right. It is also Government policy to steer away from the old paternalistic approach and to let workers stand on their own feet. Questions like this touch on matters affecting employers' and employees' relations and, therefore, are best left to the trade unions to handle. This Ministry has no business in this, except to see that bad land usage does not arise as a result. Uncontrolled cultivation leads to the burning of grass and soil exhaustion. There is also a temptation to cultivate areas with a greater degree of scope and these are regarded as unsuitable from the viewpoint of soil erosion control, so the allocation of subsistence plots needs to be controlled.

**Mr. Omweri:** Mr. Speaker, Sir, what is the Assistant Minister's answer to a plantation owner who used to allow his labourers to cultivate land which was not used and, after Independence, this particular person told his labourers, "You can go to your Government to give you more land?"

**An hon. Member:** That is a point.

**The Speaker (Mr. Slade):** I do not think it is a point at all relevant to this question.

#### Question No. 31

#### REDUCTION IN AGRICULTURAL STAFF AND MOTOR FUEL IN KISII

**Mr. Nyaberi** asked the Minister for Agriculture and Animal Husbandry whether he would tell the House why the agricultural staff and motor fuel for Government Land-Rovers had been reduced in Kisii, making it impossible for the Kisii farmers to get agricultural advice.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Murgor): Mr. Speaker, Sir, I beg to reply. A comparative analysis of staffing positions in the Kisii District for the last and the current years actually shows an overall increase and not a decrease of staff. There has also been a necessary reduction of the number of assistant agricultural instructors, owing to the reduction of personal emolument funds accruing from the Pratt Commission increases.

The staffing details are as follows: district agricultural officers, 1965, one; assistant agricultural officers, 1964, six, 1965, eight; agricultural instructors, technical assistants, thirty-eight in 1964, forty in 1965; assistant agricultural instructors, 115 in 1964 and 91 in 1965. Expenditure figures, however, indicate a reduction of allocation for the current year accruing from overexpenditure to the tune of £8,710 by the end of the financial year. The Provincial Agricultural Officer, Nyamira, has instead increased his staff, so as to control

**[The Assistant Minister for Agriculture and Animal Husbandry]** expenditure in the district, and is always prepared to make final allocations as and when this arises.

There should, therefore, be adequate staff and travelling facilities for the agricultural officers to cover the district.

**Mr. Nyaberi:** Mr. Speaker, Sir, can the Assistant Minister tell the House actually whether there has been a change in staff reduction?

**Mr. Murgor:** No, Sir.

**Mr. Omweri:** Mr. Speaker, Sir, arising from the Assistant Minister's reply that there has not been a reduction, would the Assistant Minister tell us why Manga Division and North Mugirango Division had to be served by one assistant agricultural officer for the rest of this year when one of the officers was taken to the Tea Authority, and also why the staff who formerly were in bigger numbers—the senior officers—in the Kisii Farmers' Training Centre were also reduced? Also, in the coffee sub-station we had two senior officers and at this time we only have one. Would the Assistant Minister give reasons why these officers have been reduced?

**Mr. Murgor:** Mr. Speaker, Sir, for that particular section, the Ministry is looking for one of the best assistant agricultural officers to replace the one who has been transferred.

**Mr. Omweri:** Mr. Speaker, Sir, would the Assistant Minister tell us why the coffee officer has no Land-Rover which used to be attached to his office, and every time he goes out, he has to borrow from the district agricultural officer or from the other department?

**Mr. Murgor:** Mr. Speaker, that is a different question, but I am going to investigate that and I will let the hon. Member know.

#### CONSIDERED RULING

#### ABSENCE OF MEMBER TO ASK QUESTION BY PRIVATE NOTICE

**The Speaker (Mr. Slade):** We must go on now. Is Mr. Shikuku here to ask his question by private notice?

I would remind hon. Members that on the last day of our last period of sitting, Mr. Shikuku asked a question by private notice of the Minister for Local Government. The Minister was not here to answer it, and the House registered considerable dissatisfaction, Mr. Shikuku loudest of all. I drew the attention of the Minister to this; he was very apologetic, gave his explanation, and

promised to come here and apologize and answer this afternoon. Now, Mr. Shikuku, having been reminded that he should be here to ask this question of his, by which he set so much store, is not here to ask it. On his side now, I think we must record the dissatisfaction of the House, and I shall require him to make an apology to the Minister.

**Mr. McKenzie:** you have a Ministerial Statement?

**The Minister for Agriculture and Animal Husbandry (Mr. McKenzie):** Mr. Speaker, I would like to give way to the Assistant Minister for Labour and Social Services, because I think his statement had better come first.

#### MINISTERIAL STATEMENT

#### WORLD RECORD FOR KENYA RUNNER

**The Assistant Minister for Labour and Social Services (Mr. Kubaj):** Mr. Speaker, Sir, I would like to say, on behalf of the Minister for Labour and Social Services, that he wishes to inform the House of the great news that the runner, Kipchoge Keino, has beaten the World record for the 5,000 metres.

(Applause)

**Mr. Alexander:** Mr. Speaker, Sir, would hon. Members make certain, when this great Kenyan returns, that they have advised their constituents to turn out in overwhelming numbers at the airport to receive him, because the last time he returned it was rather dismal.

**Mr. Arup Sol:** Mr. Speaker, could the hon. Member tell the House when he is coming?

**Mr. Alexander:** Somewhere near Christmas, Sir.

#### MINISTERIAL STATEMENT

#### PUBLICATION OF REPORT AND BILL ON THE DAIRY INDUSTRY

**The Minister for Agriculture and Animal Husbandry (Mr. McKenzie):** Mr. Speaker, Sir, I am informed that over the last few weeks there has been concern expressed regarding the future of the dairy industry. For some months now, the Government have not only been studying the Kibaki Report but have also been working on a Bill which will bring the whole of the dairy industry under one commission. It is the intention of the Government to publish this Bill on the 21st December and to make available to hon. Members the Kibaki Report on the same day. I am afraid it has not been possible to do this sooner because of certain legal difficulties in getting the Bill completed.

## ORAL ANSWERS TO QUESTIONS

## ARREST OF WOMEN IN EASTERN DIVISION OF KITUI

## Question No. 32

Mr. Mwalwa asked the Minister for Internal Security and Defence for what offences were the following women of Zombe Location arrested by the District Officer, Eastern Division of Kitui:—

1. Mutotoo w/o Mwanje.
2. Mungwe w/o Muli.
3. Kavata w/o Kivindu.
4. Kalala w/o Kumanda.
5. Muthiri w/o Mulingata.
6. Kakeye w/o Mutwa.

- (a) Were these women prosecuted and found guilty or acquitted, if not, why?
- (b) Were they given rations for the three days of their detention—if not why?
- (c) Were they provided with transport from the place of their detention back to their home location, Zombe, 35 miles distance—if not why?
- (d) Were these women not entitled to compensation for loss of earning for three days (7-9) calculated at Sh. 150 each?

The Minister for Internal Security and Defence (Dr. Mungai): Mr. Speaker, Sir, this question does not belong to the Ministry of Internal Security and Defence, and I am answering on behalf of the President's Office.

The women were arrested by the Administration Police for possessing and selling intoxicating liquor without permits. After the arrests, the women were taken to the chief's camp where they spent the night and were supplied with food from a local hotel at Zombe Market.

The following day, i.e. 8th October 1965, the women were escorted by the sub-chief and the Administration Police to the African Court at Kitui, but because the court was busy that day, the case could not be heard till the following day, 9th October 1965. The women were provided with accommodation and food at the district headquarters that night.

The next day, 9th October 1965, the district officer accompanied by the chief visited the district headquarters. He considered the charge and found that the women were arrested because they were found in possession of *pombe tamu*. *Pombe tamu*, in the opinion of the district officer, was a new drink in the district and it was possible

that the women were not aware that its possession and sale was illegal. The district officer, therefore, released them.

It is not the practice, Mr. Speaker, for the Government to provide transport for people who are not in custody. Accordingly, the Government did not provide the women with transport back to their homes.

The fact that the women were released does not mean that they could not have been fined had they been prosecuted to the court. They are not, therefore, Mr. Speaker, entitled to any form of compensation from the Government.

Mr. Mwalwa: Arising from the Minister's reply that women were at the district headquarters, can the Minister tell this House the names of the people who served them food?

Dr. Mungai: Mr. Speaker, Sir, it is not always very easy to note down the names of the waiter who serves the food, but they are served by Government servants at the place.

Mr. Mwalwa: Mr. Speaker, Sir, arising from the Minister's reply, he says that these women were fed. We would like to know the people who fed them, because I maintain that the women were not fed, they were mishandled. Can he give us the names of the people who fed them?

Dr. Mungai: Mr. Speaker, Sir, the person responsible for feeding these women was the district officer of the area.

Mr. Mwalwa: Mr. Speaker, Sir, arising from the Minister's reply that these women were released after the third day, why were they not released on the first day, why were they left to serve for three days before they were released. Why were they not released on the first day?

Dr. Mungai: I think I have explained it very well that the court at Kitui was very busy and could not get to them on the second day, therefore they had to wait until the third day.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): On a point of order, Mr. Speaker, Sir, I wonder if I could make an important statement of information which has just come forward?

The Speaker (Mr. Slade): Well, normally at the end of Question Time, Mr. McKenzie.

## Question No. 37

## MEASURES TO STOP STOCK RAIDS IN WESTERN KENYA

Mr. Aremam, on behalf of Mr. Ektella, asked the Minister for Internal Security and Defence, whether, in view of the fact that

[Mr. Aremam]

very many Turkana tribesman had been killed by stock raiders in Western Kenya, the Minister would take the necessary action to ensure that such raids did not take place.

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): Mr. Speaker, Sir, I beg to reply. Yes, I will. The police will take rigorous action in the area to restrict incidence of stock-raiding which is the cause of the killings. But, Sir, it must be remembered that, of late, the Turkana have been the aggressors and are partially to blame for any deaths which might have occurred as a result of stock-raiding.

Mr. Khalif: Mr. Speaker, Sir, is the Assistant Minister aware that a great deal of this stock-raiding has been done by Ethiopian tribesmen who crossed the Kenya/Ethiopia border with guns, and who raided the Turkana who, brave as they are, do not possess firearms?

Mr. Argwings-Kodhek: That may be, Mr. Speaker, Sir.

Mr. Khalif: If that is so, what immediate action is the Government envisaging to take, so as to stop Ethiopian tribesmen crossing our border and killing our tribesmen?

Mr. Argwings-Kodhek: It is not a question of immediate action, but there has been continuous action over a long period already regarding the disarming of Ethiopian tribesmen on the border and that is continuing. We have long-standing arrangements with the Ethiopian Government, and on the ground this matter is going on very smoothly.

Mr. Anyieni: Mr. Speaker, Sir, as a step to any further raiding of cattle from either side, will the Ministry consider setting up a border committee which can, when cattle are raided, make payments to whoever the cattle were stolen from?

Mr. Argwings-Kodhek: As a matter of fact, Mr. Speaker, Sir, there is already in existence a border committee and as I said earlier on, our district commissioners on this side meet with the district commissioners on the Ethiopian side, and they work beautifully, but human beings will be human beings, boys will be boys, they will infiltrate, and the border is a long one, therefore things may happen over which we have no immediate control.

Mr. Aremam: Mr. Speaker, Sir, can the Assistant Minister agree with me that Lodwar is about seventy-five miles from Kitale and cannot be post extra police to the border?

Mr. Argwings-Kodhek: I will certainly not agree with my friend from Turkana, because he knows very well that we cannot just put policemen in isolated areas without water. What the police can do is to intensify the patrols in the area, but there must be sufficient mobility for our police forces. Further, Sir, I must urge the Members from Turkana and Boran areas to help us and help the local police in tracking down, isolating and identifying the raiders whenever they come, even if it is only one person.

## Question No. 45

## SPEEDING CARS ON NAKURU/NAIROBI ROAD

Mr. Aremam, on behalf of Mr. Lorema, asked the Minister for Internal Security and Defence if he could tell the House what he was doing to discourage the speedy R.V.P. cars from travelling on the Nakuru/Nairobi Road.

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): Mr. Speaker, Sir, I beg to reply. I do agree with the hon. Member that the R.V.P. taxis are speedy, but I find it difficult to visualize why he should single them out as their accident record is extremely good. The company is very strict with their drivers and the result is that these drivers adhere to a speed limit along their route. Sir, to date, they have been involved in only one accident. Nevertheless, these facts do not lead the police to have any complacency and frequent checks on traffic using this road, including the R.V.P. Taxi Service, will be maintained.

Mr. Ngala-Abok: Mr. Speaker, Sir, is the Assistant Minister aware that these cars are so speedy that their speed must be checked, and is he also aware that today I was doing seventy miles per hour in my Holden and there were about ten of these taxis which passed me every time, and yet the capacity and the power of these cars is much lower than that of the Holden?

Mr. Argwings-Kodhek: Mr. Speaker, Sir, I am surprised at the hon. Member who was doing seventy miles per hour in a Holden. I am absolutely certain that his speedometer was not working. I was on the same road myself and I overtook not less than ten R.V.P. cars.

Mr. Obok: Arising from the Assistant Minister's reply, Sir, is he not aware that these R.V.P. taxis are driven at a terrific speed with rattling doors, and I think they would be most dangerous to road-users?



Mr. ole Kwocheffah: Mr. Speaker, Sir, if I may say so, Kakamega, for instance in 1964, was given a third stream and we regard that as being a new development in that school.

Mr. Somor: Mr. Speaker, Sir, would the Assistant Minister tell this House why the Coast Province has been given only one secondary school?

Mr. ole Kwocheffah: Simply because there are not many students who pass the Kenya Preliminary Examination. Otherwise, an additional secondary school would have been set up.

Mr. Ngala-Aboki: Mr. Speaker, Sir, could the Assistant Minister repeat, if he would kindly do so, how many of these schools, on a district basis, have been opened in South Nyanza? By names, I mean.

Mr. ole Kwocheffah: I have already answered that question, Sir.

Mr. Ngala-Aboki: On a point of order, Mr. Speaker, will the Assistant Minister say whether he is going to respect my request to answer this in names, instead of saying that he has answered?

The Speaker: Mr. Slade: He said that, because he has already given it, he was not prepared to do so again. He is entitled to do that. In fact, I support him. When it is a long list, hon. Members should bear the reply the first time.

Mr. Kibachoti: Mr. Speaker, Sir, arising from the Assistant Minister's reply, could he be kind enough as to give this House a written reply, stating clearly which are the schools—he has numbered here as 90—as having been opened?

Mr. Kwocheffah: Mr. Speaker, Sir, if it is the wish of the hon. Member and other hon. Members in this House, I am prepared to do that.

The Speaker: (Mr. Slade). I think we must go on now.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION No. 41: NEW SECONDARY SCHOOLS SINCE INDEPENDENCE

Mr. Mungai: On a point of order, Mr. Speaker, Sir, in view of the fact that we have not received any satisfactory replies to this question, I wish to raise this matter on adjournment.

#### ORAL ANSWERS TO QUESTIONS

Question No. 3

#### HAND-OVER OF NURSERY SCHOOLS AND NURSERY TEACHER TRAINING

Mr. Oduro-Sar: asked the Minister for Labour and Social Services if he would consider handing over nursery schools and training

nursery teachers from the Ministry of Labour and Social Services to the Ministry of Education.

The Assistant Minister for Labour and Social Services (Mr. Kubai): Mr. Speaker, Sir, I beg to reply: The nursery centres in the rural areas have, normally, been established on a self-help basis, and my Ministry has only been involved in so far as the assistance of community development staff is required. The community development officers, along with other district teams, have rendered services in terms of advice planning, material assistance where necessary and the training of instructresses. Although we run the training centres, the tuition fees are normally paid by either committees of parents or the local authorities.

The registration of these nursery centres is usually done by the district education officer, in consultation with the community development officers. The Ministry of Education is usually kept closely informed of the development of these centres. It is, therefore, obvious that the Ministry of Labour and Social Services is not directly running these nursery centres and the question of handing them over does not arise.

The hon. Member will agree that these nursery centres are doing very valuable work, particularly in areas where primary schools have not been established. The Ministry of Labour and Social Services is very happy about their contribution in establishing these nursery centres and will continue to do so. When the time comes for the Ministry of Education to run the centre and train the instructresses directly, then my Ministry would be the last to offer any resistance. The hon. Member is of course aware that the Ministry of Education is not in a position to do so now.

Mr. Oduro-Sar: In view of the fact that nursery schools are attended by small children whose brains are very weak and that the women who are teaching them are not trained, they have only attended courses for at least three months, or just a matter of weeks, is the Assistant Minister not aware that these untrained women are spoiling the brains of the children, so that the Ministry of Education should take care of this?

Mr. Kubai: Mr. Speaker, Sir, as I have said, the Ministry of Labour and Social Services undertakes the training of instructresses, and these training centres are spread all over, since Jamhuri, as follows: Embu, Machakos, Meru, Bungoma, Kakamega, Kisii, Kericho, Matuga, Nakuru, Murang'a, Nyeri, Kitale, Eldoret and Kisumu.

Mr. Ngala-Aboki: Mr. Speaker, Sir, will the Assistant Minister state why there is no such training school in South Nyanza and the second

(Mr. Ngala-Aboki)

part of my question is that since these children who are supposed to attend nursery schools are so young that they can always allege against the teacher, and I have met this near my home and the teacher is usually asked to leave the school by the people around there because a child of about five years old has complained against the teacher, does the Assistant Minister not realize that this needs a very special training? Could he tell us of the special training that is being given to these teachers so that we can be sure that they are people who can tolerate the brainless speeches which are made by these children?

The Speaker (Mr. Slade): Order! You have asked your question. I do not think the first question was relevant, but the second is. The question concerns the handing over of nursery schools from one Ministry to another, not where they should be.

Mr. Kubai: Mr. Speaker, with regard to the second question, the instructresses are trained in the following subjects: Firstly, how to deal with children from three to six years of age; secondly, to teach them how to play with toys and how to make toys themselves; thirdly, how to sing and play together; fourthly, how to count from one to ten in a simple way; fifthly, cleanliness; sixthly, they are taught to teach the children rhymes; seventhly, they are taught to tell stories to children; and eighthly, they are taught how to prepare children for primary school education.

#### Question No. 44

#### POKOTS LIVING NEAR MR. KIRSOPPS

Mr. Aremam, on behalf of Mr. Lorema, asked the President whether he was aware that the Pokot people living adjacent to Mr. J. C. Kirsopp's in Trans-Nzoia had been refused water rights in a river bordering his farm and the Pokot Reserve.

The Minister for Internal Security and Defence (Dr. Mungai): Mr. Speaker, Sir, on behalf of the President's Office, there is no river forming a boundary between Mr. J. C. Kirsopp's farm and the West Pokot Reserve, and the question does not, therefore, arise. However, it is known that within Mr. Kirsopp's farm there is a spring.

Mr. Aremam: Mr. Speaker, Sir, does that mean that the Minister refuses to acknowledge a geographical fact?

Dr. Mungai: Mr. Speaker, I think my answer was quite clear.

Mr. ole Tipsis: Mr. Speaker, arising from the hon. Minister's reply, could he give us a definite answer in view of the fact that the European

settlers were given preference over water in the past, and tell us what our independent Government has done to ease the situation?

Dr. Mungai: Mr. Speaker, Sir, I would like to assure the hon. Member from Narok that this Government does not give European settlers priority as far as water goes.

Mr. Muliro: Arising from the Minister's original reply, Sir, in which he said that within Mr. Kirsopp's farm there was a spring, does that spring start and end on Mr. Kirsopp's farm, or does it go on to serve the West Pokot District?

Dr. Mungai: Mr. Speaker, Sir, I said that there is no river forming a boundary between Mr. J. C. Kirsopp's farm and the West Pokot Reserve, where that river goes I cannot tell. I just know that there is no river on the boundary as asked in the question. If it is a question of the West Pokot people using the spring within Mr. Kirsopp's farm, I think this is a matter where they can negotiate with the owner of the farm who may consider having them there.

Mr. ole Tipsis: Mr. Speaker, on a point of order, I would like to have your guidance on this matter, that is as far as the previous water board is concerned — My point of order is whether we can raise a matter on the adjournment on the previous mistakes, whether this Government is prepared to review this question or not.

The Speaker (Mr. Slade): Yes, I think you are aware, Mr. ole Tipsis, that hon. Members can raise any matter on the adjournment, any matter of administration, after due notice to the Speaker, provided that time can be found for it, whether it relates to this question or not.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION No. 44: POKOTS LIVING NEAR MR. KIRSOPPS

Mr. ole Tipsis: Then I would like to give notice, Sir.

The Speaker (Mr. Slade): Yes, but you do not actually have to give it in the House.

Mr. Anyien: On a point of order, Mr. Speaker, on this particular matter where the hon. Member from the constituency says that there is a river which forms the boundary between the land owned by two people and the Minister says that there is no such river, how is this House to know who is telling the truth and who is not?

The Speaker (Mr. Slade): I have answered that question so many times that I am not going to do so again. I would refer all Members to HANSARD and the index in HANSARD.

[Dr. Mungai]

In terms of development, when we feel that it is time for this station to become a divisional headquarters, certainly it will be up-graded and it will become a divisional headquarters.

**Mr. Mwalwa:** Mr. Speaker, Sir, arising from the Minister's reply, what decides the status of a divisional police station?

**The Speaker (Mr. Slade):** No, we are getting rather far away from the question now, I think. Next question.

Question No. 38

REGISTRATION OF TARANGANYA Harambee SECONDARY SCHOOL

**Mr. Maisori-Itumbo** asked the Minister for Education if he would explain why Taranganya Harambee Secondary School had not been registered, up to date, together with other Harambee secondary schools and yet it was the only one in his constituency.

**The Assistant Minister for Education (Mr. Konchellah):** Mr. Speaker, Sir, I beg to reply Taranganya Harambee Secondary School has not yet been able to fulfil the necessary requirements for registration. However, the school management has given categorical assurances that these requirements will be fulfilled, and the normal action to have the school registered has been initiated.

**Mr. Maisori-Itumbo:** Arising from the Assistant Minister's reply, is he aware that the Sh. 40,000 demanded from the community there, was available at the beginning of the building of this school? And also, Sir, is he aware of the fact that the land was available, and that the teacher who was promised from America has also arrived?

**Mr. Konchellah:** Mr. Speaker, Sir, the Ministry was not aware that the required Sh. 40,000 had been collected. Secondly, the report from the provincial education officer was that the qualified teacher who was to teach in the school also was not ready. And even if the land was ready but the buildings were not ready, we would not permit this.

**Mr. Maisori-Itumbo:** Mr. Speaker, Sir, arising from the Assistant Minister's reply, the substantial impression I am given is that the requirements were met from the beginning, the teacher was available, a K.T.I whom the Ministry said would be available, before the school began. Now, Sir, will the Assistant Minister agree with me that the delay in the registration of this school arises purely from tribal feeling?

**Mr. Konchellah:** No, Sir

**Mr. Kamuren:** Mr. Speaker, Sir, arising from the Assistant Minister's reply, could we be told who does the registration of these Harambee secondary schools, and also whether the Minister has been to investigate the schools, to check the facilities of such schools, before they are registered?

**Mr. Konchellah:** Mr. Speaker, Sir, I have said before that the school was not ready to be registered. They should not put their own interpretation on this and say that the Ministry has refused to register this school. The requirements for the registration of the school were not there, and therefore we could not register the school illegally.

**Mr. Maisori-Itumbo:** On a point of order, Mr. Speaker, I want to correct the impression which the Assistant Minister has given to the House—

**The Speaker (Mr. Slade):** Order! Order! Mr. Maisori, that is not a point of order, you are arguing.

**Mr. Agar:** Mr. Speaker, Sir, would the Minister enumerate to this House all the requirements needed in Harambee secondary schools before they are opened?

**Mr. Konchellah:** Mr. Speaker, Sir, we have repeatedly informed the House and the hon. Members that we need a qualified teacher before we allow a Form I to be opened. The second point is that we need to see that they have enough money to run the school. Thirdly, there must be the buildings and even the school teacher's house.

**Mr. Maisori-Itumbo:** Mr. Speaker, Sir, would the Assistant Minister agree with me that, on 15th January the hon. Minister for Education, Mr. Koinange, authorized him to come and see these places and the schools, and whether all the demands existed or not? Would he tell the House whether he turned up or not?

**Mr. ole Konchellah:** Mr. Speaker, Sir, I disagree with such remarks. On the other hand, Sir, we have a provincial education officer in Nyanza who reports on the activities which go on there. We work according to his report.

Since the requirements for opening this school were not there, at the moment, as I said, the school's management has given categorical assurance that these requirements will be fulfilled; the normal action to have the school registered has been initiated.

NOTICE OF MOTION FOR THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION NO. 38: REGISTRATION OF TARANGANYA Harambee SECONDARY SCHOOL

**Mr. Maisori-Itumbo:** Mr. Speaker, Sir, since the Assistant Minister, has failed to answer satisfactorily, I give notice in writing, will I be allowed to raise this on an adjournment?

**The Speaker (Mr. Slade):** If you give written notice, Mr. Maisori-Itumbo, yes.

ORAL ANSWERS TO QUESTIONS

Question No. 41

NEW SECONDARY SCHOOLS SINCE INDEPENDENCE

**Mr. Obok** asked the Minister for Education if he would tell this House so far how many secondary schools had been opened in Kenya since Independence and where, on a district basis, these schools were situated by numbers.

**The Assistant Minister for Education (Mr. ole Konchellah):** Mr. Speaker, Sir, I beg to reply. There are ninety grant-aided secondary schools opened in Kenya since Independence. On a provincial and district basis, the situation is as follows: Nairobi 10; Coast Province 1; Western Province: Kakamega District 7, Bungoma 3, Busia 3; Rift Valley Province: Kipsigis 3, Elgeyo-Marakwet 3, Nakuru 1, Kajiado 1, Baringo 1, Trans Nzoia 1, Central Province: Nyeri 12, Kitambu 8, Muranga 5, Kirinyaga 4, Nyandarua 2; Eastern Province: Machakos 4, Meru 2, Embu 2, Kiitu 2, Marsabit 1; Nyanza Province: Kisii 4, South Nyanza 5, Central Nyanza 4; North-Eastern Region: Wajir 1.

There are also 103 Harambee or unaided secondary schools which have been established in Kenya during the same period.

**Mr. Masinde:** Mr. Speaker, Sir, arising from the Assistant Minister's reply, would he tell this House, instead of mentioning just numbers, actual schools which have been opened; particularly in Kakamega where he says that seven schools have been opened?

**Mr. ole Konchellah:** Mr. Speaker, Sir, in Western Province we have the Butere Boys' School, Mukumu Boys' School, Bunyore Girls' School. Then, in Bungoma we have the Musiku Girls' School, the Busia Butula; in Kakamega we have the Kaimosi Girls' School. In Bungoma there is Nguulu; in Kakamega there is ..... in Busia there is the Amkura, in Bungoma there is ..... Busia there is Silagame and in Kakamega there is .....

**Mr. Masinde:** On a point of order, Mr. Speaker, I do not know what you can do here because the Assistant Minister is giving completely wrong information. These schools have been there for years.

**The Speaker (Mr. Slade):** Order! Order! No, you cannot do anything about it, you know, Mr. Masinde, except to pursue him by further questions. Not as a point of order.

**Mr. Areman:** On a point of order, Mr. Speaker, may we ascertain that any information being given by a Minister or Assistant Minister, is wrong or correct by the people outside there, that these schools have been set up since Independence?

**The Speaker (Mr. Slade):** Order! Order! That is not a point of order either, I warn hon. Members again about false points of order. They completely upset the whole proceedings of this House, and I will not have that.

**Mr. Kamuren:** On a point of order, Mr. Speaker, is it not in order for the hon. Assistant Minister to find out whether these schools were built by the Government or are Harambee schools?

**The Speaker (Mr. Slade):** Mr. Kamuren, you can ask him as a question to do that, but you cannot rise on a point of order on a thing like that. Surely you understand by now. If you do not, then you will have to learn the hard way.

**Mr. Gichoya:** Mr. Speaker, Sir, arising from one of the replies of the Assistant Minister, would he give positive names of the secondary schools he has referred to so that we know which they are? I ask this since I believe we have more than four?

**Mr. ole Konchellah:** Mr. Speaker, Sir, I must first of all clear the minds of the hon. Members in this House. The question was, how many secondary schools have been opened in Kenya since Independence, and where, on a district basis. The question asked where these schools are situated, by numbers. It must be known that some of the old schools on the list, which I read out, had no secondary status. Some of them were intermediate schools. These schools have all been given secondary status now and, therefore, I have given the number of the secondary schools which were given that status since Independence, together with the new ones which have been built and opened.

**Mr. Masinde:** Sir, arising from the Assistant Minister's reply, is he aware that on the list he has just mentioned, Kakamega is mentioned as having been opened since Independence, but it has, in fact, been open since 1932?

**Dr. Mungai:** Mr. Speaker, Sir, I am not admitting or denying it. I just said that the person who was involved was asked to submit something so that the matter could be followed up and we would be quite ready and willing and quite happy to follow the matter when proper application has been sent to the police.

**Mr. Onweri:** Mr. Speaker, Sir, would the Minister tell this House what steps he would take if cases are not brought to him?

**Dr. Mungai:** Mr. Speaker, Sir, I am Minister for Internal Security and Defence, not a policeman, and these things are submitted through the right channels, to the police and not directly to me.

**Mr. Mbogoh:** Mr. Speaker, Sir, would the Minister then tell this House that he has no power to deal with the policemen who become a nuisance to the Members of Parliament, in view of the fact that a case has arisen where a Member has faced humiliation at the hands of the police, and reported it to him without any action being taken?

**Dr. Mungai:** Mr. Speaker, Sir, I said none has been reported to me and I say for Members of Parliament or for members of the general public, that the proper channels through which these matters are taken up and investigated and we are going to do so when they are submitted to the right place at the right time to the right people.

**Mr. arap Soli:** Mr. Speaker, Sir, is the Minister not aware that when the question concerning that Minister was raised in this House, it was reported to him and he should not need another report again? He should take action.

**Dr. Mungai:** Mr. Speaker, Sir, that I do not accept, because things are not reported that way, there are proper ways laid down in which anybody can make his complaints and not necessarily here. This is a very different matter, and in fact, if the hon. Assistant Minister would like to make his complaints, this can be done, investigated by the Criminal Investigation Department and action. I promise you, will be taken, but not to be raised in the House and then I am told that it has been reported to me. I do not accept that.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION NO. 39:  
RESPECT FOR NATURAL ASSEMBLY MEMBERS

**Mr. Mbogoh:** Mr. Speaker, Sir, on a point of order, in view of the unsatisfactory reply, I wish to raise this matter on adjournment.

#### ORAL ANSWERS TO QUESTIONS

Question No. 40

##### KENYA GOVERNMENT SPOKESMAN

**Mr. Obok** asked the President if he would inform the House who the Kenya Government spokesman was who was often referred to in the Press, and also how this man was appointed and from which Ministry he operated

**The Minister for Internal Security and Defence (Dr. Mungai):** Mr. Speaker, Sir, I beg to reply. A Government spokesman was a member of Government requested by the President to undertake an assignment to issue an authoritative statement on Government policy. This could be any member appointed by the President to do so and not necessarily one individual. Any person in Government could be requested to do so and he becomes the spokesman for the Government.

**Mr. Obok:** Arising from the Minister's reply, Sir, will the Minister be very specific and tell us who the Government spokesman is?

**Dr. Mungai:** Mr. Speaker, Sir, I said there is no post for Government spokesman as such, it will be any individual in the Government who is asked by the President to issue a policy statement.

**Mr. Khasakhala:** Mr. Speaker, Sir, arising from that reply, could the Minister kindly tell the House some of those who are responsible, the names of some of the people in the Government who have already issued statements on behalf of Government as Government spokesmen?

**Dr. Mungai:** Mr. Speaker, Sir, it could be any Minister, any Assistant Minister, someone in the Provincial Administration; the provincial commissioners and the district commissioners do the same, depending on the subject matter and the policy. It is done throughout the country; it is not one individual who actually does it.

**Mr. Anyieni:** Mr. Speaker, Sir, arising from the Minister's reply, would the Minister tell us who decides on the reply which comes from the Government spokesman, whether it is that spokesman who decides on the statement or a group within the Cabinet or a group of top civil servants who decide on the statements which are issued by a Government spokesman?

**Dr. Mungai:** Mr. Speaker, Sir, it might be decided on in several ways. The President sometimes might outline it himself; sometimes it may be the Cabinet which has met and decided on a statement to be issued; sometimes it may concern a more administrative type of question, which any civil servant could cope with. Therefore, it depends on the particular case and the particular

**[Dr. Mungai]** statement that is being issued; and you cannot sit right here and now who does it because it is not done by one individual.

**Mr. Oduya:** Mr. Speaker, Sir, can the Minister tell the House what happens to statements which we always see in the Press saying this and that and that, and then the following morning another man comes forward and says, "Oh, that is not a Government statement, it should be this and this". What happens then? Who issues such statements?

**Dr. Mungai:** Mr. Speaker, Sir, it depends on who issues the first statement! Because, occasionally, it may not be a Government spokesman who does so, it may be someone else. When it is the President who has issued the statement correcting the other individual, in case of any mistakes, then the President's statement is the proper one.

**Mr. Muliro:** Mr. Speaker, Sir, arising from the Minister's reply, would the Minister not agree with me that this causes confusion when the Government spokesman is not known?

**Dr. Mungai:** Mr. Speaker, Sir, the final authority for the Government spokesman is the President, and he is known. It is only when he has asked somebody to issue a statement that it is issued. When somebody thinks that he speaks for the Government and he speaks as an individual, he is immediately corrected by the President.

**The Speaker (Mr. Slade):** Next question.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION NO. 40:  
KENYA GOVERNMENT SPOKESMAN

**Mr. Muliro:** On a point of order, Mr. Speaker, in view of the most unsatisfactory reply by the Minister, I would like to give notice of my intention to raise this matter on the adjournment.

**The Speaker (Mr. Slade):** Yes, you can give notice.

#### ORAL ANSWERS TO QUESTIONS

Question No. 32

WOMEN ARRESTED IN EASTERN DIVISION,  
KITUI

**Mr. Mwalwa** asked the Minister for Internal Security and Defence if he would tell the House for what offences were the following women of Zombe Location arrested by the District Officer, Eastern Division of Kitui:—

1. Mutootoo w/o Mwande.
2. Mungwe w/o Muli.

3. Kavata w/o Kivindu.
4. Kalala w/o Kumanda.
5. Muthiri w/o Mulingata.
6. Kalekye w/o Mutwe.

**The Minister for Internal Security and Defence (Dr. Mungai):** Could we delay this Question, Mr. Speaker, Sir? I am expecting some more details in a few minutes.

**The Speaker (Mr. Slade):** You mean that you would be in a better position to answer it at the end of Question Time than now?

**Dr. Mungai:** Yes, Sir.

**The Speaker (Mr. Slade):** Yes, all right. We will go on, for the moment, to the next question. Your next question, Mr. Mwalwa.

Question No. 33

#### APPLICATIONS FOR FIREARMS CERTIFICATES

**Mr. Mwalwa** asked the Minister for Internal Security and Defence whether he was aware that Machakos Police Station was delaying transmission of applications for firearms certificates from Kitui to Nairobi.

**The Minister for Internal Security and Defence (Dr. Mungai):** Mr. Speaker, Sir, I beg to reply No, Sir, but I am aware of the fact that applicants have themselves delayed their applications in the following ways:—

- (a) Some applications have inadequate information as to the security of the firearms and have been referred back for further details.
- (b) Other applications have been on legally printed forms, whereas there is a local provision for the type of form to be used, obtainable from the Central Firearms Bureau or any police station.

**Mr. Mwalwa:** Mr. Speaker, Sir, arising from the Minister's reply, and in view of the fact that I have evidence of an application which was sent there, that is, Machakos Police Station, last May and which was not transmitted to Nairobi until I went there personally early this month to collect it, can the Minister therefore assure this House that Kitui Police Station will be given divisional status so as to enable this station to deal with Nairobi direct?

**Dr. Mungai:** Mr. Speaker, Sir, if the hon. Member is dealing with one particular application, and if there has been any delay in that application, the police will be quite willing to investigate why this delay occurred.

**[The Minister for Health and Housing]**

going to say everybody will issue policy statements on behalf of Government every Member of Parliament or shall we say the Ministers? So I think that is a question which we should have more time to discuss before this House.

There has been a complaint about free education being granted to Forms V and VI. For those who do not know, the reason why the Government was able at this time to allow people to get free education is because

An hon. Member: Tell us.

The Minister for Health and Housing (Mr. Otiende): I will tell you what I want to tell you—the people, after Form IV, are able to be recruited quickly into the service of the Government. If you are going to Africanize the services, you must use the people who can easily be converted into civil servants, but the question of free education has not been dropped. We know there has been uneven development, that in some areas we do not have higher school certificate. This is well known to Government, but Government must recruit at present, as soon as possible, people to take over jobs in the Civil

Service. That is the only reason why this has been granted, but the question of free education is still to be pursued. I would like to—

Hon. Members: What about Sigalagala?

The Minister for Health and Housing (Mr. Otiende): I can only assure hon. Members, if they are very keen to know about this, that the matter has not been settled. What has happened so far is that a Russian delegation has been to look at Sigalagala and other places in the Western Province. They were very pleased with what they saw and they reported back to the Minister. The Minister has not made a final decision, but there is, of course, the effort to have another technical college in Nyeri according to plan.

The Speaker (Mr. Slade): Order! I am afraid that is the end of our time.

I will now put the question

(Question put and agreed to)

**ADJOURNMENT**

The Speaker (Mr. Slade): The House is, therefore, adjourned until Tuesday, 30th November, at 2.30 p.m.

*The House rose at One o'clock*

**Tuesday, 30th November 1965**

The House met at thirty minutes past Two o'clock.

*[The Speaker (Mr. Slade) in the Chair]*

**PRAYERS****ADMINISTRATION OF OATH**

The Oath of Allegiance was administered to the following Members:—

Njoroge Mungai.

Reginald Stanley Alexander.

**COMMUNICATION FROM THE CHAIR****ASSENT TO BILLS**

The Speaker (Mr. Slade): I have to inform hon. Members that the President has assented to the following Bills:—

Title	Passed Third Reading		Date of Assent
	House of Representatives	Senate	
The Kenya Tourist Development Corporation Act, 1965	8-10-65	13-10-65	3-11-65
The Appropriation Act, 1965	19-10-65	22-10-65	8-11-65
The City of Nairobi (S.S.A.M.U.A. Dam Agreement) Act, 1965	12-10-65	19-10-65	8-11-65

**NOTICES OF MOTIONS****EMPLOYMENT POLICY**

Mr. Mboogh: Mr. Speaker, Sir, I beg to give notice of the following Motions:—

That in view of the great disorganization in employment in that tribalism is the only qualification, this House urges the Government to reverse its present employment and promotion policy and introduce a more constructive policy in—

(a) the Public Service;

(b) the Private Sector

so that promotion and employment will be by qualification and experience and not tribal and birth.

**AFRICANIZATION: DISMISSAL OF CIVIL SERVANTS**

That this House views with concern the Africanization policy pursued by the Government and urges the Government to dismiss all colonial-minded civil servants who refuse to change with the times and substitute them with

qualified and up to date young men who are being victimised by the colonial-minded bosses who are misinterpreting the Government policies to suit their own conditions.

**ORAL ANSWERS TO QUESTIONS**

*Question No. 39*

**RESPECT FOR NATIONAL ASSEMBLY MEMBERS**

Mr. Mainsort-Itumbo asked the President whether he could tell the House why hon. Members of both the Senate and this House were not respected by the police, and other Government servants who respected Ministers only.

The Minister for Internal Security and Defence (Dr. Mungai): Mr. Speaker, Sir, on behalf of the President I beg to reply. The Government is not aware that the police and other Government servants do not respect Members of both Houses of Parliament. There has been a great improvement in the way the police is handling their job with respect firmly, without fear or favour, and in our schools, in their instruction, they are taught at Kiganjo that they have to start right and continue serving the public right because they are no longer serving a foreign power but the general population of Kenya.

Mr. Mainsort-Itumbo: Mr. Speaker, Sir, arising from the Minister's reply, is he aware that Members of Parliament and Senators are not allowed to enter the V.I.P.'s lounge at Embakasi Airport as well as Kamukunji whenever there is a big public occasion?

The Speaker (Mr. Slade): That is another question which hon. Members should discuss with Mr. Speaker, I think.

Mr. Kagga: Mr. Speaker, Sir, arising from the Minister's reply, and in view of the fact that some time ago I raised one question in this House, when a policeman had assaulted an Assistant Minister, will the Minister tell this House what his Ministry did to this particular policeman who showed disrespect to Assistant Ministers?

Dr. Mungai: Mr. Speaker, Sir, I say that the police show respect to the Ministers, Assistant Ministers, Members of this Parliament, and also people outside, the common citizens of Kenya, and I remember, the case, too, and the hon. Assistant Minister was also asked to submit something in writing so that the matter could be pursued. I personally did speak to him and I am still waiting.

Mr. Kagga: Mr. Speaker, Sir, does the Minister deny the fact that this policeman did not, in fact, assault Mr. Onamu?

[Mr. Malinda]

suggestions. If this is done, then, Mr. Speaker, I think the Eastern Province will get equitable distribution of whatever development funds there are.

Going on from there, Mr. Speaker, I would like special attention to be paid to the problem of water in Machakos District. It is quite overdue, Machakos District suffers nearly every year from lack of food, not due to the fact that the people are lazy. People in Machakos, Mr. Speaker, I can assure this House, are one of the most hard-working people we have, but due to climatic conditions and to the fact that water and weather conditions are not so favourable to get production out of this land, this is always a failure. I would like, therefore, Sir, the Government, when it formulates the development programme for that area, to bear in mind that the first and foremost item of development that is required in Machakos is water provision.

Mr. Speaker, Sir, time is running short and I would like to touch only briefly on the question of the Unilateral Declaration of Independence. We have heard what our Government has to say about this and, as has been said in this House by several good and able speakers, it is fast going to be any good to indulge in talk at the time. I would like to give a suggestion, that the Kenya Government should show that they are determined to help our brothers in Rhodesia by providing funds and calling for young men who are able and who are prepared to be volunteers, to go to Rhodesia and liberate our brothers.

The Speaker (Mr. Slade): I would point out to hon. Members that we have only ten minutes left. Mr. Otieno has obviously been taking very careful note of all that is said. Strictly according to our resolution, he will only have five minutes in which to cover the whole of what has been said. I should inquire, I think, whether the House is disposed to give him leave to start now and take ten minutes.

An hon. Member says no, so I will call on Mr. Masinde.

Mr. Masinde: Mr. Speaker, Sir, thank you very much for giving me this opportunity. I think I will possibly take only two minutes.

The first point I want to touch on is the Ministry of Education. Since we achieved independence, we have heard mentioned that a number of schools are going to be opened, particularly secondary schools, and some of the Harambee secondary schools will be taken over. But, Sir, we have already been told that no more

additional schools are going to be opened, except the additional class in the existing secondary schools. During the colonial times, there was a definite programme of secondary schools and all these schools were opened during the colonial days. Today, Sir, one would wonder whether we are independent and, if so, what is happening, because all the development that should be seen in some of the districts is that development which was planned by the Colonial Government.

Because of this, it becomes very, very unfortunate for this Government now to appear before the public and say that this is what they have done for you. That means that the question of Harambee might be for a few districts, to accept that we are working in the spirit of Harambee.

I now come to another point: the Ministry of Works. The Ministry of Works is possibly one of the Ministries which is trying to do something, but in this case I would like to say that we do not want to see any favouritism employed in any Ministry when planning its projects. We understand that Homa Bay now has been accepted as one of the districts which is going to be on the main line of power supply. We do not know the reasons, perhaps just because the Minister—not the particular Minister heading that Ministry but another Minister who is in charge of economic planning in this country—negotiated with the directors in London that Homa Bay, for political reasons, must be on the main power supply. Sir, this is very, very unfortunate. We expect Ministers in this country to work throughout Kenya and plan for the whole of Kenya, not for the areas they come from.

We have had a number of problems, particularly with self-help. The question of self-help today has no meaning at all. Unless you have Ministers from a given province, you will never see any assistance, particularly supporting any self-help group which is encouraged by the local people. We have had a number of Ministers visiting their own homes, throwing their money around; they have influence because of the offices they are holding now. Because of this, you get a number of people donating money and when they do, they donate through given Ministers.

Western Province, with a population of about two million people, has only one Minister and this Minister, possibly, does not have the biggest influence in the country. For that reason, we are suffering terribly. We have had one single district under a self-help project. They have donated more than Sh. 4 million in one year.

[Mr. Masinde]

Mr. Speaker, this is going to be a very dangerous situation, and this has happened in Homa Bay. Nobody can tell me about this. If there is a Minister today to tell me, I will give way. Mr. Speaker, here is a government for the people of Kenya, not a government for one district, not a government—

The Vice-President (Mr. Odinga): Mr. Speaker, I would like the hon. Member to support with facts his statement about Sh. 4 million going to a particular project in a particular area.

Mr. Masinde: Mr. Speaker, Sir, I have mentioned this and I want to support it. There is the power line to Homa Bay, the bridges which have been built to Homa Bay, the money on chassis on nearly every primary school in Homa Bay and this is very, very true. There is one big hospital now being built, before even a provincial hospital in Western Province has been built, before even Busia Hospital has been built, and this is nothing but the truth. And he is the Minister in charge of economic planning, and he is now planning for his own.

Mr. Speaker, here in Kenya, what we want is a government of the people, and if we are going to have five Ministers of a given tribe, then they are working for their own tribe. Because of this, we want Ministers to come from every province, and let there be two from each province to make fourteen throughout Kenya: North Eastern; Eastern; Central; Rift Valley; Western; Nyanza; Coast—

The Speaker (Mr. Slade): That is the end of your time, Mr. Masinde.

It is time now for the Mover to reply.

The Minister for Health and Housing (Mr. Otieno): Mr. Speaker, Sir, it is a very tall order that I have here—

The Speaker (Mr. Slade): Do not worry, the House obviously does not want you to take very much trouble!

The Minister for Health and Housing (Mr. Otieno): Mr. Speaker, therefore I will not take much trouble!

I would like to say, on the question of self-help schemes, that certain areas have organized themselves and, village by village, they have collected money, and every trader in the trading centre has given something, and they have built up funds to build schools. If an hon. Member is unable to organize his own area, he should not argue about people in one area supporting their schools with their own money

from their own pockets. No money has been taken out of the Government kitty to go and build schools in Homa Bay.

Mr. Speaker, I would like to reply very quickly to Mr. Nyalick's contention about—

The Assistant Minister for Works, Communications and Power (Mr. Bonetti): On a point of order, Mr. Speaker, Sir, is the hon. Member in order to say that all Ministers are corrupt?

The Speaker (Mr. Slade): Most certainly not. Mr. Shikuku, did you say that? I thought I heard you say that myself.

Mr. Shikuku: I did, Sir.

The Speaker (Mr. Slade): You will withdraw that.

Mr. Shikuku: I withdraw.

The Speaker (Mr. Slade): And do not say it again.

The Minister for Health and Housing (Mr. Otieno): Mr. Speaker, surely, if what Mr. Nyalick says is true, this matter will be given very urgent consideration. As far as I know, there are medical facilities there, although they are not enough, and I know that the Ministers—

Mr. Masinde: On a point of order, Mr. Speaker, in view of the fact that we would like to hear from the Minister who is replying on behalf of Government on most of the points which have been raised, would I be in order to ask the House to allow him to take about ten minutes, so that we get the exact reply?

The Speaker (Mr. Slade): No, we have had an extra half-hour anyhow for this adjournment Motion. I gave the House the chance of giving the Minister longer for reply and the House refused it. He is limited to his five minutes according to the Resolution.

The Minister for Health and Housing (Mr. Otieno): I would like to argue one point, Mr. Speaker. I wish I had more time—that of the Ministers getting publicity.

This question has been before this House several times and I think it is time it was dealt with. The reason why Ministers' statements are always printed is because Ministers are supposed to be charged with the duty of issuing policy statements. I do not see anything wrong in a paper publishing what is supposed to be a policy statement, but, at the same time, the newspapers are full of news of Members in their own constituencies. I know they contribute occasionally while they are in Nairobi. But who is going to speak for the Government? Are we

[Mr. Seroney]

particular respect to how it was reported in the *East African Standard* that he alleged that certain civil servants in the Nandi District, particularly chiefs and administrative officers were indulging in politics, but that Government had taken no action against them.

Mr. Speaker, I am afraid that I am not aware of these particular things alleged by my hon. friend, and I cannot subscribe to a blunt allegation against the Administration or the chiefs in my district. I am sure that when a representative of the Ministry, or of the President's Office, gets up in the course of the debate on the President's speech in which this matter was raised, the allegation made by my hon. friend will be answered by the Ministry of the President. I have no doubt that the majority of the civil servants and the administrative officers and chiefs in the district are loyal and devoted servants who are co-operating with us in the district in building the nation.

My hon. friend here has said "no". I wonder what my hon. friend knows about the Nandi District? I have been a representative of the Nandi since 1961. My hon. friend says I have friends there and I challenge him to prove it and, also, to prove the allegations made by my friend from Nandi South. I would ask the spokesman from the President's Office to deal with these allegations. We cannot have spurious allegations against the administrative officers, we need them to develop the districts and not to demoralize them. I sincerely trust that the President's Office will answer these allegations which have been made by my hon. friend, the hon. Member for Nandi South.

Mr. Speaker, an hon. friend has asked whether I am fighting my hon. friend. I am not, as a representative from the Nandi District, I represent everybody including the District Commissioner who is in my constituency, as well as the chiefs and, as far as I am concerned, I have no reason to complain with regard to their co-operation whenever anything constructive for the district has been sought to be done, but if there is any truth in the allegations made by my hon. friend, I ask the President's Office to investigate and answer these allegations on the Floor of this House.

Mr. Speaker, Sir, the last point I would like to mention is about education. We have said in our Sessional Paper, Sir, that areas which are backward, areas which have been neglected in the past, should be given particular attention. My district, for that matter the whole province, Sir, was neglected in the past and we are really very short of secondary school material, so much so that the recent offer by the Government for

secondary education at Form V and Form VI is not going to do much good for us because we need expanded secondary education at Form I to Form IV, and I sincerely trust in the planning—

The Speaker (Mr. Slade): Your time is up.

Mr. Seroney: I beg to support, Mr. Speaker.

The Assistant Minister, Vice-President's Office (Dr. Waiyaki): Thank you, Mr. Speaker. I must say that I am speaking as a constituency Member for Nairobi North-East and you are welcome there.

Mr. Speaker, this year this Parliament has spent a lot of time in speaking about such things as Communism. I want to say that we should from now on speak less and less about Communism and concentrate more and more on what to do about unemployment and such things as the landlessness of the very poor.

In this connexion, Mr. Speaker, I hesitate to talk about it but I think it is necessary—there is the attitude of the police and they could affect the attitude of our people towards our Government. There are very many people who are complaining these days that when police arrest a person they get hold of him and say "Harambee" and say that this is an order from the hon. Mr. Kenyatta and that they are, therefore, only fulfilling the wishes of *Ujamaa*. Mr. Speaker, I have never heard His Excellency, our President, Mr. Jomo Kenyatta, or any Minister speak about the need to "Harambee" a thief or a criminal, or whoever else, by pulling him and mentioning that they will *Harambee* them because this is *Ujamaa*.

I have sat in this Parliament now since 1963 and I have not heard that yet. I think that if the police continue in this manner there will come a time when in a public meeting somebody will say, "Harambee", and the public will just keep quiet and look at him because, the meaning of *Harambee* is being given the wrong connotation by the activities of some police, not all police—

Mr. Makone: On a point of order, Mr. Speaker, is the Assistant Minister in order to allege that the police, when they catch an offender, pull him in the spirit of *Harambee*? Is he in order to allege this against such professional officers? Can he substantiate this?

The Speaker (Mr. Slade): You can ask for substantiation of this, yes.

The Assistant Minister, Vice-President's Office (Dr. Waiyaki): Mr. Speaker, it is not always possible to go and find the person who has been lifted and told "Harambee", but it is common knowledge that the public are complaining.

Mr. Masinde: On a point of order, Mr. Speaker, I just want to get your ruling. In view of the fact that we have one police officer in my district known as "the *Harambee*", as the man using that *Harambee*" when he arrests you or stops you is the hon. Member prepared to accept us as a person who is the police officer and now—

The Speaker (Mr. Slade): Order! Order! You cannot interrupt on points like that. I do not think in cases like this you are really justified in relying on common knowledge, Dr. Waiyaki. There must be some incident that you have seen or heard of yourself.

The Assistant Minister, Vice-President's Office (Dr. Waiyaki): I have heard of numerous incidents in my constituency. In fact, there is a great deal of activity in my constituency by the police lately, and if I am challenged to produce people who have been taken by the police and they have been told "Harambee", I could do so.

The Speaker (Mr. Slade): You are challenged.

The Assistant Minister, Vice-President's Office (Dr. Waiyaki): I cannot produce them today in my Parliament, but if that is the case I could go and look for these people.

The Speaker (Mr. Slade): I think you should do so to the satisfaction of Mr. Makone anyway, for the satisfaction of the House.

The Assistant Minister, Vice-President's Office (Dr. Waiyaki): Yes, I will do that. He lives in my constituency, he ought to know.

Mr. Makone: On a point of order, Mr. Speaker, could the Assistant Minister withdraw now?

The Speaker (Mr. Slade): Order! Now, if it is reasonable to allow an hon. Member time in which to substantiate what he says, and it is reasonable in this case, then he is not required to withdraw meanwhile. He is only required to withdraw if eventually he fails to substantiate.

The Assistant Minister, Vice-President's Office (Dr. Waiyaki): Thank you, Mr. Speaker.

The other thing to which I want to draw the attention of this House, Sir, is the activity of the Special Commissioner for Squatters. I said in the other House—when we were in the other Chamber—that I was very gratified that the Government had come to appoint a Special Commissioner charged specifically with looking after the problem of the landless who happen to inhabit all sorts of places in Kenya. I gather that the Special Commissioner has now had an opportunity to go round and record the people who are completely landless. I am interested to know how

much, when the Minister replies, support this Special Commissioner has been given. He is actually working in conjunction with the Ministry of Agriculture, why not with the Ministry of Settlement I do not know. But I would very much like to know that the Government is giving the Special Commissioner every assistance so that these people who are, for example, in my constituency, in the Mathari Valley and other places can be helped quickly so that we are not accused from day to day of doing nothing for them.

The Speaker (Mr. Slade) Dr. Waiyaki, I have given you a little extra time as compensation, but I must stop you now, I am afraid.

Mr. Malinda: Thank you, Mr. Speaker.

Mr. Speaker, Sir, I would like to pay special tribute and to express my deep appreciation to the President, the hon. Mzee Jomo Kenyatta, for appointing this Judicial Commission of Inquiry to inquire into the problems of maize distribution in this country. Mr. Speaker, Sir, I also wish to thank the newspapers—the *Daily Nation* and the *Standard*—for drawing the attention of the Government and people of Kenya to the alarming situation which existed before the Government appointed this commission.

Mr. Speaker, Sir, in that connexion, I would like to make one suggestion which, I think, the Government ought to take into account when they formulate the terms of reference of this commission. It is understood that Marco Surveys have given invaluable service to the East African Governments and, especially, they gave a very good statistical analysis of what was going on in Tanzania with regard to sugar. Mr. Speaker, I would like the Government to consider the possibility of enlisting the services of Marco Surveys who, I am sure, will give the Government immense help and assistance in trying to get the remedial measures and all that is necessary to overcome this difficulty and, also, to find ways and means of getting over this question in future years.

Mr. Speaker, Sir, having said that, I would like to go on and mention something regarding the Eastern Province development. Sir, I know it is common knowledge that nearly every province has a provincial development committee, but in the Eastern Province this committee has not, as yet, been formed due to some physical difficulties. I would like the Government, when looking into the development of this province, to get more and more views, especially from the Members and the Agricultural Department, or, if that is not possible, to await the formation of this committee who should give proper and good development

[Mr. Ochwada]

should be spent on a technical college in the Western Province or it should be split to establish some secondary schools elsewhere in the country. If this is the case, Sir, I am getting much more confused as to whether we are going forwards or dragging our feet and going backwards. At a later stage, when some more Ministers are available, I would like the two Ministers to tell us what is going to happen to the gift, and whether this technical school or schools will be established.

Mr. Speaker, I would like to say to my colleagues in this House that we here a lot of shouts about Communism, Capitalism, non-Capitalism, sabotage, attempts to overthrow the Government, and so on. All this tends to create unnecessary alarm in the country. Therefore, I appeal to my colleagues to tell the people when they go out into the countryside that all this is mere gossip and does not exist. Sir, I have travelled widely and I know what is going on. So much is being said about Communism and Capitalism. This is a very dangerous line of thought and action because it causes unnecessary alarm. These things should be left alone like a sleeping snake. We must not shout about Communism or Capitalism when there is nothing like this here. If we alarm this sleeping snake it will be dangerous, because it might decide to cause some harm. I think it is extremely dangerous for us to shout about things one had better leave alone, because once they decide to attack, there will be difficulty in finding a way of saving ourselves.

Now, I come to the question of the unilateral declaration of Independence in Southern Rhodesia. Mr. Speaker, Sir, I would not like to criticize a friendly Government or my own Government, but I believe the unilateral declaration of Independence is the responsibility of the British Government and it is up to the British Government to take care of this baby. It was the first time in the British history—and I stand corrected if I am wrong—that a British Prime Minister flew out of Britain to go and negotiate with a bunch of crooks.

The Speaker (Mr. Slade): Order! Order! Mr. Ochwada, I must insist on the observance of Staffing Orders, and I know you are aware of your limitations.

Mr. Ochwada: I am sorry, Mr. Speaker.

Mr. Speaker, I would have liked a categorical statement, stating what our Government is going to do about the unilateral declaration of Independence in Southern Rhodesia. Yesterday, the diplomatic statement read here meant nothing to me. I would like to hear what the Government is going to do. It is no use having mere words.

we must take action now. I should have liked to have heard that our Government gives the British Government seven days to crush down the rebellion in Southern Rhodesia and if they fail to do that, then the Organization for African Unity would move in and undertake to crush the rebels. It is no use saying that we plan to do this and that, and then we sit here and do nothing.

Yesterday, we were informed by the Minister for External Affairs that the situation is dangerous because our friends in Zambia are in a dangerous position as a result of this trouble. They depend on Southern Rhodesia for their supply of electricity. What are we going to do about it? We are told that if we attack Southern Rhodesia, they may well decide to cut off the supply of electricity to Zambia, as a result of which Zambia will be plunged into darkness.

The baby is the British Government's baby, and the British Government should take care of this baby.

Mr. Speaker, Sir, lastly, I want to draw the attention of our Minister for Communications and Power, and I would like to emphasize the point that was raised by the hon. Omweri, that power is very essential, particularly in the western part of Kenya. Power is very, very essential, and we need electric power immediately. We are not going to wait and we are not going to listen to stories that, "Oh, we do not have the necessary consumption," but the potential is there. I do not know how one assesses the potential of electricity consumption in the Western Province and the western part of Kenya, before the electricity was even extended to the areas. This, I think, is self-conceit and I get highly confused as to whether it is the chicken or the egg which comes first. Let us have electricity in that area for economic development and the money will be forthcoming.

Mr. Makokha: Mr. Speaker, Sir, I would like to speak about the forthcoming Kenya Preliminary Examination this year.

Mr. Speaker, Sir, the machine has made another mistake long before the examination was even done, and this is a very serious affair. It has made mistakes and the Western Province is the only lucky province, because the officers in Nairobi thought the Western Province officers had made a mistake, they had to travel to Nairobi to correct their mistakes, only to find it was the machine that had made the mistakes, such as leaving out names of candidates altogether, and names of some candidates in one district finding their names in lists of other districts. Mr. Speaker, Sir, because the officers from Western Province

[Mr. Makokha]

have come, their province, I understand, is now correct, but it is also possible that the other provinces are affected. Therefore, Mr. Speaker, Sir, in order that the children may not be punished for no mistake of theirs, I suggest that, if necessary, the date for the Kenya Preliminary Examination is pushed forward until it has been made quite clear that the other provinces are not affected.

Secondly, Mr. Speaker, Sir, I am beginning to wonder whether it is the machine that is making mistakes or it is probably the people who work this machine who have no experience, because rarely do these machines make mistakes, particularly when it comes to a question of leaving out a name altogether or printing in a name, so that a Busia boy or girl finds himself on the list of Bungoma. I suspect that it is the people working the machine. If that may not be true, then this machine should be thrown away and let us use human beings.

Thirdly, Mr. Speaker, Sir, just to stress what the hon. Ochwada has said, I understand that a technical college was earmarked for Sigalalaga. This was a Russian gift to Kenya. Mr. Speaker, Sir, I understand that the Ministry of Education and the Ministry of Economic Planning and Development have said this is not feasible and therefore this money should be used for building secondary schools, not in the Western Province but probably somewhere in the Central Province. Mr. Speaker, Sir, we object, we do not want everything which is supposed to come to the Western Province to be sabotaged in this way.

Now, Mr. Speaker, Sir, I want also to talk about this question of going back to the land. Unfortunately, Sir, Mr. Moi has just gone out. How can you go back to the land if the land is unattractive, Mr. Speaker? How can you go back to the land in Ukambani or Kano Plains, where there is no irrigation, no water; therefore how can you go back to the land, Mr. Speaker, Sir, if the price of produce is so low and you know that you will have to work so hard, and only receive very little for your crops? That is why so many of our young men are roaming the streets of Nairobi because they know they will go home, plant *wimbe*, maize, *mitama* and get practically nothing for these things. Mr. Speaker, Sir, we want loans, particularly large-scale loans for our farms. Then our children will be attracted to farming. Mr. Speaker, Sir, there is no use in asking us old fellows to go back to the land. The land should be made popular and this subject of agriculture at the schools should be made as

popular as possible, particularly practical agriculture, and that, Mr. Speaker, brings me to something else.

Unfortunately, Mr. Speaker, Sir, the hon. Koinange is not here. Mr. Speaker, Sir, there is something seriously wrong with our educational system. Our text books need complete revision, particularly those dealing with history, social studies and geography. History, Mr. Speaker, Sir, as I understand is about Rome, London, Greece and our children have to learn all about these countries when they do not even know anything about their own towns in Kenya. This is completely wrong. Mr. Speaker, Sir, and I speak as a trained teacher who has in turn trained other teachers. I am quite sure that this is wrong, and something must be done immediately.

Lastly, Mr. Speaker, Sir, I would like to speak about the federation. It is a pity that the East African countries are drifting apart. At Busia, Mr. Speaker, Sir, if you have a commercial vehicle and you want to cross even to take petrol on the Uganda side, you have to pay Sh. 30, and people living on the border really are suffering. If you go to any Uganda town, a policeman will come and find out whether you really belong to Kenya or some other country, so that you may be deported back to your country and this is just because these countries, instead of coming together, are drifting apart. It is even a waste of time talking about the Organization for African Unity.

The Speaker (Mr. Slade): That is the end of your time, Mr. Makokha.

Mr. Seroney: Mr. Speaker, Sir, while supporting this Motion, I would also like to say a few words on the situation in Southern Rhodesia. We have all expressed our views and we all share the wish that we should not merely engage in words about action when no action takes place. I sincerely trust, Mr. Speaker, Sir, that the Government is ready to take drastic action, that it does not matter of whatever kind, as long as some action is taken; and they will not give the impression of having been taken by surprise by the action of Mr. Ian Smith, since in effect this action was foreshadowed for quite some time. The Government, within their resources, should have been in a position to have made up their minds as to exactly what they should do in the event of a Declaration of Unilateral Independence, and that they would not find themselves in a position of having to discuss now what they should do.

Mr. Speaker, Sir, I wish secondly to refer to what my colleague, the Member for Nandi South, referred to yesterday in another context. I have noticed, Mr. Speaker, Sir,—and I refer in this

**[The Assistant Minister for Economic Planning and Development]**

Speaker: as we have learnt from the Congo crisis, as we have learnt from the crisis in the Middle East, take action only when their own economic or strategic interests are directly affected. And it is no use our pretending that any of the major nations are going to regard Smith as in any way affecting the general strategy of the world which they support.

So as far as I am concerned, the question that has to be answered immediately is: who takes the initiative to create enough trouble for Smith so that he sees that he is not able to suppress and rule by force those Africans inside Rhodesia? That really is the question. If the African nations, the Organization for African Unity, would resolve today to give practical material help to the Africans inside Rhodesia, then a security situation would be created whereby the United Nations would have an excuse for intervention. But so long as we let Smith suppress those people completely, he has already put all the leaders into prison. I happen to have been near there recently when I attended a conference in Zambia and I know that every single African who can organize anything in the village has already been rounded up, and in the services themselves, the police and the military forces, every single person whose loyalty to Smith was doubted has already been removed, so that the Government there is determined, organized and has the support of South Africa and Portugal, to suppress those people. Instead of our wasting a lot of time, appealing to the nations of the world, talking about seeing who is our friend internationally—all these pious hopes are meaningless—what we should be doing is giving a little material help to cause trouble inside Rhodesia. Then there will be some action taken.

Finally, Mr. Speaker, may I once more mention one thing which I think is very important and which we should take to heart. When we adjourn this House, I would appeal to the hon. Members when they go back to their constituencies—

An hon. Member: To leave Nairobi!

**The Assistant Minister for Economic Planning and Development** (Mr. Kibaki): No, I do not appeal to them to leave Nairobi. I would like the hon. Members to stay in Nairobi and enjoy the amenities and facilities we have here because it is their city. I am not saying that they should leave Nairobi; I am merely appealing to them once more that, with regard to the efforts which various African traders are making in every town of this country to organize themselves and to seek help

through the Government's National Trading Corporation, all hon. Members here should try to help those efforts, because only in that way are we going to be able to dislodge the monopoly in the commercial and distribution system of this country. This monopoly has, for a long time, been very strong. The danger we are now facing, Mr. Speaker—

**The Speaker** (Mr. Slade): I am sorry, Mr. Kibaki, you have come to the end of your time.  
**Mr. Khalif**: Mr. Speaker, one of the things I am going to speak about is the question of security in the North-Eastern Province. We all know, Sir, that a state of emergency has existed for the last, say, one and a half years there, and it is high time that this emergency was lifted. Sir, the Somalis have come out openly and indicated their support of this Government; and it would have helped to eliminate the *Shifia* if the emergency had been lifted. Everybody knows that the emergency is not only affecting the *Shifia* but also the loyal, innocent Somalis.

As for the *Shifia*, Sir, I would suggest that they are very much needed in Rhodesia, rather than in the North-Eastern Province. I appeal to all of them, Sir, to surrender and go to Rhodesia because that is the place where their services are very much needed.

Now, Sir, referring to the Kanu manifesto, page seven, it quotes: "Pastoral people, Masailand and the Northern Province, will have a special place in the development plans of the Kanu Government. Complimentary to the provision of water holes, roads and improved veterinary services, we shall educate the pastoral people to adopt a modern attitude to their stocks." Now, Sir, it is this sort of pledge that made our people of the Northern Province vote for Kanu and to bring Kanu into power. Now, it would be logic for the present Kanu Government to fulfil its pledge. Unfortunately, however, this has not happened in the North-Eastern Province, especially Wajir. All that has been done since independence is that one secondary school has been put up in Wajir. This building is not yet finished and pupils are taught at the old primary school. Whenever we speak about development, the Government tells us that it has built a secondary school and, of course, we are most grateful for that. But it is building only one secondary school in Wajir is not enough because that is not the only thing that the Kanu Party promised to do for the northern part of Kenya if it came into power.

I would like the Government to remember that the pledges and promises have been undertaken and that unless something is done it would be failing in its duty.

(Mr. Khalif)

Recently Sir, on Kenyatta Day, His Excellency, Jomo Kenyatta, announced that there would be free education as from January 1966. I speak about this, Sir, because, surely, this free education in respect of Forms V and VI will be of no use to my people. Being very backward people, and lacking in education, there are very few Somalis who have reached this stage; there are very few who have finished Form IV and, therefore, this free education of Forms V and VI is useless, if I may say so, for my people. I would have suggested that in the former Northern Frontier District, free education is afforded to pupils of Forms I and II because in this district we do not have even a high school. There is no higher education here at all. No people have reached the stage of Form IV and so there would not be pupils for Forms V and VI.

The last thing I would like to speak about is irrigation. We all know that the Northern Province is almost half of Kenya. This land is being wasted because it is semi-desert. I would suggest that the Government does something to irrigate this land in order to benefit Kenya as a whole.

**Mr. Omwere**: First of all, Mr. Speaker, I would like to mention what Mr. Anvari has just said about the Kanu branch elections. We would like people of particular branches to be given the chance to give their views and participate rather than that a few people of particular branches should organize elections and leave out the majority of people who constitute a particular branch. In the case of our district, we would like this particular thing reviewed so that everybody is satisfied accordingly.

On the question of produce cesses, it is high time that the Government devised other means of collecting revenue. There are things going on in the coffee industry which are becoming particularly alarming. I would like Government to look into this particular situation whereby it can find some better means of raising revenue for county councils. At the same time, we would like to call upon the Government to go into the problems of the county councils rather than have this messy thing going on, where money collected from the taxpayers is expended in such a way that the public are never informed of what is going on.

Now I come to commerce and industry. Here I would like to mention that it has become necessary to say that we must still maintain the old way of distributing agencies, or giving distribution of produce to agents; this applies to imports and exports. People who used to have these benefits in the past should accept to share

now with the Africans who are coming up. The problem is embarrassing because we find that even the produce which the Africans grow, like maize and beans, is distributed by people who do not bend their backs or dig. The boards concerned should now give preference to those who are concerned with the production of these things, to those who dig and toil to raise these crops, rather than give the chance to the middlemen.

On the question of development, there should be development in areas which have a potential for certain commodities. This applies to certain manufacturing factories as well, in order that we make available employment for certain youngsters who cannot support themselves. Government must help them in this need. Government must accelerate this question so that there will be more jobs for our people.

**Mr. Speaker**, the loans given to Africans or Kenya citizens should be according to merit. It has been mentioned that the loans given according to industries are not always according to merit; it is said that there is interference from people in high offices with regard to the allocation of loans. Government should leave this work to the boards concerned and not entitle people in high offices to interfere here.

On the question of electricity to Kisumu District, I would like to urge the Ministry concerned to do something because we have waited long enough and we would like the Ministry to move faster rather than say that this particular line will be brought to the district shortly. I would like to assure the Minister that there is every chance to use the kilowatts sent to Kisii from Jinja or local lines. We want this electricity immediately so that industries can be set up in our district.

As far as education is concerned, we do not want a repetition of what happened last year when certain national schools chose their pupils in an unfair manner, only a few pupils had a chance. We want to know what is going to be done for the students who will be appearing for the Kenya Preliminary Education examination on Monday; they will have a chance to enter into some of the national schools?

**Mr. Ochwada**: Mr. Speaker, Sir, I have only one or two points. The first deals with technical education. I believe that what we need in this country is technical education, but I am surprised to hear that when we were given a gift by a certain foreign Government to put up a technical school in Kisumu, and the Luo people agreed that this should be established in the Western Province, that an argument has developed between two Ministries, that of Economic Planning and Development and Education as to whether that money



[Mr. Anyienli]

that even in Indonesia the people who were overthrowing Sukarno were not people from outside, they were people who were inside the President's own office. Mr. Speaker, I want to say that the President must never support these illegal acts, and if he does, he is supporting unpopular acts and he will become unpopular if he supports this.

Mr. Theuri: I rise to speak on education. Mr. Speaker, and a few other things on foreign affairs.

On education, Mr. Speaker, Sir, I want to call on the Minister for Education to make a clear policy for education because our educational policy is not really clear as to what we are going to do. The other day it was announced that we were going to have free education for Higher School Certificate forms. It is not clear as to what we are going to do with the primary schools up to the secondary schools. The second thing we are told is that we are going to be implementing a policy of free education, but it is not clear as to what we are going to do when they have finished Higher School Certificate if they want to go on to university. The policy is not mentioned. We were told to encourage our young people wherever we are to be educated, and we are told that there is no future for these *Harambee* secondary schools because there is no money to take them over, and the policy is not clear. Therefore, I tell the Minister for Education to state his policy right from the primary school, to the university level.

Yesterday, when we heard the Minister for External Affairs speaking on the Rhodesian affairs, this House was waiting to hear the Minister tell us and the nation as a whole that we are ready to help our brothers in Southern Rhodesia. But we were told that the House would be kept informed as to what is happening and, therefore, we should be informed. We do not know what will happen, whether we will be told within a few days to discuss the Rhodesian affairs. But I suggest to the nation that a body should be set up, what I call a volunteer body, which will go and fight in Southern Rhodesia if needed to help our own brothers. But the matter is left vague, and there was no statement as to what we are going to do when we go on holiday.

As we know, the First World War and the Second World War started with a small country, like Southern Rhodesia, declaring that it wanted to be independent or to take their portion, and they did. As we know, the Third World War perhaps might start with the small country being run by a racial minority. We want to be firm and we want to be told as to what we are going to do if

Smith and his colleagues go ahead with ignoring what the British Government tried to do on the question of Southern Rhodesia. We must be careful as well as firm in testing these neighbouring countries, as to whether they are true in their own independence. I suggest myself, with these few words, that a volunteer body should be set up in this country. If the case becomes worse, we will send our young men and women to help our own brothers in Southern Rhodesia.

With these few remarks, Mr. Speaker, I beg to support the Motion.

Mr. J. M. Kariuki: Mr. Speaker, Sir, I am rising to say a few words in connexion with what we have been doing in the past two weeks. I think it is high time for us Members to go back to our constituencies and plant some more maize because there is no maize in the country. I feel that if some Members would like to make some contribution in that field we should now go to our constituencies and start working there and, also, appealing to our people to pay more Graduated Personal Tax.

I would like them to follow the Nyandarua example and I feel that by the time we come here next year, most county councils will be able to pay more Graduated Personal Tax.

The only thing I would like to mention is in regard to the loan which is being negotiated by our Ministers in England. It is true that we would like to have more loans coming to this country, but at the same time, I feel it is important for the Ministry of Economic Planning to use the loans so obtained by developing the underdeveloped lands, instead of continuing these loans in the already-developed lands. We have quite a lot of land in this country. We understand that this money is coming to buy some European farms. Even if we are going to buy some European farms I believe that what is more important is to buy or to develop the underdeveloped land so that we can say, in future, that this is what we have developed since we became independent. I feel that the Government will find a programme whereby this money will be directed to develop the underdeveloped land.

The other point I would like to bring to the Government attention is that we have passed very good Motions in this House. But I am wondering as to whether there is a committee set up by the Government to follow what this House has already passed. I say this because quite a lot of good Motions have been passed by this House and we fail to understand what has happened after they have been passed, and we would like the Government to follow these Motions and follow what the Members of this House have been

[Mr. J. M. Kariuki]

saying in the past few weeks, or in the past years, in order to rectify and implement what the Members do say here. Sometimes our public at large ask quite a lot of questions to the Members, that we in the House have been passing very good Motions, but they do not see what the outcome is of these good Motions. I believe the Government will see to it that these Motions are implemented and passed and something is done about it.

I would fail in my most important duty if I do not mention the Rhodesian crisis. I think it is a challenge to African unity, and I believe that what the African Governments should do is not only to shout at this stage, but to sit down and set up a committee which could go into the details and think what measures should be taken by them in order to liberate our brothers in Southern Rhodesia. It is no use passing resolution after resolution every now and then. What is needed is for the true African nationalist Governments to sit down and analyse the situation in Rhodesia. I think the best way to show how I feel is to say that a committee of forces should be set up by the African governments which would find ways and means of dealing with Rhodesian crisis should the forces be applied.

But the most important part is to convince Britain that this is their child and that before anyone else disciplines a child the father of the child should do so first. I feel that that is the only way we could ask the British Government to act. I am not criticizing the British Government but I feel that since Rhodesia is their child they should deal with it first before anyone else does so. If they, however, leave the mandate to the African governments to do so, I think the African governments will take the responsibility of disciplining that child. Now that Ian Smith has a bone of contention with the Governor-General of Southern Rhodesia, we feel that if the police and the armed forces of that country owe their allegiance to the Queen, then it is high time they get hold of that man and put him inside before he declares himself the commander of the whole forces.

I am very please that the Kenya Government did issue a very good, diplomatic letter and statement yesterday. But at the same time, I feel that the Heads of State should also sit down and discuss and analyse these problems because we do not want, when we arrive at the position of liberating our brothers in Rhodesia, some African countries to be used by other foreign powers to fight their African brothers. This is a fear I have, because if some African nations start fighting against other African nations, who are trying to

liberate their brothers, then it would be a mountain-moving job to win the battle in Southern Rhodesia. This situation must be analysed by the African governments, and I believe our Kenya Government will always be on the look-out. Whenever necessary, there are many people in this country who really know how to shoot, even without undergoing training.

The Assistant Minister for Economic Planning and Development (Mr. Kibaki): Mr. Speaker, Sir, I just want to take two minutes to correct the very wrong impression given by the hon. Specially Elected Member, Mr. Jahazi, about the Nairobi schools. Those of us who live here know that the problem is to integrate the schools in Nairobi. In other words, we support what the city council is doing now in making sure that every school in this city will admit children of whatever religious faith, of whatever tribe, of whatever race.

Now these schools have to be integrated. Indeed we cannot pretend that we are building one nation if we allow the schools to continue in the way they used to act in the colonial days, where we had exclusive European schools, exclusive Indian schools, exclusive religious schools. That is the reason why, Sir, the city council is undertaking this process of integration. There is no question at all of trying to suppress any religious teaching. The point is that the institutions which create, which mould the minds of the young, should be run by the state and should be directed by the state. What we are pressing for, those of us who live in Nairobi—and I wish hon. Members would try to learn a few more details before they come up with half-baked ideas—is that the children in the poorer parts of Nairobi shall be given facilities, transport, bursaries, etc., to enable them to attend those very many primary schools that we have built in the upper parts of Nairobi, where the richer elements lived and still live today.

The city council has undertaken that programme, Mr. Speaker, for which I would like to say we are very grateful.

Now, referring to the Rhodesia crisis, Mr. Speaker, personally I may be pessimistic but I want to make my one point that although the African nations have passed resolutions and although the Security Council will be called on and resolutions will be passed there, I believe that we Africans should have no illusions. After all, we must have learnt something from the Congo crisis: There is going to be no positive action from the major nations of the world until we in Africa take the initiative inside Rhodesia. The major nations of the world, Mr.

[Mr. Gichoya]

Party must look after the interests of the public. If it is to do so, it should not be manipulated by a few persons. What steps have been taken so far to see that the Party is in real operation? In Muranga, for instance, Mr. Speaker, Sir, the Party there means Dr. Kiano, *bas*, but in Kanu Muranga where he has no followers, it is happening in other places as well, Mr. Speaker, Sir, and I hope that Machakos is another place. Malu has his own Kanu policy and Ngei has his own Kanu policy. This is confusing to the country and yet we are told this must be the voice of the popularity.

The Speaker (Mr. Slade): If you want to refer to hon. Members, please refer to them as honourable.

Mr. Gichoya: The hon. Malu and the hon. Ngei, Mr. Speaker, Sir, what I was saying is that the Party must be reorganized and it must be sincerely reorganized. It is not a question of finding positions for those who are in the Government so that they leave the Party and leave the Government. This, Sir, is one way of trying to produce the party as a weapon for wanting to maintain one position in the Government.

Mr. Speaker, Sir, there is a very, very big problem in the Kirinyaga District, whereby members of the county council have come to a deadlock, resulting in resignations *en masse* and the Ministry has done practically nothing. Therefore, Mr. Speaker, Sir, I would like to appeal to the Sessional Committee that when we meet here on the 30th November my Motion on Kirinyaga County Council will be given priority so that I am able to put before the House the problems that face the people whom we represent. It is from those local places where we come from to stand as national Members, and unless we do something to make those areas more harmonious, then we will have no harmony in this country. Mr. Speaker, Sir, the local authorities are the base of the Central Government unless the Minister tries to tell me that that is not the case.

Mr. Speaker, Sir, the other thing I want to say is this. We were given 400 plots by His Excellency the President, we the people of the Central Province—were given those plots for those who are in the forest, freedom fighters, and these plots were to be divided equally among six districts. What surprises me is that our plots have been stolen and the Minister has failed to trace which district was given more than Kirinyaga District. This, Mr. Speaker, Sir, must be examined by the Minister for Lands and Settlement.

The Minister for Home Affairs (Mr. arap Moi): Mr. Speaker, Sir, I know that the time is so short and I am thankful to you for giving me time to speak.

First of all, Mr. Speaker, Sir, I should like, like other Members, to thank His Excellency the President for his eloquent speech which he made, expanding the Government policy with regard to all the projects in development, affecting every Ministry, and I would like to add that all the Members should support His Excellency's policy of going back to the land. Here, Mr. Speaker, Sir, the Members speak of trivial matters. Yesterday, they were very heated on the question of Rhodesia, but now they have gone down to very minor matters, instead of keeping up the tempo from which we believed from yesterday that the Members would take this question very seriously. Mr. Speaker, Sir, I am talking about the Rhodesian issue. What I know, Mr. Speaker, Sir, is that Members sometimes are taken by emotions and not really by factual and genuine follow-up. I believe what other Members stated, that Africa, Kenya, will not feel free until the whole continent is liberated.

Mr. Speaker, Sir, what I would like to warn the hon. Members of is that if they genuinely want Kenya to be a better country, then they should devote themselves to the building of the nation. If we are consistent on what should happen, we should consistently work towards that goal. I know definitely that this question which is with us, the Unilateral Declaration of Independence, is a matter which should be taken very seriously to heart. We should genuinely criticize the British Government for having lost a very wonderful chance in not tightening up and taking over Rhodesia—

The Speaker (Mr. Slade): Mr. arap Moi, I am sorry to interrupt you but I did remind the House yesterday of our Standing Order which does not allow us to criticize countries with whom we have friendly relations except on a substantive Motion. Mr. Anyieni took the alternative of saying what would happen if Britain did not do something or other, which is in order; but to criticize Britain for what has happened, except on a substantive Motion, I am afraid, is out of order.

The Minister for Home Affairs (Mr. arap Moi): Thank you, Mr. Speaker, Sir. I did not want to criticize, but I wanted to present the facts which would have helped the situation, namely, that the General De Gaulle with one million Frenchmen in Algeria, courageously took action which enabled the Africans in Algeria to have majority rule and hence since then there have

[The Minister for Home Affairs]

been some of these fractional commanders who are fighting their own cause, and ..... (Inaudible.) which should have been done.

Mr. Speaker, Sir, I would now like to come back to another factor which is one of our problems which is nearer home, the ordinary women and the way they dress. The last speaker referred to women's dress. I do not think the Government should lay down how the women should dress, how the women should walk, and the rest of it. This is a personal matter and I gather, Mr. Speaker, Sir, that even men may use *Ambi* special which is bad and we should preserve our natural colour, which is the best thing. Mr. Speaker, Sir, without wasting time, I would like Members not to criticize the Government but to help the Government carry out its policy of going back to the land.

Mr. Speaker, Sir, thank you.

Mr. Anyieni: Mr. Speaker, Sir, thank you very much. I wish it were ten minutes.

Mr. Speaker, Sir, I wish to thank the President for the announcement that a judicial inquiry should be carried out on the question of the supply of maize in the country. I am saying this, Mr. Speaker, Sir, because some of the things which were mentioned here were new to me despite the fact that I am a Member of the Maize Marketing Board, I was sweating. I did not know that these things were going on and I am glad, Mr. Speaker, Sir, that the President has appointed this committee which will be able to disclose everything and expose those who may have been involved in this thing. But, Mr. Speaker, Sir, I would like also to say that whatever is done, if the price of maize is kept at Sh. 27, the people at Kisii will look for a market elsewhere, so on the price of maize, the President should intervene and put the price of maize up to respect the decision made by this House, to Sh. 47/50 per bag until Kenya is in a position to feed herself.

Mr. Speaker, Sir, another thing I would like to speak about is the *coup d'état* which is taking place in branches. Mr. Speaker, Sir, it was only about two or three weeks ago when I was on tour and another Member of Parliament, from Kisii, was also out, when some Members from Kisii District went and collected their relatives, their brothers, their supporters and some people did not understand anything but they came there and did not even have a home, they went and hid themselves at the end of the bar where there is a cinema hall, a very dark place and they said, that they had held an election.

Mr. Speaker, I understand that the Registrar-General has legalized the illegal. This is becoming a very dangerous thing. I will challenge any of those Members from Kisii District who are proud of this. I want to share the platform with them in even their own constituencies when they are addressing the masses. But they have refused, Sir, and what they are now doing instead is calling on Mr. T. J. Mboya to come down there and confirm them in the office. This is what we believe to be wrong. I have made a Press statement, I have said that those who want the unity of the Kisii people should not allow anything to come from outside, and to interfere, that we should put our house in order, and hold proper elections. Whoever will be elected—even if he is my political opponent I will recognize. But I will never recognize *coup d'état* that are only carried out by people who are standing to lose politically, and if people who have started to lose politically cannot face the truth, they must resign from politics and they cannot do this on behind our backs. I do not think these people who are carrying out such *coup d'état* have any right to criticize the Unilateral Declaration of Independence in Rhodesia because what they are doing is the same. What Smith did is what these people are doing, and these people's brains and behaviour and political thinking is the same as those of Smith.

Now, Mr. Speaker, to make things even worse, the man who was chairman of Kanu there is employed by Dalgety and Company. Now, these Members who did this thing have now telephoned Dalgety and Company to demand that the man should be discharged. I met this man yesterday, Mr. Speaker, and he said that if he was discharged—he has eight children—he is going to take them to the home of the chairman and the secretary so that this man can feed his children while he is looking for a job. Mr. Speaker, the shame in this is that even some of our Cabinet Ministers are involved. Here is where I think that people should not use their privileged position to suppress the wishes of the people. Even worse, Mr. Speaker, I gave a very long statement to the Press and before it was even printed anywhere Mr. Mboya had a copy of it and, as a result, I understand in some papers it was said that it should not be printed. But the *Standard* defied this order and the *Standard* printed a little bit of it and I thank them for that.

Mr. Speaker, I want to say that when these *coup d'état* are taking place, it must be known, and those who are going around saying, "Oh, we are supporting the President" are only practising a *coup d'état* and I want to assure my President

[Mr. Malsori-Itumbo]

are conditions which have been laid down according to an Act of Parliament, Cap. 211, conditions which authorize self-help schools to produce a deposit of Sh. 40,000 before they can be registered. There is another thing and that is there must be sufficient land in order that if need be in the future there can be expansion for a "double-stream" secondary school. This, of course, will be in the course of development. There is yet another point, there must be adequate housing. The last point is that teachers must be available to run these schools.

Earlier this year my people gathered together and distributed money amounting to Sh. 40,000. They then sent a delegation to the Minister for Education, the hon. Mr. Komange, on the 13th January. They held a conference in the Ministry and my people were told to go back and start on the work. They were given instructions by the hon. Mr. ole Konechellah and the Permanent Secretary to the Ministry. My people came back and straightaway started work on the building, saying they had fulfilled all the conditions required by the Ministry. These people were capable of producing all the requirements. They were authorized to make application to the county council officer, and later to the Provincial Education Officer. As all Members know, the fight was between Odunga and Mboya politically as a result of this disagreement, because Mboya was the one who came to Taranganya *Harambee* Secondary School, but the Luo Union Officer refused us the right of registration of this school.

Mr. Speaker, this is true, because, in Nyanza, there are two gangs or, as one may call them, political revivals. Because I happened to invite the former Minister for Education, Mr. Otende, the hon. Mr. T. Mboya and the hon. Gachago to visit this particular school everything went wrong. These Members happened not to be members of the Luo Union, and because civil servants are now taking part in politics—

Mr. Odero-Sari: On a point of order, Mr. Speaker, would the hon. Member substantiate that the hon. T. Mboya is not a member of the Luo Union?

Mr. Malsori-Itumbo: Yes, Sir. It was earlier this year when Mr. Mboya denied this fact himself. He made a statement about a certain meeting which took place in Kisumu, saying that he was not associated with the Luo Union. He openly denied or refuted the membership with the Luo Union and said he was not participating in the decisions taken at the meeting there.

It is clearly known that Mr. Otende who visited my school, is not a Luo and, therefore, it is obvious that he is also not a member of the Luo Union.

However, because now the civil servants are participating in politics and because Mr. Otende is not a member of the Luo Union, these people have refused registration of my school. Sir, this school was built in the spirit of *Harambee*, and my people are capable of running it, it is only because of tribal feelings and political manoeuvre that we have been refused registration of this school.

Now, I come to settlement. There is what is known as the Muhoroni Settlement Scheme.

The Speaker (Mr. Slade). I am afraid it is the end of your time, Mr. Malsori-Itumbo.

Mr. Shikuku: Mr. Speaker, Sir, I will touch very briefly on a few points. My first point is on the question of tribalism. I have noted with great concern the repeated speeches of hon. Members in this House on the question of tribalism, in the Civil Service and other spheres of Government. I moved a Motion in this Parliament that there was too much tribalism in the Civil Service. Those Members who spoke on that Motion voted against it and today they are feeling the pinch. I refer to this matter again today because I know it still exists and will go on, and unless the Cabinet is reshuffled there will be no solution to the problem of tribalism. This matter is even carried as far as students go. Mr. Speaker, there are students who have gone overseas to study, many of them through private arrangements. Yet you find that once they are there some of them are helped by this Government to pay their fees, and this is done despite the fact that the Government is well aware these students made their own private arrangements to go overseas. So, you see, even here you find the question of tribalism being practised overseas. I know this, Sir, because I have been moving around, but I will leave this problem aside now. When I moved the Motion on this subject I was not supported, so let the Members feel the pinch now.

Now I come to the question of extravagance. There is a lot of this in the present Government. You find so much money being spent uselessly. Some time this year we had the Minister for Finance, the Minister for Agriculture, the Minister for Economic Planning and Development and the Minister for Lands and Settlement going to London to meet one Minister of the British Government. Just imagine, Mr. Speaker four Ministers from Kenya to meet one Minister of

[Mr. Shikuku]

the British Government! They had gone there to talk about loans. I understand they never arrived at a satisfactory agreement because they differed on many points. Once again we have three Ministers who are in London at the moment, the Minister for Finance, the Minister for Agriculture and the Minister for Lands and Settlement. This time again these three Ministers are talking to one representative of the British Government. Is this not an extravagance? Why not send one Minister from Kenya to talk to one Minister of the British Government? Mr. Speaker, each Minister travels first class; then when they are in London they want their allowances. Is that not a waste of money?

This applies also when they are in Kenya and travel around. When the President goes around he is accompanied by more than one Minister. When they are in Mombasa they stay at the Oceanic Hotel at the expense of the public. What a waste of money! This is a problem which Government must consider very seriously, which it has not done so far, perhaps because it may have thought that the people of Butere and other people do not know about the extravagance of the Ministers.

I come now to the question of *Harambee* which I consider to be very unfair. I support *Harambee* self-help schemes but here I would like to say that all places in Kenya are not alike. Butere is very poor, so poor that if a person has Sh. 5 he finds it difficult to get it changed. So, Mr. Speaker, how can the Government say that the people of Butere and the people of Masai, as well as some such other poor people, be expected to set up self-help schools? Government must help all places according to the measure they need to be helped. If Government carries on as it is doing now, it will find that the areas which were rich have become richer and those that were poor have remained poor. More help is needed in the underdeveloped areas in order to help them to come up. We do not want that the underdeveloped areas to remain in darkness. If the Government's policy is to help the rich areas to get richer while the poor people get poorer, then I will not be a part of that kind of Government.

I must say a few words on African Socialism. You find, Sir, that this sort of thing is only on paper but in practice everything is different. You find that African Socialism is supposed to include African traditions, African customs, and so forth. Today what do we see? Instead of we, who are the leaders of the people and who are supposed to set an example to our followers, you see the

wives of Ministers setting a bad example. You see them straightening their hair, using cosmetics to change their faces, and so on. Is this African Socialism? You find the Ministers' wives doing their hair and painting their faces. Again I repeat, is this African Socialism?

The Minister for Home Affairs (Mr. Moi): On a point of order, Mr. Speaker, is the hon. Member suggesting that it is only the Ministers' wives who are straightening their hair and painting their faces? Could he tell the House?

The Speaker (Mr. Slade): No, that is not what he said. He was very clear on that point. What he said was that the Ministers' wives were setting a bad example.

Mr. Shikuku: Yes, Mr. Speaker, that is what I was saying.

The Speaker (Mr. Slade): I am afraid it is the end of your time, Mr. Shikuku.

Mr. Gichoya: Mr. Speaker, I have only a few points to put before the Government for its consideration. The first one to be put forward by the Member for Gichugu is the question relating to the tea road construction which is carried out with money borrowed by the Kenya Government from the World Bank or A.I.D., and the way in which this money is being spent. Here is a document, the Development ..... (Inaudible.) agreement. This document stipulates that the Kenya Government, the Ministry of Works and ..... (Inaudible.) cannot be given this money to use. This money must be given to the international competitive contracts. So, the money which we have borrowed must be repatriated to the country of origin. The agreement says that the contract must be given to the contractors or contracting companies whose original home may be Great Britain, West Germany or any other such place, but not the Kenya Government contractors or local authority contractors.

Mr. Speaker, I have seen a road constructed by a local engineer from Sagana to Kiganjo and this is one of the best roads ever constructed in this country. However, this engineer could not be given this particular contract because he was considered incapable of constructing this road with money which came from the World Bank. So I say this money should be repatriated.

Mr. Speaker, the President said that the Party must not be manipulated by one man. I say that Kanu today is being manipulated by a few people. They also manipulate the branches and here is a danger. We feel that the interests of the Party must be safeguarded. The President said that the

Mr. Kamau: Mr. Speaker, I would like to speak on only two items, and I am glad that the Minister concerned is here.

Mr. Speaker, we have said many things here and I would inform the Minister for Health and Housing of the situation confronting the Central Province at the moment regarding the villages. Mr. Speaker, there are people who are still living in the villages which were established during the days of the Emergency in this country. When land consolidation took place, some people who were landless—especially widows who were left without husbands during the freedom war—were left in the villages. Mr. Speaker, these women and other people are still suffering.

Today, I would inform the Minister and the House that in the Central Province you cannot even go on to a man's land to cut grass to thatch a house, you cannot get any material for repairs, when these horrible huts are leaking during the rain. Now they are faced with a situation in which they cannot provide themselves with adequate accommodation, and I would invite the Minister for Health and Housing to take time to come and make a tour throughout the Central Province. He will see how these poor creatures are suffering in the former villages, former towns, and then consider his new scheme. We very much support this programme of building new houses to develop our country. I can assure him that all the hon. Members who are representing people in the Central Province will side with him and will assist him in any way he thinks will be useful, to see that those poor people are put in the housing scheme, so that we alleviate their trouble by getting them better houses. I think, during the adjournment, the Minister will take the trouble to come to Central Province and we shall take him round to see what is happening there.

Mr. Speaker, Sir, the other item I will speak on touches the Minister for Lands and Settlement, and I am grateful that the Assistant Minister for Lands and Settlement is here to take notes and pass them on to the Minister.

I would say, Mr. Speaker, that Central Province was badly hit during the days of the Emergency and during land consolidation. Many people are still landless and especially the women who are husbandless, they have nowhere to live. I would invite the Ministry to consider these people very seriously. They are settling men in various places in the settlement schemes, but I would like them to have a project especially for these widows, to be given their compensation, because what is happening today—and I would like this to be known all over the country—is that if these women are located in a plot of Mr. X because of the high demand for cash crops and

the fact that the people are developing every piece of land in order to plant cash crop on it, these people are being chased away from the villages; they have nowhere to go. I would request the Minister for Lands and Settlement to take this seriously and consider settling these women. I would say that if there are any of these women anywhere in Kenya, who are landless, husbandless, they should be settled in a settlement scheme so as to be able to make a good living.

Mr. Speaker, Sir, we each have only a short time, but I hope the Ministries concerned and the Members of this House will very much join with me in appealing to the Government to settle these unfortunate creatures.

With these few remarks, Mr. Speaker, I support the adjournment Motion.

Mr. Rurumban: Mr. Speaker, Sir, I am very grateful to you for giving me an opportunity to speak on this Motion for the adjournment. I do not think I have very much to say at this moment except only to make three points. The first I would like to make is about the security situation in Samburu District. For quite a long time now we have been attacked by our neighbours and we are still being attacked. It was only the other day, Sir, the Boran leaders again perpetrated another raid on Samburu District, they killed two persons, injured another and took five hundred head of cattle. I have complained a great deal about this, Sir, and still the situation has not changed for the better. I hope that the Government will now do something to see that these people are really protected, along with their property.

Another point I would like to raise is about an incident in which some Samburu stock were seized last month in the Samburu Game Park. During this drought, Sir, the people have to move their cattle in search of pasture, and some people happened to graze their cattle in the game park; these cattle were then seized. The very bad thing about this is that all those cattle which were seized there were forfeited for revenue. The game warden, after seizing them, took them to Isiolo, another district, another county council altogether, and he sold all those stock, so that the owners came back with nothing. At the same time, these people were called to appear before a court. Now suppose, Sir, that the court happens to impose a fine on these people. With what are they going to pay that fine when their stock has been taken? I feel that there is no justice there, and that that officer who did that should be removed from the district or even be removed from his employment completely, because really how he acted was not human at all. To forfeit the whole stock of a family with children is not fair at all.

[Mr. Rurumban]

The last point I would like to raise here, Mr. Speaker, is about famine relief. Sir, we are very grateful to the President for the help he has given us in the way of famine relief, but there is a problem: Our district really comes first but we are short of transport to carry this famine relief to the stricken areas. The famine relief office is now at Thomson's Falls, and the Government has not enough transport to take this foodstuff to the people. I hope that the Government will do something to see to it that this famine relief maize will be transported to the district so that people will get it.

Thank you, Mr. Speaker.

Mr. Jahazi: Mr. Speaker, I will take the opportunity given me by this five minutes to be a bit religious on this question.

An hon. Member: Then go to the mosque.

Mr. Jahazi: Mr. Speaker, in my view the Muslims of Kenya are starting to get a raw deal from the Government.

Sir, the laws that are made which affect Muslims are not made in the mosques but in this House. That is why I have to bring this case here.

Only recently, the lawyers ganged up together and created a little *fitna* over the *Kadhi's* court. They sent a memorandum to the Attorney-General, saying that those Muslims who were lawyers, were denying them of some earnings and therefore they appealed to the Attorney-General to cross these people out of the law. These people were banned from attending the *Kadhi's* court although the courts themselves are still there.

Now, Mr. Speaker, very few lawyers specialize in Muslim law because, as the House may know, the Muslims have a law of their own, a court of their own, under the *Kadhi*. And our jurisdiction, things such as the law of inheritance, is different from the ordinary law which other people follow. We Muslims have our own law which is tried and which is exercised through the *Kadhi's* court. Now when these *Wakilis* were removed from these courts, it would be automatic that in a few days' time maybe the courts also will be banned. However, I am very grateful to the Attorney-General, who has assured me, through private representations to him, that he is going to amend that Act which removed the Muslim *Wakilis* from the *Kadhi's* courts, and they will be restored to the courts. I am very grateful to the Government for that assurance, and I hope that it is not only sugared words to quieten us down, but that these people really will be reinstated.

Mr. Speaker, Sir, we also find in this country that religious denominations have their own schools, the Catholic schools, the Salvation Army and the rest of them. But whenever Muslims establish a school, then they are told that the name of a Muslim school cannot be tolerated. If they want the Government to help, they must remove the Muslim name from the school. Because of this, you find that Riruta and other Muslim schools here in Nairobi are threatened by the City Council, which tells them, "Unless you change your name, you won't get any help."

Now, Sir, we find that very difficult indeed. We want to show the whole country that Muslims can also do something to help themselves—

The Assistant Minister for Economic Planning and Development (Mr. Kibaki): On a point of order, Mr. Speaker, since this is a very serious allegation against the Nairobi City Council, could the hon. Member substantiate that the Council is requesting people to change names of schools before they can obtain the support of the Council?

The Speaker (Mr. Slade): Can you substantiate, Mr. Jahazi?

Mr. Jahazi: Mr. Speaker, Sir, I had a visit from a delegation of City Council Muslim Members who say that three schools are being threatened. One is the Riruta Muslim School, another belongs to Somalis in Pumwani or somewhere, and there is also another one. A Motion is in the City Council now, it may be dealt with next or next month, whereby these people have categorically been told that before the City Council takes these schools over they will have to change the names, and give them new names, rather than keeping it as Riruta Muslim School, or something like that.

Mr. E. D. Godana: On a point of order, Mr. Speaker, I would like to know the position with regard to the explanation of the hon. Mr. Jahazi when he said that he received a delegation from Riruta. Who is he to receive a delegation from Riruta and Pumwani? Can he tell us?

The Speaker (Mr. Slade): That is not a point of order.

Mr. Maitori-Itumbo: Mr. Speaker, Sir, during these few minutes before me I will deal particularly with education. I will also touch on a few points which affect my area.

I would like the Minister for Education to be present in the Chamber because I would like to know what are the qualifications for *Harambee* secondary schools to be registered. Hon. Members in the Chamber should know that there

[The Assistant Minister for Natural Resources and Wildlife]

Mr. Speaker, Sir, during the last two years—and I am referring to the last two years—quite a substantial amount of work has been carried out to the tune of £75,000 in the Kajjado District, and similar work has also been carried out in the Narok area. If the hon. Member wants to know what these works are, I will quickly tell him. Mr. Speaker, Sir, piped water supply to the high potential farms in the Kiisken area near Ngong was carried out at the cost of £1,500. Pipes supplied to the high potential farms in the Rongai area near Loitokitok cost £1,000. (Inaudible.) Pipes were supplied to six individual Masai ranches of approximately 2,000 acres each in the Sultan Hamud area at the cost of £4,500. There was the connexion of Loitokitok township to a piped water supply at £6,000 and the transfer of Ngong township from the borehole supply to a piped supply at the cost of £1,088. Mr. Speaker, Sir, a very large amount, on the replacement during recent years of all the old piping—

Mr. Kamau: On a point of order, Mr. Speaker, Sir, I wonder if I am in order to ask this. This Motion of hon. ole Tups requests the Government to develop the Masai people to the standard of other people in the country. Now, Sir, as I feel the Assistant Minister is replying as if to a question in the House, what development has been done—

The Speaker (Mr. Slade): What is your point of order, Mr. Kamau?

Mr. Kamau: My point of order is this. Would it be possible for the Assistant Minister to wait until we have finished the discussion on this Motion, then in his reply he will just—

The Speaker (Mr. Slade): No, no, Mr. Kamau, you cannot rise on a point of order to tell a Minister how he should reply or deal with a debate. You must not do this.

I do not know, Mr. Jan Mohamed, whether you are near a good point for interruption, because we have reached the time when the adjournment of the House should be moved.

The Assistant Minister for Natural Resources and Wildlife (Mr. Mohamed): I will be able to continue replying when we meet again?

The Speaker (Mr. Slade): When we resume the debate.

(Interruption of Debate)

As you are the only Assistant Minister present, I think, would you move the adjournment of the House now, Mr. Jan Mohamed?

Oh, yes, Mr. Achieng-Onoko is here.

## MOTION

ADJOURNMENT TO A DAY OTHER THAN THE NEXT NORMAL SITTING DAY

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Mr. Speaker, Sir, I beg to move that the House do now adjourn until Tuesday, 30th November 1965.

The Minister for Health and Housing (Mr. Otieno) seconded.

(Question proposed)

The Speaker (Mr. Slade): I would inquire, Mr. Onoko, if you will be prepared to reply to the Motion, or do you cease your right to reply to some other Minister?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Yes, Sir, to Mr. Otieno.

Mr. Oselu-Nyalick: Thank you, Mr. Speaker, Sir.

I rise to support the Motion for adjournment. While I am supporting this Motion, I would like to say to the Government something about the floods in 1961/62. During the floods in 1961/62 in Central Nyanza, Kano Plains was very badly affected, and people from these areas lost their homes and belongings. A great number of them put up with their relatives all over the country, particularly Central Nyanza. About 10,000 families were affected, but only 4,000 were encouraged by the Government at Kibigori camp. Mr. Speaker, Sir, the crux of the matter is that since that time we have a number of these families suffering at Kibigori camp, but very little is done for them by the Government. During the speech by His Excellency, the President, I felt he might have mentioned something that was being done by the Government to see that these people who are today living in very inhuman conditions at Kibigori are assisted. We have a number of these people, Sir, who can hardly make a living by themselves.

Very recently, immediately after the food shortage in the country, a great number of them have been going without the usual supplies. They were given some eight pounds of maize per day, but when the food shortage came about, the supply dwindled and they were not given the supply.

But now, Sir, if these people are not settled by the Government and nobody cares for them, how can we expect to say that our Government is better than the Colonial Government? It is from this experience that people are beginning to doubt

[Mr. Oselu-Nyalick]

the sincerity of the Government, whether we are ever by ourselves going to maintain the lives of people who are in such a position. This is not people who are making, this is an act of God which took place. Mr. Speaker, Sir, while I am supporting the Motion for adjournment, I call upon the Government to see that my people in this camp are given a crash programme so that they may be settled, as our friends were in North Mugirango. I remember the time when it was announced that His Excellency, the Mzee, went out and gave settlement to anybody who was landless at South Kinangop, regardless of whether their land was marked or not. I see no reason why my people should be still in that camp up to this moment. Their children are denied the chance of going to school, they cannot afford to pay; they do not have anything because they do not have land. How can you expect people to live without land?

Mr. Speaker, the Government must take notice of such things. When they are repeatedly being spoken about in this House but no action is taken, people begin to think that the Government is here for a few individuals or a few tribes to be considered, whereas others are suffering and nobody cares for them. I would like to know when I am going that my people in this transit camp will be cared for and given a place, just as any other people are being treated in this country.

Mr. Speaker, Sir, in this transit camp, during the time when these people were at home, they had a little bit marked out by Government in which they are living, and during that time the Ministers were busy visiting them, but since then nobody has been going there. The houses are falling down and medical facilities for them are denied, and everything is ridiculous. At this point I would call upon the Government immediately to see that the word "transit" means that the people were put in the camp at Kibigori in order to be removed to other places. It should be done now, Mr. Speaker; they should be given a place for settlement, or else they should be exterminated rather than putting human beings in such conditions.

The Speaker (Mr. Slade): That is the end of our five minutes, Mr. Oselu-Nyalick.

Mr. Oselu-Nyalick: With this, Sir, I beg to support the Motion.

Mr. arap Bly: Mr. Speaker, Sir, I rise to support this Motion for adjournment and make a few observations. In fact, I have only three points to make.

Mr. Speaker, Sir, in Kenya today it is very unfortunate that anything said by Members of Parliament either in this House or outside, particularly those of us who are not Ministers or Assistant Ministers, is not given any publicity whatsoever. This is very necessary, Mr. Speaker, because the electors that we represent in this House have to know whether we speak on their behalf when we are speaking in this House. Mr. Speaker, Sir, human life and human activities have to be advertised in order to be known within and outside the country: what is happening in a particular village or district is this and that.

Mr. Speaker, Sir, I feel that as an hon. Member representing a particular constituency—in this case, Buret! whatever I say on behalf of my electors has to be taken into account by the Government, and this can be done by it being publicised by both the papers and the radio, which is the *Sauti* of Kenya. If an hon. Minister says even a word, with very little meaning, it is publicised. This, Mr. Speaker, Sir, shows exactly that papers and the Voice of Kenya are there for nobody but Ministers. This is very, very unfortunate, Mr. Speaker, and it has to be adjusted.

My hon. friend, Mr. Kariuki, Member for Nyancharua, is denying very, very strongly that this has not been happening, that whatever is done by Members of Parliament other than Ministers is not being publicised at all. Mr. Speaker, Sir, I do not want to dwell on that very much.

The second point I want to bring home is the question of higher school certificate education, which I think should be given very, very careful thought. We should congratulate the beloved Father of the Nation for introducing this free education. However, on the other hand, Mr. Speaker, this has to go to benefit a handful of individuals in Kenya today. Mr. Speaker, Sir, those who are educated up to that mark, at this very minute when I am speaking here, are people of a few tribes, if not one tribe. This, Mr. Speaker, should be reviewed very, very seriously, because the Kenya of today is not the Kenya of one or a few tribes, it is the Kenya for all. It should be enjoyed by every tribe which participates in the living and growth of our free nation of Kenya.

Mr. Speaker, Sir, my fellow Kalenjin are completely denied the right of getting the benefits of this fruit. Why could they not be given free education in Standards I, II and III? Why did they go to the top of the ladder and then come down? Mr. Speaker, Sir, I think this should be reviewed and Standards I and II should be considered next year, in January 1966.

Mr. Speaker, Sir, I beg to support.

[Mr. Waritih] cannot expect them to even eat good food. Even if you teach them in schools the good ways of living, cleanliness and things like that, they will not be able to practise it. It is not impossible to provide water for these areas in which there is no water.

A mention has been made by a Member to a country like Israel which, those of us who had the opportunity to visit that country, have found it to be very dry. So much so that one even wonders how they have managed to turn it into a very fertile land where they can grow nearly everything they would like to grow and we, in Kenya, I am sure, Sir, with the Government of the day, should be able to provide a means of livelihood to those areas and it has been mentioned how this can be done.

You can pipe water to these areas, we can provide boreholes and not only that, I have travelled particularly in the Masailand where my hon. friend, Mr. Tips, comes from I happen to go there sometimes with some other friends—and I know that the area is quite fertile apart from the fact that there are no fixed home and these people keep on moving. But when you travel around the country you find that it is very fertile, and many crops, many types of crops, could grow there. All that is required and this also covers other parts of Kenya which have been mentioned earlier is water. I would like the Minister when he comes to reply to this Motion to tell us what programme the Government has because this is not a new problem, this problem has been there for a long time and the Members of Parliament from these areas have now and then raised questions in this House and asked the Government to provide water facilities. I would like to know what has been done up to now as our Government has said that it will give priority to those areas which are less developed, and I think I will go further myself and say, even if the Government were to compel—and I think that it would be necessary sometimes to use force—them to lead a proper life, as the Mover said. In fact, when you travel in some of these areas you wonder whether you are in Kenya. You go to places and you find people half-naked, and they are citizens of this country. You go to other parts of Kenya which are very developed, and I would even go further and say that it will be necessary at some stage to even compel people to lead a normal life, particularly in the education line.

I remember one instance when Masai people came to see me, that they opposed the setting up of a school in a place where there was no

school whatsoever, and this is what I am saying, Mr. Deputy Speaker, that our Government, if they feel that a proper programme is good for the people of the area, and the people may not want it, they should be compelled for the purposes of bringing good development and a good life for the people concerned.

I do not want to repeat what has been said by other Members, Mr. Deputy Speaker, but I support the amendment for the main reason that it will cover the whole of Kenya and, instead of coming to this House now and then for the Members representing other areas, we should pass one Motion and ask the Government to act on it. They should start with the Masailand as an experimental project, and see how it is going there in the Masailand, but then to—I should say that it should be left for the section which was to implement the decision of the House.

So, Mr. Deputy Speaker, I would end by saying that it is the duty of the Government to see that those areas which are less developed are developed to an extent where they can be more or less next to other areas which, by accident of history, happen to be more developed, but it is not through the choice of the people who live there.

Mr. ole Tialal: Mr. Deputy Speaker, Sir, I would not like to repeat what the hon. Members have stated in this House, but some people might take this Motion very lightly.

There has been a lot of talk here about several areas, but what I would rather urge hon. Members here to do, and our own Government to do, is that we are not here for the sake of talking. If such a Motion is not taken as a serious matter which affects the nation, then it is no use for us to be here as legislators, and I do not know whether our Government here is deaf or perhaps has proper ears to hear what people say. We are not here as school children, to come and debate things that will not be effected.

I challenge our own Government.

I can recall, Mr. Deputy Speaker, Sir, saying that the White Highlands were developed up to their present development standard today because the people were given those farms at that time.

Mr. Lorenna: On a point of order, Mr. Deputy Speaker, is the hon. Member speaking in support of the amendment or—

The Deputy Speaker (Dr. De Souza): That is for him to decide, he will tell us in due course I am sure.

Mr. ole Tialal: I am speaking as a Masai, my dear man.

[Mr. ole Tialal]

The former White Highlands used to belong to the Masai people. Now all that tract of land used to belong to the Masai—whether you like it or not—it was so. They only defeated us because they had guns that Smith is trying to use these days.

Mr. Deputy Speaker, Sir, I am trying to put across a point here. That land used to belong to the Masai, the former White Highlands. Today the very land which was occupied by the Masai is so developed that the present land that is being occupied by the Masai is not comparable to that land. What is the reason why today the former White Highlands, which were formerly Masai land, I am speaking sense. Why is it that today

Mr. Kamuren: On a point of order, Mr. Deputy Speaker, is it in order for the hon. Member to allege that the former White Highlands was in Masai hands, while we are debating a Motion about their present land in Masai?

The Deputy Speaker (Dr. De Souza): Well, I am not quite sure that I understand the relevance of what he is saying, but I think he is coming to his point eventually. We will give him a chance.

Mr. ole Tialal: I am saying this, Mr. Deputy Speaker, that land was occupied by the Masai. Now, today, it is the very land that is supporting the economy of Kenya. Why is it that today the land which is being occupied by the Masai cannot be developed to that standard? It was because the people who occupied that land were given support by the then Government. Why cannot the present Government give us the same facilities to develop the very land that we occupy today as Masai? We lack water, we want water. You blame us, you say everyone in the country—

The Deputy Speaker (Dr. De Souza): Address your remarks to the Chair.

Mr. ole Tialal: I am speaking on this very Motion.

All we want today, everyone blames us, of course naturally—we are nomadic by tradition, but then, Sir, all we request of our Government is that the present Masailand, most of it has no water, is water, and then we shall settle down, we will even be able to be great exporters of meat, beef, more than Argentina in Southern America today. If only we get water which should be provided to us by our own Government.

With those few remarks, Sir, I support the Motion.

Mr. Kaman: On a point of order, Mr. Deputy Speaker, may we know from the Chair whether the hon. Assistant Minister is standing

to reply or whether he is going to speak as a constituency Member, because if now he stands to reply and still there are some other Members who want to speak on this Motion—

The Deputy Speaker (Dr. De Souza): I know. I appreciate what you are saying, Mr. Kaman, but the time allowed for Motions is only one and a half hours and the Mover should be called upon to reply after Mr. Jan Mohamed, so even if there are many Members wishing to speak that it is a pity, but the time allowed is very restricted.

Mr. Malinda: On a point of order, Mr. Deputy Speaker, if I have calculated my time properly this Motion will not have finished its one and a half hours by the time the House is called upon to adjourn, and, seeing that there will still be time next time we sit for this Motion to be continued, is it not, Sir, fair for you to allow more Members to speak until we either dispose of this amendment, and then the Assistant Minister would reply on—

The Deputy Speaker (Dr. De Souza): I do not know what the Assistant Minister's views are going to be, whether he is going to support the amendment or oppose it. He has not given notice of any other amendment so, presumably, he is going to support it or oppose it, but I have not the slightest idea and I think that now we have called him he is entitled to speak.

The Assistant Minister for Natural Resources and Wildlife (Mr. Mohamed): Mr. Deputy Speaker, Sir, I am glad that the hon. Mover brought this Motion to the House and I think the House will agree that the hon. Member is a very stable person and that he is far away from being a nomad. We are indeed very proud of him, that he is now leading his tribe away from the nomadic way of life and become more stable.

[The Deputy Speaker (Dr. De Souza) left the Chair]

[The Speaker (Mr. Stade) resumed the Chair]

Mr. Speaker, Sir, remarks have been made even by the hon. Mover that nothing has been done as far as water development in the Masai areas and the other nomadic areas is concerned. Perhaps I have not enough time to elaborate on all these points, Mr. Speaker, Sir, but I would like to say that water supplies in almost all the districts depend on three categories. Firstly, the water supply for agriculture development, for ranching land development and for domestic purposes, for centres of trading and population areas. I would like quickly to tell the hon. Mover of the original Motion what has been done in the Masai areas, the two districts of Kajiado and Narok.

[Mr. Gatuguta]

until such time that the Masai people can be properly settled. If they are left to move about from place to place, then they will continue this habit of stock theft. So, Sir, we must consider how we can settle these people in a given area, to farm and live as other people in the country, and try to maintain peace, and, at the same time, help in the building of the nation.

I hope, Sir, that the Minister concerned. He is not here, but I see his Assistant Minister is here. Anyway, Sir, I hope that when he comes to reply, he is going to give us a complete answer to this matter and that the Minister will take the opportunity of telling this House and the nation the programme which they have for supplying water to the country, because we know we have many dry areas.

We are short of maize these days, but we are going to be short of something else tomorrow, and we know that if there was a big scheme of irrigation in the country, we would not depend all the time on rain to grow these things. Mr. Deputy Speaker, Sir, some of the Masai country is very fertile and they can grow maize. In Israel and other countries, they have been able to develop within a very short time, for example. How is it done? Israel was a drier country than this one of ours. We have a good country, but yet because we have not proper plans for irrigation, we are suffering from drought. We are suffering from the lack of everything and during the dry seasons, you find that milk production is reduced, because the cattle do not get sufficient water, they do not get proper grazing. I think this Ministry of Natural Resources is very important in so far as the life of the people and cattle and other animals are concerned, even wildlife itself. So, I urge the Minister concerned to give us a concrete plan for supplying water to our people in this country and with particular reference to the Masai area which is the subject of this Motion this morning.

Mr. Lorema: Thank you, Mr. Deputy Speaker, Sir. While I intended to speak on this Motion, Sir, I have an amendment to move on it. I would like to move that the word "Masai" which appears in the second line be deleted, and in place the words "nomadic inhabitants of Kenya" be added, and also that the words "the Masai" which appear in the fifth line, be deleted and the word "these" be added in place thereof.

Mr. Deputy Speaker, Sir, my reason for making this amendment is from looking at the broad sense of it. I see that the Government has already written the guiding book which we call the Five-year Development Plan of this country in order

to give our Government the actual picture of these nomadic tribes of Kenya, because I do not think the Masai are the only people who are lacking water in this country. It is, of course, known that people living in the northern parts of Kenya, say, for example, the Turkana, Rendille, Boran, the Pokot and also 'the Masai in question, need water facilities, and so, in order to make this Motion very attractive as it is, and very nationalistic, I thought, Mr. Deputy Speaker, Sir, of amending it, only so that the Government is reminded of the fact that when handling this question of water, they must remember these other nomadic tribes of Kenya.

Mr. Deputy Speaker, Sir, as Members from the less-developed areas have stated in this House many a time, there can be no civilization or there can be no permanent way of life whereby these tribes can be helped if at all they are still lacking water for themselves and also for their animals.

Also, Mr. Deputy Speaker, Sir, from the economic point of view, I know that some places have rivers which could be very good sources for irrigation, and if irrigation is carried out as it is already shown in the Five-year Development Plan of our country, then some of these dry areas of Kenya can be of economic value, indeed, to the country as a whole. So, Sir, the Government should take it very seriously that these nomadic tribes need water very badly.

Mr. Deputy Speaker, Sir, I know, from the historical point of view, in a place like Nairobi, for example, where we are, if at all, for Nairobi was situated in this place, that already the people who surveyed had seen that there was water and there was all possibility of communication and that is why Nairobi has developed, and some of these other towns, to what they are now. And to make also these other people living in semi-arid areas to develop, we must consider water, as the Mover of the original Motion stated very clearly that the people living in the dry areas are suffering. You find here in Nairobi, people are wasting gallons of water and yet there are people who cannot just get a pint of water in other parts of Kenya.

So, Mr. Deputy Speaker, Sir, that is why I feel that in order to give the Government the complete picture, the Government should not look just into the issue of the Masai only. I know my own area can be taken as a standard example of one of the areas where people require water, but then the Government should not be given a lot of work, thinking about Masai tomorrow, they should think about the Pokot, the Rendille, the Boran, and it is all very tedious.

[Mr. Lorema]

So, Mr. Deputy Speaker, Sir, with these few remarks, I beg to move the amendment to the Motion.

Mr. E. D. Godana: Mr. Deputy Speaker, Sir, I am very grateful for the amendment of this Motion as it stands.

Mr. Deputy Speaker, Sir, if I remember rightly, the day before yesterday I was speaking in this House about the nomadic way of life in the northern part of Kenya. So, Sir, I was asked to substantiate how priority was to be given, because I was quoting from the Kanu Manifesto which I have here. Mr. Deputy Speaker, for the information of the House. It said, on page 7, pastoral people being the subject, "The colonialists failed to bring education to the herdsmen of Kenya, Masai, Kalenjin, Turkana, Boran, Kabras, etc., and used this as an excuse for the failure to encourage economic and social advance among them."

Mr. Deputy Speaker, Sir, it goes on to say, "Masailand and the Northern Province will have a special place in the development plans of the Kanu Government." It is quite clear to all Members of this House.

So, Mr. Deputy Speaker, Sir, we should not be traitorous-minded Members in this House. We must be fair, because the whole of the Northern part, Masai and Turkana, and the Samburu are covered under this Motion which was put before the House by the hon. Member, Mr. Tipis.

So, Mr. Deputy Speaker, Sir, I am sure the Masai are far better off than those people, the Turkana, Boran and Rendille. Mr. Deputy Speaker, Sir, several times I have invited the Minister for Natural Resources and Wildlife and his Assistant Minister to visit the area and see for themselves how just during this dry season we have lost about 20,000 head of cattle, and 50,000 sheep and goats because of the drought, because there is no water.

Mr. Deputy Speaker, Sir, there is no need to say that special arrangements should be made and given to the Masai and as a matter of urgency we should introduce speedier measures of stabilizing the Masai way of life; we should include the nomadic tribes of the whole northern neglected area of this country. Mr. Deputy Speaker, Sir, we look at the entrance of this Chamber, where it says, "the welfare of society and the just Government of men", of the nation of this country, which means not only the Masai.

Mr. Deputy Speaker, Sir, I have no quarrel with the Masai, they are just 'pastoral' like the people I represent. So, Mr. Deputy Speaker, Sir,

without wasting much time of the House, I beg to second the amendment, and I am sure that it will be supported by all Members of this House as well.

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

The Deputy Speaker (Dr. De Souza): I rule that the amendment is not separate from the main Motion and any Member who has spoken to the main Motion cannot speak again to the amendment.

Mr. Warlithi: Mr. Deputy Speaker, Sir, I rise to support the Motion as amended.

Mr. Deputy Speaker, Mr. Tipis—of course I know—is very particular about the Masai case and I definitely think that we can thank him for having brought this matter to the House, because it is going to enable the House and the Government to consider the question of those areas of Kenya which, for reasons for which they cannot be blamed because they happen to be nomadic people—I would like to start by saying, Mr. Deputy Speaker, that by accidents of history some parts of Kenya happen to be very much underdeveloped and it is the duty of this Government to see that those areas which are less developed and in which the lives of the people cannot be stabilized, it is the duty of this Government to stabilize the lives of the people who live in those areas. As the amendment proposed states, Sir, I feel that according to the Kanu Manifesto, which has been mentioned and quoted by one of the Members who spoke just before me, there are other parts of Kenya which are equally as affected as Masailand. I think it would be difficult for some Members of this House to support a Motion on an idea which covers only a section and does not solve the problem. Of course, one may argue that if we have to pass a Motion covering the whole of Kenya it may become difficult for the Government to implement it, but—on the other hand—if you have to pass a Motion covering the Masai people, next week another for the Kalenjin, another for Turkana, for the Boran, for the Kabras I think you will be repeating the same subject.

What I would ask the Ministry of Natural Resources and Wildlife to do so is to have a comprehensive programme, a development programme, for the whole of Kenya covering all those areas where there is a shortage of water.

Mr. Deputy Speaker, water, no doubt everybody knows, is a very important commodity. If people do not have water, you cannot expect them even to be clean in their bodies. You

[Mr. Oduya] to the Masai. In the case of the Masai this means that the Masai have no water. Without water the Masai can do nothing for their land. Everybody knows that the Masai have the best land so far, but they cannot do anything if they are not given water facilities. We have received assistance from the United Nations International Children's Emergency Fund and so many other bodies. What we see is that the money which has come from the United Nations International Children's Emergency Fund is directed to support people who have sufficient water and other facilities, but no one has thought of sending any help to these people.

We have large areas of land in Masailand and, if necessary, we should provide free pipelines so so that these people can get as much water as they need for their development. They can get water from nearby places. We must give them this water in order to support both human beings and cattle. Mr. ole Tipis has put the case very effectively. In the past the question of the Masai has come in the previous Chamber many times, but to date nothing has been done by our Government. I think it is high time our Government started acting effectively in order to fulfil some of the promises made. In the Kanu manifesto this question of the Masai and the promises made to the people is apparent. According to the Kanu manifesto, the Government promised to see that the Masai were given the necessary water facilities. This is all contrary to what the Government is doing today. It would not be necessary for the Member for the Masai people to bring Motions of this kind to this House if Government had taken the necessary action. Mr. Speaker, we complained of this issue even to the colonial régime which has now elapsed. Even they had done nothing about it. This Government has been in power for the past three years but nobody has thought of giving water facilities for the Masai people.

At one time the Masai lost a great number of cattle because of lack of water. Now the Government of Kenya tells the people to keep grade cattle because these could obtain a better market both locally and overseas. If the Masai people are advised to keep the best cattle for markets both locally and overseas, then water facilities should be made available to them in order to keep such cattle. This is supposed to be a part of our economic development but to date nothing has been done to help the Masai. Unless the Masai are given water facilities it is useless to blame them and say they are doing nothing towards the economic development of this country.

Mr. Speaker, you cannot stop the Masai moving from place to place. They must do so unless they are given water facilities to keep them in one place. You always hear of the Masai moving from here to there and they have to do so in order to find a river here and another there because they want water for their animals. Mr. Speaker, Sir, you find the Ministers flying from one place to another, they go all over the world; what are they doing? Our first thought should be for the Masai people, they should be given priority because this is what was promised in the Kanu manifesto. This was promised to the Masai and they have a right to say that this promise should be implemented.

Mr. Speaker, the Ministry of Natural Resources is accumulating a lot of money from Masailand, but instead of using this money for Masailand development, Government is using this money elsewhere. This is the quarrel the Masai people have with the Government. This is not a mere argument the Member, Mr. ole Tipis is bringing here; he is genuine about what he says. The money which the Ministry of Natural Resources is getting from Masailand should be utilized to develop this area. Masailand is used as a resort to attract tourists, it is a game reserve, and a lot of revenue is collected from here. This money should be used to provide the people of Masai with water facilities for their cattle and their own human consumption. Therefore, the Government should tell us where this money goes. When the colonialists were here they used Masailand as a national museum. Our Government is doing the same thing to attract tourists from overseas. Our Government is getting a lot of money from this, but nothing is being done to improve things for the Masai people.

Mr. Speaker, Sir, we need meat, and I know the Kenya Government would like to export more meat in order to get more revenue. The Masai people have a lot of cattle and all they require is water in order to keep better cattle. I know of some countries abroad which wanted meat from Kenya but the Kenya Government was unable to provide this meat to these countries. Even now, we do not have sufficient meat for local consumption. You find that so many cattle die every year in Masailand. During the recent drought so many more cattle died. Is this the fault of the Masai people or is this due to the fault of the Government? This is where the Government commits these open mistakes.

If the Government has a Development Plan to achieve its goal during the period 1964-70, then it should come out and see the needs of the people and try to meet the requests of those who

[Mr. Oduya] are backward and need help. The first priority should be given to the Masai. Government should see that water facilities are situated near to places where the Masai people need water. This should be around the villages so that the Masai will have sufficient water for themselves and their cattle. To date our Government has promised the Masai people that it is going to do this and that but it has done nothing whatsoever.

I would like to remind the Government Benches, the empty Government Benches in front of me, that there was a time when we had Kadu and Kanu. At that time Government, the Kanu Government, told the Members that they would like to do something for the Masai people but they were unable to do so because they were in Kadu. Since then Kadu has been buried. It is now over a year since a Kanu Government has been in power, but still nothing has been done. It is no use having told the people at one time, 'Because you are in the wrong camp nothing can be done,' because these people have since joined the right camp; still nothing has been done. It is no use making empty promises.

The Speaker (Mr. Slade): It is now the end of your time, Mr. Oduya.

Mr. Oduya: With these few words, Mr. Speaker, I hope the Government will change its attitude and do something this year for the Masai people not next year. I beg to second the Motion.

(Question proposed)

Mr. Gatuguta: Mr. Speaker, Sir, it was my intention at the beginning to move an amendment to this Motion to make it more national, but the Member for the area asked me not to move the amendment. So I will not.

I would like to say that this problem of water is very important and no country should undertake development unless the people of that country have sufficient facilities for water supply. This does not apply only to drinking water for irrigation and for feeding of animals as well.

Sir, I can understand the feelings of the Masai in this matter, because in my own area I have the same trouble. I have seen the people of my area suffering from the lack of clean water for drinking purposes. They also suffer from the lack of water for their animals.

I have visited the Narok and Ngong areas and I find that the people who are suffering, the Masai, cannot contribute anything to the development of our nation unless they have been given adequate water facilities. We know that the Ministry of National Resources and Wildlife has established a Water Development Board, but we know very

little about the activities of this Board. We do not know of any particular water scheme which the Water Development Board has introduced in this country. I would have thought that the first duty of the Water Development Board under this Ministry would have been to make a proper survey of the areas of the country, where there is need for water supplies, and work accordingly. Mr. Speaker, Sir, I remember during our first Six-year Development Plan it was pointed out that the Government would pay particular attention to the water development in the country, and, in fact, it was mentioned that as a pilot scheme one and a half million pounds would be spent in Kiambu District for water supplies, after which, if the scheme was successful, it would be introduced to other parts of the country. So far, after about one and a half years, since this Development Plan was published, nothing has been done on water supplies in the Kiambu District.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Dr. De Souza) took the Chair]

So, Mr. Deputy Speaker, Sir, if the supply of water in other parts of the country is going to depend on the pilot scheme in Kiambu District, then it is most important that this pilot scheme should be started immediately. We do not know what happened to that million pounds. We were told that it would be used for developing the water supplies in Kiambu. So, Sir, I would like to support this Motion with all my strength, because I think it is a genuine Motion and this is one of the areas in the country where the Ministry of Natural Resources and Wildlife should pay special attention. We do not want the Masai people to live like the Red Indians in America, where finally these people in the United States are being put into the museums, and we do not also want this kind of thing in this country. Instead of talking a lot about helping the Masai development, it is time, I think, for us to sit down and start doing something for them.

Mr. Deputy Speaker, Sir, if we give them water supplies so that they can settle down, these people will do as well as anybody else in this country, in the way of building our nation. In all that, the meat from the Masai country is helping a great deal but the quality of the meat we are getting from the Masai country is not good and the reason for that is because of the drought. There is the problem of stock theft which is being carried out by the Masai people, and everybody talks of the Masai as being the people who disturb the peace, and steal cattle, and so on. I am one of the people who have talked about stock theft by the Masai, but we must realize that





Mr. Anyieni: On a point of order, Mr. Speaker, Sir, the hon. Member said that when we have this one and a half hours that it is babbling. Do you therefore, Mr. Speaker, Sir, not think he is actually saying that it is a mere waste of time for Members to be given that day, if he says we are babbling, that is, not saying anything?

The Speaker (Mr. Slade): I would say that it is strictly out of order for an hon. Member to refer to any debate as babbling, but the hon. Member meant—and I did not call him to order, because of this—he obviously meant that where people talk for five minutes about anything under the sun, we are liable to get something rather inclusive, though babbling is not the right expression to use.

Now, can we stop these points of order? I think the House is getting rather tired of them.

Mr. Malinda: On a point of order, Mr. Speaker, Sir, if this is not a good point of order, then I will sit down.

Mr. Speaker, Sir, were you in order when you said that by extending this half an hour, it is cutting down the time of Private Members' Motions, when the Mover of the amendment said that instead of the House rising at half-past twelve, it could go on up to One o'clock. Mr. Speaker, Sir, I am just trying to find out.

The Speaker (Mr. Slade): Order! You are really trying to argue still, are you not?

I think I was quite in order. Whatever time you allow for this Adjournment debate, by lengthening it, you must cut down the rest of the time available, whether you decide to sit until One o'clock or until half-past Twelve. By giving more time to this Motion, you are giving less time for anything else. In fact, if hon. Members had been observant, they would have seen that we have always continued until One o'clock on these Adjournment debates of one and a half hours; and if hon. Members study the Order Paper, they will see that it is proposed to move the adjournment at thirty minutes past Eleven o'clock, which would take us to One o'clock.

Now, let us stop these points of order.

Mr. Mbogoh: Mr. Speaker, Sir, it seems that these hon. Members are becoming confused, especially the hon. Gichoya, who has confused everybody by standing to oppose his own Motion once more. This, Mr. Speaker, is confusing those Members who might have slept late last night and woken up too early this morning.

Mr. Speaker, what happens is that when a Motion like this is amended to add another half hour, thus cutting short the Members' time, it

is not very important to have it that way and I believe that the hon. Member who is trying to add that half hour might as well try and get this half hour from somewhere else and, if he gets it from 'somewhere else, and not from the Private Members' Motions, I would agree with him that he does not know where this half an hour will come from. I think I oppose him seriously.

Mr. Bala: On a point of order, I wish to move that the question be now put.

The Speaker (Mr. Slade): Yes, I will put the question.

*(Question, that the question of the first part of the first amendment be now put, first and agreed to)*

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

The Speaker (Mr. Slade): I now have to propose the second part of the amendment, which is that the word "two" be there inserted.

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

The Speaker (Mr. Slade): Perhaps as it ties up with the first part of the amendment, I can put that question without further debate.

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

*(Question of the Motion as amended proposed)*

The Speaker (Mr. Slade): Now we wait to see if any hon. Member seconds Mr. Gichoya's other part of the amendment, which was the substitution of ten for five minutes.

There is no seconder. So we continue debate on the question as now proposed or, if no hon. Member wishes to speak, I will call on the Mover to reply.

Mr. Kibuga: Mr. Speaker, Sir, a Motion for the adjournment is a very important Motion before the House; apart from the Budget debate and the President's speech, a Motion for the adjournment is very important indeed. So, I must support the Motion that there should be two hours and five minutes for every Member to speak. This will enable as many Members of the House as possible to speak and so air their views concerning the country's affairs and, also, to speak about their constituencies.

This is the time when normally we go out for some two or three weeks to our constituencies, so, although the Minister—

Mr. Muliro: On a point of order, Mr. Speaker, in view of the fact that we have a Motion for the adjournment today and we are dealing with a very formal Motion, could the Mover be now called upon to reply?

The Speaker (Mr. Slade): I will put that question.

*(Question that the Mover be now called upon to reply put and agreed to)*

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, I therefore move that the Motion as amended be adopted.

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

Resolved accordingly:

THAT the debate on any Motion for the adjournment to a day other than the next normal sitting day shall be limited to a maximum of two hours with not more than five minutes being allotted to each Member speaking.

The Speaker (Mr. Slade): That means that in spite of the notice on the Order Paper, it will be necessary for a Minister to move the adjournment of the House not later than 11 a.m. instead of 11.30 a.m.

## MOTION

### WATER FACILITIES FOR MASAI

Mr. ole Tipsi: Mr. Speaker, Sir, I beg to move the following Motion:—

THAT this House urges the Government as a matter of urgency to introduce speedier measures of stabilizing the Masai way of life by providing them with water facilities in order to enable them to change their present nomadic way of life, and thus paving the way for the Masai people to contribute their fair share in the economic development of our nation.

Now, Sir, in moving this Motion, which is a very straightforward one, it is quite an indisputable fact that water is the basic ingredient of human civilization and modern development.

Sir, in Kenya you will find that less developed areas are confined to arid and semi-arid parts of our country, and it is absolutely essential that if our brothers and sisters in these less developed areas are to have any hope of catching up with the rest of the country then some provision for water must be made to enable them to lead a stable life, rather than that they should have to move around all over the country.

Sir, without dwelling on the glories of the past or in any way crying over spilt milk, and to refresh the memories of the hon. Members here, I think not only do the Masai people deserve the sympathy of every Member in this House, but also this calls for the urgent action by the Government to help them in their present difficulties, because, as you all know, these people, the Masai people, were removed by those British imperialists, who were merciless, from their former lands which were full of permanent rivers, streams and springs, to arid lands, which are very, very dry, and no provision was made during the time of the colonial rule in this country to help the Masai people. All the time these colonial rulers used to say that the Masai were contented with their way of life and they were used as museum pieces, and they brought their brothers to photograph them with their spears and shields. That has gone, and thank God that they have gone for good.

Now, Sir, I would like to say this: that as a result of that naked suppression by the British colonialists, the Masai were compelled to move and roam and wander about with their herds of cattle, flocks of sheep, and other domestic animals, all over their land in search of water and pastures. This, Sir, has led to the present deplorable state of affairs, where no development—either social, economic or otherwise—has taken place, except in a very small and very slow way.

Now I should like to mention here that this way of life is not to the Masai's liking. They are compelled by circumstances, and because of this they should be helped now. In the old days, I heard it being said, in the old Legislative Council, "Oh, the Masai won't change" and such kind of talk. Now I should like to be told—and today I am quite calm and will swallow any interjections any of you try to put to me—

The Speaker (Mr. Slade): And you will address the Chair, will you not, Mr. Tipsi?

Mr. ole Tipsi: Yes, Sir. I would like to say that the Masai have been compelled, through unavoidable circumstances which are not of their own making, to lead this nomadic way of life, moving about, because they have no water in their areas as such. Of course, they must search for water and fresh pastures for their livestock. What else do you expect them to do when you stole or expropriated their land, which was full of water and everything? This was done by the British Colonialists. Now, I submit, Sir, that if anything is done, and if we are out to help these people, then naturally we must, by all means, try and stabilize their way of life.

[Mr. Gichoya]

The reasons behind this Motion are to allow a free day to Members when they can speak on anything within the Constitution and anything under the sun. So it is proper that we should have ample time in which to do so. There should be more time and that is why I request that the time allotted to each Member speaking be increased to ten minutes. There is no limitation on the subjects on which one can speak.

There is another thing I wanted to say, and that is that the normal closing time is Twelve-thirty noon. Hence, we should commence the adjournment debate at Eleven o'clock and continue until One o'clock.

I would also like to say that whenever Private Members' Motions have been passed in this House, Members should find that their Motions have been implemented. There is no point in passing Private Members' Motions every now and again if they are not going to be implemented. That is utter nonsense. If these Motions are not going to be implemented, it is better for us to express our views adequately when we have these adjournment Motions. This should be the time when we express our natural views, the time when each Member takes up the problems which face his constituency, the things that face the country as a whole, and in order to express all these things adequately, Mr. Speaker, I feel we must have more time. So, five minutes should be increased to ten minutes.

Mr. Ngala-Abok: On a point of order, Mr. Speaker, the hon. Member speaking knows the procedure for amending a Motion. Can we be told if he has submitted his amendment in writing prior to having moved it? If he has not done so, why—

The Speaker (Mr. Slade): In this case he did give prior written notice.

Mr. Gichoya: Mr. Speaker, I thought the Member for Homa Bay would have been intelligent enough to find out whether I had done the right thing or not before he rises on a point of order. After all, as Member for Homa Bay there must be many problems facing him and his constituency, and I cannot see how he can express all these problems in a matter of five minutes. If he has to talk about Homa Bay and Central Nyandarua I am sure he cannot do so in just five minutes.

With these few words, Sir, I beg to move the amendment.

The Speaker (Mr. Slade): Before I ask for a seconder, I think I should say that this amendment should be treated as two amendments. For the moment I would like a seconder for the first

part of the amendment, which is that the allotted time of one and a half hours be increased to two hours. We will deal with the second part of the amendment, which is to increase the time from five minutes to ten minutes, later. We can deal with that proposal after we have disposed of the first one.

Mr. Malinda: On a point of order, Mr. Speaker, are you looking for a seconder to the amendment which deals with the increase of time from one and a half hours to two hours?

The Speaker (Mr. Slade): Yes, that is right.

Mr. Malinda: If I seconed the amendment in that respect, Sir, can I speak on the other part of the amendment as well?

The Speaker (Mr. Slade): No, we shall deal with that later.

Mr. Malinda: Mr. Speaker, Sir, we find that a lot of times when the House is to be adjourned to a day other than a normal sitting day, quite a number of Members, who have problems which they want Government to take notice of, do not get the chance to speak. This is because, as you know, Sir, the time is short. This is a very popular Motion with Members because nearly every Member wishes to say something here. In the normal way, Mr. Speaker, Sir, you find that few Members have a chance to speak. If this Motion is amended to add another half an hour on top of the one and a half hours, that will mean another six Members will be able to speak.

Mr. Speaker, Sir, I am seconding the two hours. It is necessary, Sir, that every Member should have a chance to speak and if this Motion is amended to read two hours instead of one and a half hours, then that gives more chance for Members, who have points to raise, to raise them.

With those few remarks, Mr. Speaker, Sir, I wish to second the first part of the amendment of the Motion from one and a half hours to two hours.

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

Mr. Anyieni: Mr. Speaker, Sir, I wish to thank the hon. Member who has brought this amendment, because you know it is only on Budget days that Members are allowed to say practically everything they would like to say without being ruled out of order. I think that if we have ten minutes every time we are coming to the close of a Session—

The Speaker (Mr. Slade): We are not on the question of ten minutes now, we are on the question of two hours.

Mr. Anyieni: Yes, Mr. Speaker. I support the question of two hours, because I believe that as many Members as possible should be given a chance to say something about their constituencies, and about the nation and also about the world.

With those few remarks, Mr. Speaker, Sir, I support.

Mr. Gichoya: Mr. Speaker, Sir, on a point of order, in view of the fact that the ten minutes seems to be reducing the chance which many Members can avail themselves of, could I be allowed to remove the ten minutes and leave the five minutes as normal and still have the two hours?

The Speaker (Mr. Slade): You have moved, and, in due course, it will have to be proposed. If it is seconded. If there is no seconder—we have not come to this yet—but if there is no seconder for the second part of your amendment, then it will not be proposed. Otherwise it has to be proposed, and the House decides whether or not to allow you to withdraw it afterwards. We are on the question of two hours now.

Mr. Khasakhala: Mr. Speaker, Sir, although I would be very willing to support the extension to two hours, I find that there are a few technical difficulties, because if we start our meetings at nine o'clock, we allow about thirty minutes on various things and then we are left with about three hours. This being a Private Members' day, when the Members move a Motion like this on a day when we have an adjournment, they will have only one hour, and we will not be able to express our views. Therefore, Mr. Speaker, Sir, I feel that one and a half hours should be left as it is, simply because it will allow the Members to have their normal day of moving Private Members' Motions to the extent of one and a half hours, as we have already decided this morning. But, Sir, if we agree on two hours, we then should know that the time for Private Members' Motions will be reduced on a day like this from one and a half hours to one hour only.

So, Sir, I feel that I am not going to support the amendment, because of that technicality only.

Mr. Mbogob: Mr. Speaker, Sir, in opposing this amendment, I feel that when Members were elected to this House, they were elected to come and air their constituency's views, but just to interrupt this by cutting short Members' time by increasing the time for babbling, I think, Mr. Speaker, Sir, it is useless.

Mr. Speaker, Sir, these five minutes of adjournment when every Member can go from heaven to hell within those five minutes, I think, are not

very necessary. The most necessary time is when somebody can put something conclusive and something concrete to this House, that is, Private Members' Motion which will support his demands about his constituency.

Mr. Speaker, Sir, these five minutes are quite enough—

The Speaker (Mr. Slade): Yes, but it is the two hours we are dealing with now.

Mr. Mbogob: These two hours, Mr. Speaker, Sir, are too long and in that case, they will cut short the Members' time which will be much better, and the Members' Motions should be allowed to continue.

Mr. Gichoya: On a point of order, Mr. Speaker, Sir, is it in order for a Member to try to allege or to change the meaning given to interpret the intentions given by the Mover of the Motion to the House, because in this respect—

The Speaker (Mr. Slade): You cannot have a second argument, Mr. Gichoya. If you really think that the hon. Member has misrepresented what you said, you can rise on a point of order, but you cannot rise on a point of order, as I say, just to elaborate a previous argument.

Mr. Malinda: Mr. Speaker, Sir, on a point of order, is the hon. Member, Mr. Mbogob, not misrepresenting the entire meaning of this Motion by alleging that this extension of half an hour is going to interfere with the normal one and a half hours for the Private Members' Motions? Is it not—

The Speaker (Mr. Slade): Order! No, there is no misrepresentation by Mr. Mbogob at all. He is arguing, not misrepresenting what other hon. Members have said, as to the effect of this particular amendment. He is entitled to do so without interruption.

Mr. Tanni: Mr. Speaker, Sir, on a point of order, I am seeking your ruling. Since we have just passed a few minutes ago a Motion dealing with Private Members' Motions, that it will be one and a half hours, is it in order for you to allow a Member to refute that, when we have passed a Motion in this House and it ..... (inaudible) ..... one and a half hours for Private Members' Motions?

The Speaker (Mr. Slade): I simply do not understand this argument. Mr. Mbogob is saying that if you allow another half an hour for an Adjournment debate, you are cutting down the time available for Private Members' Motions; that is all he is saying. It is true.

Mr. Gichoya: Mr. Speaker, Sir, although the hon. Vice-President says that this is what has already been happening in the past, and although it is true that this is exactly what we were following in the previous Session, I feel that the ten minutes allowed to each Member to speak on a particular Motion is such a limited time that it causes him to leave out many points which he might have used to argue for or against the Motion. I would like the ten minutes to be increased to fifteen minutes.

Our experience since we started debating the speech of His Excellency, Sir, has shown that fifteen minutes is a reasonably good period of time for an hon. Member to express his views on a particular Motion. I can remember when we once debated a Motion, Mr. Speaker, which asked if one could take as much as thirty minutes on a Private Member's Motion, so that one could express fully one's feelings on it and do one's best to convince the Members that the Motion was or was not necessary. If we are to rush things, if we are not to be able to explain ourselves or express ourselves fully on these Private Members' Motions, it will be very difficult to convince the Government that these Motions are necessary.

I believe that the Vice-President did not bring the Motion with the preconceived idea that it must be passed, and I would therefore like him to add five minutes to make the time for each Member to speak fifteen minutes.

With these few words, Mr. Speaker, I oppose the ten minutes and would like to have fifteen minutes.

The Speaker (Mr. Slade): I would remind hon. Members that if they wish to move a formal amendment, I have to have it in writing before they move it.

Mr. ole Tipis: Mr. Speaker, Sir, this is nothing new; we had it in the last session. It is merely a formal continuation of the procedure we had during the last session. Having said that, Sir, and arising from what the hon. Member for Gichugu has said, that he would like the time extended to fifteen minutes, I would suggest that it is up to the Members to make up their minds. I say this because during the last session we had well over a hundred notices of Motions which were never debated at all, due to the large number of notices given by Members. Because of this, it is up to the Members to make up their minds they are going to debate only, say, twenty Motions in one session or not, and if they do debate only twenty thereby disappointing the other Members who have given

notices of Motions and who expect those Motions to be debated here. They cannot have it both ways.

In my opinion, Mr. Speaker, one and a half hours is more than enough if we are to be fair to all the Members; otherwise we shall have well over two hundred Motions which will never have an opportunity to be debated. Of course, having said that, it is only fair, I think, that the Members who give notices of Motions should be allowed time without any Members being a bit selfish in having their Motions debated.

The only reservation I have here, Sir,—and I hope the hon. Vice-President is listening—is that this Motion should have been brought last week; and I would like to know what the Vice-President was doing. Last week, Sir, we debated only one Motion, that of the hon. Waira Kamau. Why did the Vice-President not bring this Motion when we started the new session? What was he doing? We wasted the whole morning on one Motion. This Motion comes too late. I hope, Sir, that our hon. Vice-President will apologize to the House for overlooking the procedure. He is the Leader of the House, and he should not have brought this Motion this week but last.

Mr. Speaker, I beg to support the Motion.

Mr. Mbogoh: Mr. Speaker, Sir, I am supporting this Motion just now because every time we stand to speak here it is a fact that every Member wants to speak for as many minutes as he can; and unless there is a limit, you find that very few people will have a chance to speak in this House. Some of us do not usually catch the Speaker's eye, and if those people who do always catch the Speaker's eye finish speaking then those who do not catch the Speaker's eye only have a chance to speak if there is enough time left.

Mr. Speaker, I am supporting this Motion that ten minutes is quite enough to express ourselves on a Motion brought by one individual. In that case, anybody who is trying to amend it or ignore it is only trying to be selfish and, in that case, I will not agree with him at any rate.

Mr. Malsori-Itumbo: On a point of order, Mr. Speaker, I beg to move, in view of the fact that the opinion of the Members in the Chamber seem to support the Motion, should I be in order in asking that the question be now put?

The Speaker (Mr. Slade): I do not think it would really hurt any hon. Member to consider the closure now.

(Question, that the Mover be called upon to reply put and agreed to)

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, I will not waste the time of the House in going to great length to reply to all the points which have been mentioned, but I would refer to the point raised by the hon. Member who asked why we did not move this Motion last week. Certainly we would have moved it last week but, I think, due to other arrangements. We did not think that last week the Members would go on to these Private Members' Motions, we thought they would immediately start discussing the Presidential Address; but, in fact, they insisted on doing this and so caught us unaware. I must apologize if they did that.

Now, may I state that the Members who want us to increase the time to fifteen minutes know that one and a half hours is ninety minutes, and if you give each Member ten minutes, then only nine Members will be able to speak on a Motion. However, if you increase the time to fifteen minutes, then it will be worse because only six Members will be able to speak. If you ask for an increase from ten minutes to fifteen minutes you are reducing the number of people who will get an opportunity to speak.

If somebody has prepared himself, and is not so verbose on the points he wishes to raise, then you will find that he has enough time to express himself within the ten minutes allotted; and he can do so very effectively.

Therefore, I hope the Members will support the Motion without amendment.

(Question put and agreed to)

## MOTION

LIMITATION OF DEBATE: MOTIONS FOR THE ADJOURNMENT TO A DAY OTHER THAN NEXT NORMAL SITTING DAY

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, I beg to move:—

That the debate on any Motion for the adjournment to a day other than the next normal sitting day shall be limited to a maximum of one and a half hours with not more than five minutes being allotted to each Member speaking.

This Motion also, Mr. Speaker, is a formal one. Here, again, hon. Members know that we have limited the time to one and a half hours, with five minutes to each Member speaking. This is the time during which Members can express themselves on any subject they wish, or any subject to which they would like to draw the attention of the Government and the public here in this House.

Therefore, without wasting the time of the House, especially since we want to get on with other Motions, I beg to move.

The Minister for Health and Housing (Mr. Ouedje) seconded.

(Question proposed)

Mr. Khasakhala: On a point of order, Mr. Speaker, since this is a formal Motion which we have approved from time to time in this House, and as a matter of formality it has been moved every time we are to have an adjournment to a day other than a normal sitting day, would it be in order for me to request that this particular clause be included in our Standing Orders so that we do not have to go through this formality every time?

The Speaker (Mr. Slade): That is a matter which the Sessional Committee could consider, and if they agreed with it they could bring it forward to this House for consideration of an amendment to our Standing Orders. That is the only way it can be done. We cannot do it here and now.

Mr. Ngala-Abok: Mr. Speaker, Sir, as the hon. Member, Mr. Khasakhala said, this is a normal Motion which is brought to this House for debate every time the House is to adjourn for a number of weeks, so that a lot of Members can express their views. This Motion does not confine people to any particular subject or subjects but they speak on matters of importance, or matters concerning their constituencies, so that the Government can take note of their remarks. I support the Motion and request Members to support it accordingly.

However, I would like to emphasize that since this is normal procedure it would be wiser for the Sessional Committee to consider it and bring an amendment to be passed by this House so that this procedure can become part of our Standing Orders. Then this Motion can be brought to this House every time we are to adjourn for a few weeks in the ordinary way. As things stand, it has become monotonous that we have to debate this every now and again.

Sir, I wish to support.

Mr. Gichoya: Mr. Speaker, Sir, I beg to move an amendment to this Motion. I am doing it in good faith and as Member for Gichugu.

I am proposing the amendment, whereby the given time of one and a half hours will be increased to two hours, and five minutes will become ten minutes. That is my amendment, Sir, and I beg to move it in the terms proposed.

Friday, 12th November 1963

The House met at Nine o'clock.

*[The Speaker (Mr. Slade) on the Chair]*

## PRAYERS

## NOTICES OF MOTIONS

Mr. Mbugoh: Mr. Speaker, Sir, I beg to give notice of the following Motion.

## DEVELOPMENT OF AGRICULTURE, MERU, EMBU AND MACHAKOS DISTRICTS

In view of the fact that the largest part of the Eastern Province is arid and no farming can be done and, as a result, famine relief measures will be required every year, this House urges the Government to accelerate the development of farming standards in these areas like Embu, Meru and Machakos which could produce enough food to feed the population of the Eastern Province by giving—

- (a) water development loans,
- (b) farming large and small loans,
- (c) stepping up land consolidation where it has not been done,
- (d) better and more long-term agricultural loans formed as soon as possible.

Mr. Ngala-Abok: Mr. Speaker, Sir, I beg to give notice of the following Motions—

## RE-ORIENTATION COURSES FOR FOREIGN-AID TEACHERS

In the view of the dangers likely to arise as a result of the unchecked methods of teaching and lack of knowledge of local conditions by the foreign-aid teachers coming to this country, this House urges the Government to establish a re-orientation institute in Nairobi whereby their teaching methods can be sufficiently guided.

## GOVERNMENT CONTROL OF THE ECONOMIC STRUCTURE

That in view of the urgent need for the implementation of the policy of African Economic Socialism in the Kaituma Manifesto, this House urges the Government to negotiate and take bigger shares in the country's major companies and businesses, thereby facilitating a direct participation by Government of the people in the formulation, promotion, implementation and control of the economic structure and policies suitable to the aspirations of the majority of the people.

## QUESTION BY PRIVATE NOTICE

## INCREASED TAXATION: MARAMA LOCATION

The Speaker (Mr. Slade): I think you have question by Private Notice, Mr. Shikuku? Will you ask it now?

Mr. Shikuku: Mr. Speaker, Sir, I would like to ask the Minister for Local Government—

Is the Minister aware that the Chief of Marama Location has recently purported to increase the Locational Council tax from Sh. 5 to Sh. 7 without the authority of the County Council or Locational Council?

What steps will he take immediately to correct this, and to inform all residents of Marama Location that no increase of tax is actually payable? I notice the Minister is not here, Sir.

The Speaker (Mr. Slade): Is there no one to answer this on behalf of the Ministry? I think we will put on record our dissatisfaction with the behaviour of the Ministry in this case. The Ministry knew of this yesterday and should have been here to answer this question.

Mr. Shikuku: On a point of order, Mr. Speaker, Sir, since we have a system here, which is the collective responsibility and in view of the fact that we also raised this question yesterday regarding the absence of the Ministers in this House, would one be in order, Mr. Speaker, Sir, to move a Motion declaring and showing our dissatisfaction with the activities of the Ministers?

The Speaker (Mr. Slade): No, there is no Motion you could move now of that kind without due notice.

Mr. Omveri: On a point of order, Mr. Speaker, Sir, is there no one here to answer this particular question, understanding that the Cabinet has collective responsibility?

The Speaker (Mr. Slade): I do not think it is any use expecting another Minister to answer it if he does not know the answer. I do not suppose any Minister here has the least idea of the answer to this question.

Mr. Shikuku: On a point of order, Mr. Speaker, Sir, will this question expire because the Minister is not here or will it also appear on the Order Paper, when the House meets again or will I be allowed to ask it?

The Speaker (Mr. Slade): You will be able to ask it again, but we are going to recess for a fortnight and this is a rather urgent matter, I understand. All I can do is draw the attention of the Minister to this lack of courtesy to the House, which I would do.

*(Question ordered to be asked again)*

Mr. Odinga, you have a Ministerial Statement to make, I think.

## MINISTERIAL STATEMENT

## JUDICIAL COMMISSION OF INQUIRY INTO MAIZE POSITION

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, I wish to inform the House that, as it was indicated during the last debate, that the House would like to debate the maize issue and, in actual fact, many Members have indicated and one hon. Member has even moved a Motion to that effect. I thought that to be fair to the House we should inform the House what action the Government has taken. This has already been reported to the Sessional Committee and the Sessional Committee also agreed with the Government on this particular question. The President, having heard of the strong feeling which is prevalent in the country and in this House about this maize question, has immediately taken action, and he is appointing a Judicial Commission which will go into the maize question. As such, we felt that there was no need of any debate at this particular juncture, but if, after the Judicial Commission's report has actually come out, the Members feel that there is something more to be pursued, it can be at that time, but, at the present moment I hope that the Members—and I can see that from their reaction they have actually agreed to do so—will leave it to the Commission to do its duty and I think this was reported in the papers this morning. I am glad to inform the House to that effect. Thank you, Mr. Speaker.

Mr. Ole Tipsi: Mr. Speaker, Sir, I just seek clarification from the hon. Vice-President on this point. The local papers did not make it clear whether the Report of the Judicial Commission on this maize business will be placed on the Table of this House and whether the Government, as such, will put out a White Paper on the recommendations of that commission. Can he inform us, because we are anxious to see and have access to the Report of the Judicial Commission of Inquiry?

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, as this has arisen from some strong feelings from this House, I think the best thing which we could do would be to wait for the Report because we cannot prejudice what the Report will recommend, and when the Report comes out, the Government will sit down and see how best to go about it.

Mr. Ole Tipsi: Mr. Speaker, Sir, the hon. Vice-President has not—with all due respect—answered my question. The question which all hon. Members are interested in is whether the Report of this Judicial Commission of Inquiry

will be placed in the hands of all hon. Members here and in the Senate, and of the country at large.

The Vice-President (Mr. Odinga): I think, Mr. Speaker, Sir, that as this is going to be a public inquiry I do not think that it would be really out of the reach of the Members, and that is the reason why we have made it a public inquiry and it has been made a Judicial Inquiry, in which case, witnesses will be called to come and give evidence even if they wish to refuse to do so, and therefore I think the Government is tackling it in the right way and to the satisfaction of the hon. Members.

## MOTION

## LIMITATION OF DEBATE: PRIVATE MEMBERS' MOTIONS

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, I beg to move rather a formal Motion, in that, as this is a new Session of our Parliament, we must actually reaffirm some of the resolutions which we used in the previous Session. I beg to move—

That debate on Private Members' Motions should be limited in the following manner—

A maximum of one and a half hours with not more than twenty minutes for the Mover, twenty minutes for the Government Official Responder and ten minutes for each other Member speaking, and that ten minutes before the time for expiry the Mover be called upon to reply.

This is the way, Mr. Speaker, in which we treated all our Motions. At this time it is still, in the opinion of the Sessional Committee, felt that we should go on with one and a half hours. There may be some later considerations; as you know, the Motions are becoming rather numerous, and the idea is now coming as to whether we should not reduce the time of one and a half hours because we feel that we should give as many hon. Members as possible the chance to express their opinions on their Motions. But at the present moment, and particularly with regard to the Motions which are on the Order Paper today, the Sessional Committee felt that this particular arrangement, which had been made previously, should remain in force; later on, consideration will be given as to whether to change it. It is, therefore, only a question of asking the House to confirm our previous practice.

I therefore beg to move.

The Minister for Health and Housing (Mr. Odinga): seconded.

*(Question proposed)*

**[The Minister for Economic Planning and Development]**

rule. Until this is met, no compromise, no attempt at fancy arrangements can satisfy the demand for majority rule based on universal adult suffrage.

Mr. Speaker: As people in Kenya with a great deal of experience because, in fact, we were guinea pigs in many cases. We had a fancy franchise, we had lots and lots of constitutional experiments, and we had all these fears, all these anxieties, all these suspicions that are now being repeated in Rhodesia. The same language and the same slogans were used here in this country. Mr. Speaker, we have lived to prove all these prophets of doom to be wrong. We believe that Mkomo and Ntshole will, do likewise, given the opportunity to govern their country.

Mr. Speaker: The European community in Southern Rhodesia must be made to know that it is not the African in Southern Rhodesia who is today facing a challenge; it is, in fact, the European in Southern Rhodesia who is facing the gravest possible consequences of this Unilateral Declaration of Independence, for, Mr. Speaker, for as long as a minority European Government is governing in Rhodesia, no European can sleep in peace in Rhodesia. What Mr. Smith has chosen to do for the Europeans in Southern Rhodesia today is to enslave them, is to make them live in fear and insecurity. They live in fear of an unknown enemy, they live in fear of something they have never seen, they live in fear of someone they do not know, they lock their doors and they will be going about with guns, revolvers and pistols, including women, like they did here, without knowing what it is they are fighting and of whom it is they are afraid.

Mr. Speaker: I said no amount of speeches, resolutions or words are going to help in this situation and this, Sir, is no time, as I have said, for ceremony. Mr. Speaker, my last remark is to reinforce what the Minister for External Affairs has said. Let every Member here be assured that the Government not only feels strongly, because we cannot just feel strongly on this issue, when the very fact of our existence as a government as a sovereign state, is in balance, we cannot just afford to feel strongly about it. We have to be committed about it. Mr. Speaker, this House will want the Government to examine, indeed, take action that can be taken with our neighbours with Zambia and within the Organization for African Unity, but we must act. We have not had time, as yet, to establish the necessary contacts, but contact must be established, and the Organization for African Unity's future is in the balance. If we cannot act on Rhodesia, who is going to believe our resolutions in future?

Mr. Speaker: The basis of action here must be on unity and collective action by us all. If there is any African state which wishes to take a backward step and does not wish to accept the responsibility and the gravity of this situation, it will not be the Kenya Government. We shall move forward with those prepared for action.

Mr. Muliro: Thank you, Mr. Speaker, for giving me this chance.

The Speaker (Mr. Slade): It is only a few minutes, I am afraid, Mr. Muliro.

Mr. Muliro: Even if it is one minute, Sir, it is enough.

Mr. Speaker: I feel if the British Government, which is responsible for Southern Rhodesia as its colony, does not take immediate steps to go and deal with the rebels, the British Government is an accomplice in whatever has taken place in Southern Rhodesia. We cannot, at this stage, say what we are going to do to Britain and we accept every statement that has come from our Government, but our Government must convey to Harold Wilson that he has been far too lenient. The British Government have not taken the steps which they took in Aden because there they scrapped the Constitution nor which they took in British Guiana for that matter. In Kenya they did the same thing. Why do they not do it to their last colony? Is it because Ian Smith is a white man? Is it because the white people in Southern Rhodesia would like to establish another apartheid state in Africa? If that is the case, then the Organization for African Unity must take the consequences of African struggle to bring it to a final conclusion: we must declare war on Southern Rhodesia and march from Southern Rhodesia to the Union of South Africa and eventually liberate the whole of Africa.

Mr. Anyien: On a point of order, Mr. Speaker, in view of the fact that a lot of Members want to speak, would it not be in order for us to elongate the time by about half an hour or one hour?

The Speaker (Mr. Slade): Order! The Speaker has personal discretion to vary the time of interruption of business very slightly—a matter of five minutes or so—by himself. Otherwise, it can only be altered by a Minister moving that this particular matter be exempted from Standing Orders, so as to last for a certain longer period. At the same time, I would point out, if any Minister was contemplating such a Motion, that it could only be for another half-hour at the most because the HANSARD reporters cannot take any more.

Mr. Ngala-Abok: On a point of order, Mr. Speaker, arising from your ruling, would it not be in order, therefore, to advise the House that the little that has been said should actually end everything until we shall have been informed of the—

The Speaker (Mr. Slade): Order! Order! This is not an opportunity for Mr. Ngala-Abok to express his personal opinion on a Motion that has not yet been moved.

Mr. Shikuku: On a point of order, Mr. Speaker, as a result of your ruling, to the effect that if there is any extension of time, it will only be half an hour, would it not be in order, in view of the fact that there are so many Members who wish to express their views on this issue, to give a chance to move Back-benchers, so as the Government can hear the feelings of the House?

The Speaker (Mr. Slade): I think I have explained quite clearly the position under Standing Orders. If no Minister will move the exemption, I will allow another five minutes for one Minister to speak.

The Minister for Internal Security and Defence (Dr. Mungai): Mr. Speaker, Sir, this is not the time for Africa to keep talking. So many resolutions have been passed in the Organization for African Unity, in the United Nations, and many words have been spoken in this House. Today, Smith is not talking, he has taken action, and Africa must take action. Mr. Speaker, Sir, he has chosen today, the 11th of November, Armistice Day, which reminds us of history. Some time ago, another white, racist dictator set himself up in Germany. He had many aeroplanes, bombs, tanks, etc. This was Hitler. Britain had nothing and yet Britain declared war on Germany because of her

moral responsibility. Today, another white dictator has set himself up in Africa. Is Britain going to do the same? We cannot accept the idea that, because Rhodesia has many planes, has many bombs and has many tanks, they cannot be touched. Again, Sir, if I may continue, when Hitler set himself up in Germany, both the white capitalists and the white communists joined together to bring him to his knees in flames five years later.

Today, at this very difficult time in Africa, we are going to find out who are the true friends of Government. Will it be those who are going to join again with us? Whether they be white capitalists or white communists they will be true friends of Africa. At this stage, we cannot merely accept words because they have been competing with words to show us that they are friends of Africa.

Mr. Speaker, because there was not enough time, Britain said that she stood alone when she was faced with a dictator. If nobody else takes action, Africa will take action with an African nationalist in Southern Rhodesia and we should in this way crush that white dictator who has set himself up in Africa. We cannot stand him.

Sir, I beg to support.

#### ADJOURNMENT

The Speaker (Mr. Slade): Order! Order! It is now time for the interruption of business. The House is adjourned until tomorrow, Friday, 12th November, at 9 a.m.

*The House rose at thirty-five minutes past Six o'clock.*

[Mr. Anyien]

people who are going to be informing Mr. Smith at what our President and our Government are trying to do to help the African people.

Mr. Speaker, your Government must also reply to one allegation which was made in a journal, *Last Africa and Rhodesia*. Here, it is alleged that the Africans in Southern Rhodesia should not be allowed to be independent because in the already independent countries in East Africa it is stated three Ministers have raped women. The paper here is read by almost everybody and our Government has not seen this in order to find out what can be said. We know that this has not happened, but when these people smear mud on our people like this, it must be clear that they have no respect for a black skin and everything must be done to eliminate them from African soil.

With these few remarks, Mr. Speaker, Sir, I support.

The Assistant Minister, Vice-President's Office (Dr. Mwaikwa): Mr. Speaker, Sir, today, we, as a people and as a country, are faced with a serious situation in Rhodesia, a situation fraught with danger for the whole of Africa. We are faced with the Unilateral Declaration of Independence by Mr. Smith and his Cabinet. We have to make a decision and that decision must be followed by action.

Sir, Mr. Smith recently went to London and failed in his attempts, constitutionally, to get a minority white independent Government installed in Rhodesia. This he demanded in contemptuous disregard of the wishes of the majority of the people in Rhodesia, namely the Africans. Following this, Mr. Smith went back home and he was quickly followed by Mr. Wilson to Salisbury. Later Mr. Wilson attempted to negotiate a referendum in Rhodesia, but when, on the 2nd November, he agreed to put it to the test, the acceptability of the Rhodesian Government's constitutional proposals through the instrument of a three-man Royal Commission, he abandoned his Salisbury position and thereby retreated far enough as to give Mr. Smith the all-clear to make a Unilateral Declaration of Independence.

I remind hon. Members that whilst in Rhodesia Mr. Wilson had, in fact, demanded a referendum of all Rhodesians. He had demanded that this should be preceded by freeing Mr. Nkomo and those others who were in detention and that the ballot held would show the genuine opinion of the Rhodesian people. But, owing to indecision and the desire on the part of the British Government to shirk their responsibilities (this is a mere

recital of history, Mr. Speaker, I am not necessarily criticizing them) where their own people are concerned, the flouting of their authority by their own kith and kin in Rhodesia, we are now faced with a serious situation for Africa, and a situation that could bring the world to the brink of disaster.

The United Nations condemned Rhodesia's white minority Government, and so did the Organization for African Unity, as well as enlightened world opinion, excepting, of course, for bigoted apartheid South Africa. Despite all this world support, Mr. Wilson refused to face Mr. Smith squarely and call of his intransigence when the going would have been easier.

Mr. Speaker, by an act of omission, Rhodesia is in peril and so is the rest of the continent of Africa. We cannot and dare not understate the immensity of the problem with which we are now faced, Mr. Speaker, Sir, the Organization for African Unity and, for that matter, the United Nations Organization, must act decisively to safeguard constitutional political change for the majority who happen, in this case, to be Africans. Mr. Smith was encouraged to stall, in order to avoid injuring his white kith and kin. Therefore, the people of Africa must be prepared to show the world that the day is long passed when colonialism and imperialism could be allowed to plunge us still further into indignity. If Mr. Smith or Mr. Wilson will not safeguard the rule of law, then Africa must.

We are told that Mr. Smith has aeroplanes galore, that he has hoarded bombs with which to come and bomb the cities of Africa. I do not expect from this Kenya Parliament that we shall be deterred in our resolve by the fact that there exist bombs in Rhodesia or, for that matter, in South Africa. Africa, at the moment, cannot be regarded as helpless, but Africa will be helpless if, after all the speeches and all the resolutions of the Organization for African Unity and the United Nations, no action is taken against the forces of disorder and racialism.

Mr. Speaker, Mr. Wilson refused to call a constitutional conference as demanded by Africa's leaders and he will go no further than talk of economic sanctions against Rhodesia and of an airlift to help Zambia. Certainly military force could not be contemplated against the 220,000 white Rhodesians, so we were told. Then why was it so easy to kill Africans in Kenya? Why was it?

Mr. Speaker, Sir, Africa is now once again faced with this big problem of racialism, and if there is no active decision taken and active pursuit in practical terms, then racialism will come again

[The Assistant Minister, President's Office]

to the fore. If Britain does not now do something extremely effective, we must tell Mr. Wilson from this Parliament, Mr. Speaker, we must also tell the British Labour Party from this Parliament, that we detest the double standard applied to those who infringe upon the rule of law and constitutional development in Rhodesia. If the *Main Mass* of Kenya were not right, then how can the whites of Rhodesia be regarded as tolerable, even if half-heartedly? How can Britain walk in Africa with her head high if, from now on, bigoted racials in Rhodesia and South Africa will hold sway in Africa? Maybe, Mr. Speaker, Sir, Mr. Nkomo and the African people of Rhodesia are of no consequence in Africa as far as the whites of Rhodesia are concerned, but they are lovers of freedom and they are our people, and it is our duty that we must go to their aid when they need as most I am sure that the whites of Africa, those of them that can see the problem involved in proper relief and I am glad, Mr. Speaker, that some Europeans in Kenya have seen the problem in its proper setting — will know that Africans are hurt.

In this moment of our pain and agony, Mr. Speaker, we hope that all of us together will go to the aid of the Africans of Rhodesia. Let me, Sir, say this. We do not want and do not intend ever to accept paternalism, we do not and will not accept lecturing at this stage. All we demand is that justice will be seen to have been done. I, like the Archbishop of Canterbury, Dr. Ramsey, who was recently the most maligned person living, say that the use of force is now right and justified.

Mr. Speaker, Sir, I say that Mr. Smith must go forever, and I say we must accept the challenge of white Rhodesia now and say to the Africans of Rhodesia: "Take heart, brothers and sisters, for we are also alive." We must face Mr. Smith and expose his bluff for what it is. We cannot afford at this moment to wear no gloves when we intend to box.

Mr. Speaker, Sir, I beg to support.

The Minister for Economic Planning and Development (Mr. Mboya): Mr. Speaker, Sir, it is very unfortunate that this Motion must be limited to one hour, because I am quite sure that practically every Member in the House would have something to say on such a grave issue. This issue is indeed the gravest that we have had to face. It is the gravest that the African independent States have ever had to face; indeed, it is the gravest challenge to the whole concept and idea of African independence and freedom. For

a white minority to decide to set up a Government in the heart of Africa at this time and age, must only show one thing, that in their calculations they have come to believe that African independence and African nationhood mean nothing. Mr. Speaker, Sir, if this were to happen in other countries and other continents, such a minority would have thought very long before they took this action.

Therefore, I would like to say to the House that this is not time for ceremony. It is true that resolutions and words are not going to meet the challenge before us and before Africa. It is also true that unless we are careful, we shall end up not with just one South Africa but with two South Africas. If Smith succeeds, then there is no reason why Angola and Mozambique should not be tempted to go the same way.

Mr. Speaker, it is for this reason that I think this House and this country must make its position clear beyond any shadow of doubt, to both our friends and enemies alike. This is a matter in which friendship with Britain alone is not enough, because the whole concept of our being free people is challenged at the roots. We cannot pretend to be free when four million Africans in the heart of Africa are to be made slaves by a white racist minority on this continent.

Mr. Speaker, Mr. Wilson, on behalf of the British Government, has stated that this is an act of rebellion. If this is so, then, Sir, we should still hold Britain responsible for every action that takes place in Rhodesia, including the arrest, the detention, the rape or the murder of any African in that country as from the time of the Unilateral Declaration of Independence. It cannot be an act of rebellion if Britain does not accept the consequences of rebellion. If it is rebellion, then it must be dealt with under the normal circumstances in which rebellion is dealt with. Rebellion cannot be glorified and given the status of negotiation or the status of a government against which economic sanctions are to be taken. Rebellion has to be crushed.

Mr. Speaker, Sir, it is the most unfortunate thing that at the most crucial moment, the most sensitive moment, Mr. Wilson decided to suggest that war would never be contemplated whatever the circumstances. This amounted to licence to rebellion.

Mr. Speaker, the second point I want to make is this. The Kenya Government has always held that the issue in Southern Rhodesia is not the Unilateral Declaration or Non-declaration of Independence, the issue has always been — and the issue will always remain — the right of majority

## [The Vice-President]

Joshua Nkomo and Reverend Sithole in Southern Rhodesia reject out of hand any plans of the British Government to find a solution. The only solution in Southern Rhodesia is Independence for the African people. There is no room in Africa for a White Government. There is room in Africa for us to work together as we do here in Kenya, Europeans and Africans working together, but we are to rule the country. Therefore, the same conditions should apply to Southern Rhodesia. We must always remember that this crisis in Rhodesia is going to have its repercussions also in the neighbouring territories and particularly in Zambia. Zambia depends for her coal and her electricity for the copper mines upon supplies from the Kariba Dam and, at any time, it may be that the Southern Rhodesian Government will cut off those supplies and thus endanger the whole economy of the Zambian people. The position has come about today in which we in Africa must remember that this issue of Southern Rhodesia is one which will decide the fate of whether the African people in Africa are to rule Africa or whether it is to be subordinate to Europeans.

Because of this, Mr. Speaker, Sir, I think that we in Kenya and all of us in Africa should exert every effort to help our brothers in Southern Rhodesia. This is a test case, and I feel that if we cannot do anything to help our brothers in Southern Rhodesia, the Organization for African Unity, which has pledged itself in Article 6 of the Charter to liberate the rest of Africa, should then delete that Article from its Charter if it cannot help in the liberation of Southern Rhodesia.

Mr. Speaker, Sir, I would appeal to all Members here that this is a very delicate issue, the Government will watch the situation from day to day and from hour to hour and we will keep the House informed of the situation as it develops. In the mean time, I would beg the House to have every confidence in the Government, that we will take the right action, as the situation demands.

At the same time, the Committee of the Organization for African Unity on which Kenya is represented, has been entrusted with the task of implementing the resolution on Southern Rhodesia and thereto the Organization of African Unity will do its best to put the whole weight of this vast Organization behind the people of Southern Rhodesia.

Mr. Speaker, Sir, I beg to support.

(Question proposed)

Mr. Anyieni: Mr. Speaker, thank you very much for giving me this opportunity, unfortunately not to do anything for our people in Southern Rhodesia, but only to say something. I wish to thank our President and our Cabinet for the emergency meeting which they have just held, which has demonstrated to the world that we, in Kenya, believe that we are not completely free until the people of Africa, including the people of Southern Rhodesia are also free. I would like to say—I hope with the support of all the Members of this House—that we Members of this House will forget any other differences that we may have and that the whole of Africa also should forget any differences that they might have, ideological or what have you, and they should be united behind the people of Southern Rhodesia in order to liberate them.

Mr. Speaker, it is claimed by the Southern Rhodesian minority Government that we Africans are racists, we are incapable of ruling, and so on. Mr. Speaker, we Africans are not racists, it is a well known thing, Mr. Speaker, that a Speaker of a House is elected by that House, and the representatives of the people of Kenya unanimously elected a white man to become the Speaker of the House of Representatives.

How can we then, Mr. Speaker, be accused of being racists? It is also quoted, Mr. Speaker, and it is very well known, that there are now more white people in Ghana than there were in the colonial days, which means that we African people do not have any grudges. Despite the fact that the British people in Kenya, the settlers, committed a lot of atrocities against our people in Kenya, Mzee Kenyatta has rightly taught that it would be best for us to forget the past and allow those who want to stay with us to do so. Mr. Speaker, I would like to say that if Africa is independent, Africans must demonstrate now that Africa has got some independent states. We, who are Back-benchers, and who may not have so much power, will not be satisfied with the statements being given by Governments denouncing the racist régime of Southern Rhodesia. We would like action to be taken and I propose, Mr. Speaker, that the Kenya Government cannot, of course, take any unilateral step, but Kenya must be willing to take a lead and encourage other African States to joint action, because we have more or less the same background as the people of Southern Rhodesia. We, in our country, had a lot of white people and we know the problems the people of Southern Rhodesia are faced with because of our own experience. Here I would like to propose, Mr. Speaker, that if we really believe in Africa that we are independent, it will

## [Mr. Anyieni]

if I may be allowed to propose—that Mzee Kenyatta should write to all the Heads of State of Africa, inviting them to participate in a meeting of Heads of State in Nairobi, and I am sure that this House would not refuse the funds to finance such a meeting. In this meeting, Mr. Speaker, we would like to propose that joint action must be taken, if the British Government does not use force within one week to topple this Unilateral Independence in Southern Rhodesia. Then, Mr. Speaker, I would like to propose that the Africans must set up an army which must be prepared to march into Southern Rhodesia and liberate our people who are in that country.

Mr. Speaker, this is absolutely necessary. If, for example, Indonesia can march into a Dutch colony and Rhodesia is only one country—how can it be that we countries cannot liberate our African people? We in Kenya, Mr. Speaker, must take this step and I hope that when one Minister stands up to speak, he will also assure the House that this will be put up as a proposal to our President.

Mr. Speaker, the other thing is, we know that Kenya has a lot of money from the United Kingdom for development, but we also know that this money does not mean that we cannot remain nationalistic. What I mean, Mr. Speaker, is that the first step the African Independent States who are in the Commonwealth must take, is to withdraw from the Commonwealth, and, Mr. Speaker, after the African Independent States have withdrawn from the Commonwealth, they should break off diplomatic relations with Britain, and if we owe Britain any money, Britain has only one thing to do, either to re-colonize us or we shall pay them back on the terms we can afford, slowly.

The Speaker (Mr. Slade): I am afraid I have to interrupt you for a moment, Mr. Anyieni, on a point of order. Mr. Murumbi did touch on the disappointment of our Government with the attitude of Britain in this matter; I thought he had to, as part of the history of what had happened. But we have in fact a Standing Order which prohibits criticism of friendly countries, except by substantive Motion. So I have to ask hon. Members not to criticize Britain in this debate.

Mr. Anyieni: Mr. Speaker, Sir—

Mr. Oduyar: On a point of order, Mr. Speaker, Sir, since the matter is very important at this particular time, is there any way in which we can amend that Order immediately?

The Speaker (Mr. Slade): No, I am afraid not.

Mr. Anyieni: Mr. Speaker, as a matter of fact, I have not criticized the British Government. What I have said is that if the British Government does not take a positive step to take arms to Southern Rhodesia to topple that Government, then—in other words, I am not criticizing, I am only saying if they do it, this is what we shall do.

The Speaker (Mr. Slade): That is really rather different from what you said before, but it is in order.

Mr. Anyieni: I do not want to take too much time, Mr. Speaker. I want to say that in this particular respect, for example, the Government of United States have stated very clearly that they will not recognize any such minority Government in Rhodesia.

We know that Russia, China and every other country, except Britain, Portugal, South Africa, the rest of the world, is with us. On this, I will urge that the question of non-alignment should not be brought in. Let us go to America, get the arms. Let us go to any man who can give us help to deal with this minority in Southern Rhodesia, to give them help. Mr. Speaker, Sir, I hear some Members shouting "China" and laughing. I think it is an easy thing for them to laugh because we are already independent and we are all right but what I am saying is that, at this particular point, whoever can give us arms to fight, be they the Americans, be they the French, be they the Russians, be they the Chinese, be they anybody, we should accept them.

The Speaker (Mr. Slade): I would ask hon. Members to preserve special dignity during this debate.

Mr. Anyieni: Mr. Speaker, Sir, this is the time when Africa should know who are their true friends, it will be pointless if people go round telling us they are friends of the Africans and when Africa needs them, they cannot come to their aid. We shall know that these people are only friends through their mouths and not actual friends.

Mr. Speaker, Sir, I would like also to say that we know that South Africa supports this régime and we know that in our country we have citizens of South Africa. Mr. Speaker, Sir, when a situation like this prevails, these people are a threat to the whole of Africa if they are residing in Kenya. As such, I would like to ask the Minister for Defence—our Minister for Defence—to try and find out if there are any South Africans in Kenya; let him know what they are doing here and, as soon as possible, they must be put under control. Otherwise, they are the



[Mr. Ngala-Abok] should leave the Chamber? Because the Chamber has become so rowdy this afternoon, and Members have become so rowdy, that we cannot listen to any speech which is being made. We are not going to tolerate a House of people drinking *pombe*.

The Speaker (Mr. Slade) Mr. Ngala-Abok, hon. Members have to leave it to the discretion of the Speaker and to decide when Members get so troublesome that they have to be sent out.

Mr. Anyleni: Mr. Speaker, on a point of order, I hope you will give the hon. Member his chance, but when the hon. Member is alleging that the Members have had a lot of beer, I do not see any Member who is drunk. He should withdraw that one.

The Speaker (Mr. Slade) Order! Would you continue, Mr. Masinde?

Mr. Masinde: Mr. Speaker, I was trying to tackle the point that we now have 40,000 Africans who claim to have been Africanized, and we have a number of Members here who are only bluffing our President by telling him that his Government is doing very well. But some of us, whatever we say here, do speak with all sincerity, armed with all the information which we have collected from the people who have elected us to this House. And the fact remains that everywhere, including Yatta, Mr. Speaker, people are not satisfied. Why I say so is this, Mr. Speaker, today you go—

The Assistant Minister for Education (Mr. Mutiso): On a point of order, Mr. Speaker, could the hon. Member speaking now substantiate that the people of Yatta are not satisfied with the Government?

The Speaker (Mr. Slade) Order! Mr. Oduya, if you interrupt when I am dealing with a point of order, you leave.

No, in a matter like that, one must regard it as an expression of opinion which is not capable of substantiation.

#### MOTION FOR THE ADJOURNMENT UNDER STANDING ORDER 14

#### UNILATERAL DECLARATION OF INDEPENDENCE BY RHODESIA

The Speaker (Mr. Slade) I think this is the right moment now to interrupt Mr. Masinde. He will be able to finish his speech when we resume this debate. I will now call on Mr. Odunga to move the adjournment of the House.

The Vice-President (Mr. Odunga) Mr. Speaker, Sir, I beg to move that the House do now adjourn in order to debate an important issue.

In moving this Motion, Mr. Speaker, I would like to make it very plain to the House that today the Government learned with great regret of the incident which has happened in Rhodesia and in which the minority white racists there have decided to declare the Unilateral Independence of that country and to take over from the British.

Several hon. Members: Shame!

The Vice-President (Mr. Odunga): As the hon. Members already well know, the British Government has tried on many occasions, as we have heard, to stop them from doing so, now we find that, despite all these attempts, they have now decided to go it alone. The United Nations have also attempted to put it plainly to them that they disapprove of their action and that serious steps would be taken against them if they did. All the members of the Organization for African Unity have also on their part made it clear that they are all united against any attempt to ignore the majority opinion in Rhodesia and to declare a Unilateral Independent Government as they have done. But, despite all this opposition all over the world, which has the support of nearly all opinions which matter in the whole world, the Smith Government has actually ignored all these and they have ignored also the African opinion in their own country—in actual fact all those African Nationalists who are there are all locked up in one way or other as the hon. Members know. Now, this minority racist Government, has declared its Independence.

I must make it very clear that the Government of Kenya, as you very well know, and the President of Kenya, have taken immediate steps and have called the Cabinet to meet and you will very soon be hearing from the Minister for External Affairs the announcement of the immediate action which we intend to take on this situation.

We must actually see that this is not the hour when we could, as a people act unilaterally. This is not the hour of emotional move alone, it is the hour when we must, actually, very coolly, think of how to go about it, carrying all the African nationalists all over Africa together, knowing pretty well that this battle which may be in Rhodesia is the battle for all the African Continent.

As such, Mr. Speaker, I do not wish to waste the time of the House, and wish to give hon. Members time to air their own views, which I hope will be reasonable and which will not, actually impair any concerted move which all the people might take together. I think we must, all the same, know that this time is the age when

[The Vice-President]

people are racing for ways to the moon, when people are racing for going to all sorts of places, it is a time of the war of the nerves, it is a time of war where people not only race with dreams and also with the spirit, the strength of their heart, and that moral strength is always much stronger than any bombs or any other things which somebody might actually try and use. If we all pool our forces together, all our moral forces together, I am sure that you will find that Africa will succeed in its own mission and that is the mission of trying to free Africa from the forces of imperialism and colonialism.

Mr. Speaker, Sir, with these few remarks, I must not go on very far, but beg to move the Motion.

The Minister for External Affairs (Mr. Murumbi) Mr. Speaker, Sir, in seconding this Motion I beg to advise the House that the President has issued this afternoon the following statement.

An emergency meeting of the Kenya Cabinet held in Nairobi today, 11th November 1965, strongly condemned the action of the Southern Rhodesian White Minority Government in declaring Unilateral Independence. The Kenya Government will not recognize the illegal, racist, régime in Southern Rhodesia and strongly supports the recent resolutions of the Organization for African Unity and the General Assembly of the United Nations. The Kenya Government wholeheartedly supports our African brothers in Southern Rhodesia and calls upon to unite in this hour of trial against the common enemy.

My Government will watch the situation closely and I will keep in close touch with other African leaders. That is the end of the statement, Mr. Speaker, Sir.

Mr. Speaker, Sir, this question of Southern Rhodesia has been before us for quite a long time. Today it has come to a head and 220,000 Europeans in Southern Rhodesia have taken over power.

We first discussed this issue at the Commonwealth Prime Ministers Conference, and you all know the stand which the Kenya Government took at that conference. We warned the British Prime Minister that, unless the British Government took firm action, he would not be able to prevent Mr. Smith and the racist minority in Southern Rhodesia from assuming power. In the United Nations both at the Trusteeship Committee and in the General Assembly of the United Nations, resolutions have been passed condemning the white minority in Southern Rhodesia

if they declared Unilateral Independence. At the recent Organization for African Unity meeting of the Heads of State, we moved very strong resolutions, warning the British Government and the Southern Rhodesia Government in the event of a Declaration of Unilateral Independence. The British Prime Minister, himself, went to Southern Rhodesia and some papers had remarked it was very much like Nevill Chamberlain going to Munich.

I feel, Mr. Speaker, Sir, that the British Government should have taken much action—months and months ago. If that had happened, I am quite sure that Mr. Smith and his colleagues would have understood that it would be dangerous to declare Unilateral Independence. I recall, Mr. Speaker, Sir, when we in Kenya at one time threatened ourselves to declare Unilateral Independence, the British Army was here at that time. The British Cabinet met immediately and I am sure they passed on instructions to the Governor and to the British Commander what action to take against us who were here in Nairobi at that time. That action surely meant that we would have been locked up.

The Prime Minister of Sierra Leone has suggested, at the recent Organization of African Unity Conference, that Mr. Smith should have been locked up whilst he was in London.

Mr. Speaker, Sir, the British Government's attitude towards this problem has been very unsatisfactory. The talks held by the British Prime Minister with the Southern Rhodesian Prime Minister in the first place, were conducted without African participation. Any agreement that was reached between them, should not be valid, because our brothers in Southern Rhodesia were not participants in those talks.

Again, it was decided that a team of British and Southern Rhodesia experts would meet and try to find some way of amending the 1961 Constitution, to the satisfaction of the British and Southern Rhodesian Governments. There too, the Africans of Southern Rhodesia were not consulted, nor did they participate in those talks.

The amendments of the Constitution, if agreed, were to be made known to the people of Southern Rhodesia by a Committee or Commission composed entirely of Europeans with no African participating. How could the Africans of Southern Rhodesia accept conditions of that kind?

Therefore, whatever the plans of the British Government were in finding the solution to the Southern Rhodesian problem, I am afraid the ideas of the British Government were far from satisfactory and therefore, and quite rightly,

[Mr. Obok]

Agency? As I said, Mr. Speaker, Sir, earlier on, we do not live in this country because somebody liked it we live here because we have a right to live here. This is what the Kenya News Agency released to the newspapers. As I said, the people of this country and Kenya have reached a stage when the world at large should know the truth about Kenya. This is what the Kenya News Agency released to the Press. The meeting resolved that subversive elements, if there were any, should be exposed immediately. It was also resolved that the Government should bring about an economic revolution in Kenya.

Mr. Speaker, Sir, this is bad. Where is that freedom of the Press? Where is that freedom of expression, when the people of Uyoama demanded to know where these people are being trained who are going to overthrow the Government? Who are these people? Here is a resolution which was passed and the Government controlled "news agency" blacked out. There is no point, Mr. Speaker, Sir, in hiding the truth, the time has come when the world must know the truth about Kenya. This is, in fact, Mr. Speaker, Sir, what we are not going to accept to take place in this country.

Mr. Speaker, Sir, the Kenya News Agency in my opinion is not telling the people what they should be told, but misleading the country and that is wrong. Mr. Speaker, Sir, if we are to run a stable Government, we must have a stable Government where all tribes will feel that they are, in fact, in their country. It is not that they should, in fact, be here and hear that the Civil Service, as a whole, is being dominated by one tribe. Sir, within only a short space of time, within only a period of two years, a number of senior posts have been taken away by Kikuyus. This, Mr. Speaker, Sir, is the indication that tribalism does exist in this country, and if it is allowed to gain ground, we are heading for trouble, because the tribes of this country are so many, and very strong, and most of the tribes in this country, in fact, all of them, fought to get what we have achieved today. Of course, Sir, at that time the hon. gentleman who is sitting opposite me was a colonial chief. You did not know much about nationalism.

The Speaker (Mr. Slade): Order! Order! I would advise hon. Members not to get too personal towards each other.

Mr. Obok: Mr. Speaker, Sir, the hon. gentleman sitting in front of me, at that time in fact was not very much interested in nationalism.

The Speaker (Mr. Slade): Mr. Obok, you have just heard what I said, did you not?

Mr. Obok: Fine, fine. Mr. Speaker, Sir, he had nothing in fact to do with that. All I would like to say, Mr. Speaker, Sir, is that I would like to appeal to His Excellency the President to refrain from attacking his own loyal supporters. Members' of this House, because this still means that he is attacking—

The Speaker (Mr. Slade): Order! I think you have already been warned. Mr. Obok, with reference to a question you wanted to ask, that our Standing Orders do not allow criticism of the personal conduct of the President, which includes his speeches, his personal speeches, except on a substantive motion for that purpose. You cannot do it by question or by casual reference in debate. You can criticize the President's policy, but not his personal conduct.

Mr. Obok: Thank you, Mr. Speaker, Sir. We respect the President and you know that when we are criticized sometimes at public rallies, we are probably bound to hit back, because as the President recognized it in his speech on the 2nd November, Mr. Speaker, Sir, that you could see how right the President was when he delivered his speech, that he also recognized the supremacy of this House, which really, I think, and I wish to thank him was the first occasion, and I was very pleased. In fact, Mr. Speaker, Sir, it was not bad, but I believe that we must work hard against tribalism. We cannot say that it has not gained ground. In fact, Mr. Speaker, Sir, it has influenced many Ministers and if you are not a Member of his tribe, then probably you will find a lot of difficulties.

Mr. Speaker, Sir, I would like to jump to self-help schemes. I think the Government should refrain from encouraging those because the wealthy gentlemen or power-seekers, as I call them, in fact will not hesitate at any time to use self-help schemes to achieve higher positions in our society. I, as hon. Member for Alego, do not think I would be in a position of handling or in a position to set up a self-help scheme like that one of Gatundu hospital, because what influence have I, in fact, really to get that?

What I am saying, Mr. Speaker, Sir, is that this is very wrong. We should leave all this to the Government, so that the Government would take over the responsibility of establishing hospitals and schools throughout the country, but it should not be left to the Members themselves to try to set up self-help schemes because otherwise we have already engaged ourselves in a very dangerous battle. The rich man will be in a position to establish himself more effectively.

Mr. Kamau: On a point of order, Mr. Speaker, is the hon. Member in order in criticizing the self-help schemes, as the President is building a hospital in his own Constituency, Gatundu.

The Speaker (Mr. Slade): Order!

Mr. Kamau: —as we other Members are building self-help schemes in our own constituencies?

The Speaker (Mr. Slade): Order! If the hon. Member was criticizing the conduct of the President again, he is out of order. He is entitled to criticize the conduct of anyone else in this matter, but the President has a special position. If the hon. Members wish to criticize the personal conduct of the President, they must do it by substantive Motion, which ends up with a vote of this House. But perhaps the hon. Member was only referring to Ministers and other Members of this House.

Mr. Obok: Yes, thank you.

Mr. Kamau: Could he be asked to withdraw the remark?

The Speaker (Mr. Slade): No, the Member can continue.

Mr. Obok: In fact, I think the hon. gentleman who raised the point of order is one of the back-benchers here who probably are in a position of, in fact, carrying out big self-help projects. And from where they get the money, we do not know. I still wish to say that the Government must not encourage these self-help schemes.

The Speaker (Mr. Slade): Order! Hon. Members are much too noisy. They must give an hon. Member a chance of being heard even if they do not wish to listen to him.

Mr. Obok: Mr. Speaker, Sir, thank you very much. I think, as I said—

The Speaker (Mr. Slade): I am afraid that is the end of your time, Mr. Obok.

Mr. Obok: Is that so? Could I have only two minutes, Mr. Speaker? Then, Mr. Speaker, Sir, I beg to support.

Several hon. Members: Time!

Mr. Masinde: Mr. Speaker, Sir, I must be very thankful—

Mr. Ochwada: On a point of order, Mr. Speaker, according to my watch—I do not know whether it says the same time as yours—it is half-past five.

The Speaker (Mr. Slade): I did appoint five-thirty as the time when Mr. Odinga might be invited to move the adjournment of the House. He is not here to do so yet, and I understand

that he is deeply engaged with His Excellency, the President and may be so engaged for another five or ten minutes. Obviously the Motion of Adjournment cannot be moved without him here, so we will continue until he appears in the House.

Mr. Masinde: Mr. Speaker, Sir, I must regard as very unfortunate to be given the opportunity to speak so late, when most of my friends have made a number of the points I wanted to raise. However, Sir, supporting what—

The Speaker (Mr. Slade): Order! There are too many conversations going on round the Chamber.

Mr. Masinde: Supporting what some of my colleagues have mentioned in this debate on the speech delivered by the President when opening this new Session, Mr. Speaker, I have a few things to mention.

Going very quickly, Sir, I would say that we in this country are dedicated to building one strong nation. But today some people are wondering, particularly the people of Lurambi, whether Kenya is still one nation or is going to continue to be. What is important here, Sir, is that we have been told several times that we are going to Africanize most of the posts, and that most of the posts have been Africanized. But if you look at a list of those Africans, you find that they are nothing but one tribe. This is why I say that today we are still wondering whether we are going to build one nation or not.

Sir, today some hon. Members have stood up in this House to speak, crying about their own tribes, particularly my colleague, the Member for Mombasa Island North. He said that the Asians are being neglected though they are Kenya citizens. But he forgets that during those good years seventy years ago, Asians were enjoying privileges which were denied to the Africans. Now, Sir, this is going to be a lesson and it should be a lesson to any tribe which is using the opportunity given by today's Government to entrench itself in position. Someone will come during my time and say, "Out with the whole lot of you."

Mr. Speaker, Sir, I am very serious about this, and no one here must forget. For instance, a person like myself, I come from that part of Kenya whose history some of you people have happened to read.

The Speaker (Mr. Slade): Address the Chair, please, Mr. Masinde.

Mr. Ngũgĩ-Abok: On a point of order, Mr. Speaker, is it in order for me to request you to say that any more Members making a noise

[Mr. Lorema] is about water. Mr. Speaker, Sir, I would appeal to the Government to consider very seriously the provision of water facilities for the pastoral areas, or for the pastoral tribes. It is very hard, Sir, to develop any of these countries, any of these tribes who are still moving about. There can be no development at all until they get permanent homes and the thing which can make them get permanent homes is the building and constructing of water supplies, which can be easily reached. You find many of these people just roam about looking for water, both for human consumption and for their animals and they go as far as twenty-five miles, just for water. Recently, Mr. Speaker, I learnt that about £1 million was being approved for the Kiambu people. Here we must say that the people living around these areas are very fortunate from the climatic point of view in that they have so many streams and rivers flowing here and there, whereas people like the Pokot live very far away where it is rather dry. These people should be provided with these machines for bringing water—boreholes—and be able to stabilize their way of life. That is the way they should be helped.

Another point, Mr. Speaker, Sir

#### RULING FROM THE CHAIR

#### CONDUCT IN THE CHAMBER OF MEMBERS CAMERAS

The Speaker (Mr. Slade) Order! I see cameras being set up in the HANSARD box. They must be removed immediately.

Mr. Jahari: On a point of order, Mr. Speaker, when strangers just march in with their cameras, as the gentlemen of the Press have done, without your permission, what action does the Speaker take besides just telling them to remove them?

The Speaker (Mr. Slade): Possibly no action. I shall inquire how it came about and then take what action I think necessary, but there may not be any action necessary. It may be ignorance or of some other good excuse.

Mr. Lorema: Mr. Speaker, I think my time is still going on.

There is one point I would like to say again, and this is regarding mineral resources in this country. In my constituency there are plenty of minerals, ranging from the non-precious right up to the most precious minerals that can be found in the world. Now, we have chromium, we have platinum and, Mr. Speaker, what has been happening there is that people have been coming, peeping, there, as if West Pokot is their Katanga. They come there and just try to prospect without

doing the actual mining, and they just stay there for a few months and they say there is practically nothing, that there is nothing which could warrant the proper mining and they go away. I would like the Government to take the initiative of trying to send a proper company to mine. In this respect, Mr. Speaker, there would be unemployment relief in this if the minerals were mined in such places like West Pokot, and if this was properly done you would find that there would be so many people being employed in this area and that would also help our Government.

This will be my last point but one, Mr. Speaker, and it is about the Kara-Pokot. Now, Mr. Speaker, Sir, although in the main speech of the President the issue of Kara-Pokot was mentioned, but I feel, as a representative of this area, that I should mention it. Mr. Speaker, it was in one of the paragraphs in His Excellency's main speech that the Government intended to defend its rights. Now, I have signalled to the Government many a time that there is a place called Kara-Pokot which is part and parcel of Kenya, and this place needs to be administered by the Kenya Government. Many times we have not heard anything, practically anything, from the Government about its development report and there are so many people being killed in that area by the Karamoa, and I would like these people to be considered by the Government also.

Another point, Mr. Speaker, is about the President's visit to all parts of Kenya. Now we people from Pokot have been saying several times that we would like His Excellency the President to visit Kapenguria. As we all know, Kapenguria is of historical significance regarding the Mzee's trial in the area, but then—up to this time—the Mzee has not dared to come to the area. So, we would like him to visit the area and, also, Kapenguria should be made a place of celebration on the 20th October. This should be a national issue. I am sure that if this place was in Kiambu there would be wonderful celebrations, but it happens to be in one of the remote areas, it is being neglected.

Mr. Speaker, Sir, I also would like to thank the Government for what we must call the multi-racial community of Kenya. Mr. Speaker, Sir, several Members have said, especially the Member representing Mombasa, who has indicated that there seems to be discrimination somewhere, but I am sure there is not any discrimination in Kenya today. What used to be there, what was there, is just something which has been already forgotten. I know there was discrimination a long time ago, and what our people are trying to do is to sort out the hangover which used to be

[Mr. Lorema] there when we used to be discriminated against, and when it becomes a bit of tit and tat, somebody else complains. I am sure this will have to be sorted out. There is no discrimination in Kenya, I must say, but there is much tribalism. Because we found that—

Mr. Speaker, Sir, I think having said all those points, I beg to support.

Mr. Obok: I think, Mr. Speaker, Sir, I would be failing in my duty as the Member for Alego if I did not rise also this afternoon, first of all to thank the President that he has placed us in a most beautiful building, one of the best in the world. And then, Sir, I would like to thank him too that it was for the first time that the President spoke in this House, Mr. Speaker, Sir. I think that as we believe in democracy, we also like to be criticized when one has good reasons, but not for the sake of criticizing any Member of this House. Mr. Speaker, Sir, it was reassuring to hear the President talk about the supremacy of Parliament, and I think on that occasion, Mr. Speaker, Sir, my mind went away thinking that the President was trying to create a situation whereby freedom of expression in this country is going to be respected. The Member for Alego does not want to live in fear, no one in this country wants to live in fear, all of us in this country are not living because we were favoured, but we live because it is our right.

Mr. Speaker, Sir, we feel that in this country all of us believe in democracy, we should also be free to express ourselves when one feels that he would like to come up and tell the country what is going on. Sir, the people in Kenya would like to know the truth about development in Kenya and the way the people of this country think. Referring to the position is this, Mr. Speaker, Sir, we were addressing a rally in Uyoima Location, Central Nyanza last week-end. Mr. Speaker, Sir, at this rally a resolution was passed that the people of Kenya are tired of speeches being made by Ministers or the President, in fact, misleading the country, and saying that there were people wanting to overthrow this Government. A resolution, Mr. Speaker, Sir, at this meeting in Uyoima location, Central Nyanza, appealed to the President of Kenya and his Cabinet Ministers to tell the public the names of any people who wanted to overthrow the Government, so that they should be tried in a court of law.

Mr. Speaker, Sir, if there is anybody who knows that there was someone in this country who wanted to overthrow this Government, why

waste time, is there no court? Have we no magistrates? Have we no police officers? Why waste so much money paying these officers when they cannot try these people? Mr. Speaker, Sir, these kind of speeches, even the President himself must refrain from making speeches of this nature because not a single person in this country will respect Members of this House, not even you, the Speaker of this House, and you are supposed to be the Father of Members of this House, and the President is supposed to be the spokesman for the Members of this House and the Government. How on earth do you think anybody can respect Members of this House if the President himself does not, in fact, give the impression that he respects them?

Mr. Speaker, Sir, how can a father of children, let us say of eight or nine, go around and say, my first son is a drunkard, the other one is a lunatic, and the third one does that? Who would respect him? Who would respect a family like this? Mr. Speaker, Sir, these kind of speeches by Ministers, senior Cabinet Ministers, are doing a lot of harm to this country. This country, Mr. Speaker, Sir, took some leading politicians of this country many years to make it what it is today. They worked so hard, all of them worked so hard to see that they released the President from where he was. Mr. Speaker, Sir, going back now to the meeting at Uyoima, Sir, the meeting which was also addressed by—yes, as usual, the hon. Member my friend the Assistant Minister, Mr. Odoro-Jowi, it is not surprising that he is not interested in anything happening in Uyoima but anybody who comes from Uyoima matters too, just like yourself.

First of all, Mr. Speaker, Sir, the meeting was addressed by the Vice-President—

The Speaker (Mr. Slade): You must remember to address the Chair, Mr. Obok.

Mr. Obok: Yes, Sir, I will do so.

The meeting, Sir, which was addressed by the Vice-President, Jaramogi Oginga Odinga, unanimously passed the resolution moved by the Member for Alego that there was an urgency for the Government to make a categorical statement to this effect, that in view of the seriousness of the current rumours in the country, that some people were secretly engaged in subversive activities to overthrow the popularly elected Government, who is interested in overthrowing this Government? Why was it not—Mr. Speaker, Sir, if we are democratically minded, why was this resolution not published? Why was it not published by the Kenya News Agency? Why did the Government not release this to the newspapers, as it controls the Kenya News

The Speaker (Mr. Slade) It is open to hon. Members at any time to criticize the conduct of the Speaker on a substantive Motion especially for that purpose, but they cannot do so casually in a debate. The reason for this is that the Speaker, himself, and the House must know to what extent that criticism has the support of the House. If it is a majority support, then the Speaker must consider his position very seriously.

Mr. Muisori-Itumbo: Mr. Speaker, Sir, I withdraw. Although I withdraw I will wait to see if the next time I will get a chance to speak or—

The Speaker (Mr. Slade): No, that is hardly a proper form of withdrawal, Mr. Muisori-Itumbo, because you are already repeating the criticism that the Speaker is not dealing fairly with Members. A withdrawal has to be a complete withdrawal.

Mr. Muisori-Itumbo: I apologize. Mr. Speaker.

I am glad that the hon. Member for Masai, Mr. ole Tipis, is here. I am going to speak very strongly about the Masai character. Quoting from the President's speech in paragraph 5—

The Speaker (Mr. Slade): Order! Order! Mr. Muisori-Itumbo, I am sorry to interrupt you.

Mr. arap Sos, you have forgotten the rule that you do not walk in front of hon. Members who are speaking. If you must do that, then you must bend low and walk in front of them, to make it clear that you are not trying to interrupt them.

Mr. Muisori-Itumbo: Sir, with your permission I would like to quote from the President's speech. On page 5, paragraph 3, the President stated: "The security and welfare of all our people is uppermost in the mind of the Government. Ever since my speech in this House in February 1964, on the whole issue of Somali aggression and *Shifita* unrest in Northern Kenya, we have pursued a policy based on defence of our rights and our territory, human tolerance and understanding, and belief that justice and patience would together bring about a return to normal conditions." Mr. Speaker, Sir, the reason why I quote this paragraph is that it seemed to me that the President had no idea that the security problem is not bothering us only as far as the North Eastern Region is concerned. Within some of our constituencies there is the same problem, because we happen to be on the border with the Masai in South Nyanza. Even at the present time we have fights with them; there are fights between the Masai moran and ourselves continuously. They attack and kill my people, they take away our *ngombes*—

Mr. ole Tipis: On a point of order, Mr. Speaker, is the hon. Member in order in imputing that it is only the Masai people who are attacking the Kuria and not that the Kuria people often attack and kill the Masai?

The Speaker (Mr. Slade): That is not a point of order, Mr. ole Tipis.

Mr. Muisori-Itumbo: Mr. Speaker, this is a national issue of importance and I will be bringing a Motion for this issue to be debated here because it is high time that the Masai were disciplined by the Government of the country; otherwise we are going to tolerate the conditions and character of the Masai moran. When the colonialists were ruling this country they allowed the Masai moran to wander about with spears and knives but nobody else was allowed to do that. So, the Masai moran still think they can wander about and attack and fight other people. They walk about naked, carrying spears and knives—

Mr. ole Tipis: On a point of order, Mr. Speaker, is the hon. Member correct in saying that the Masai moran walk about naked?

Mr. Muisori-Itumbo: Mr. Speaker, it is a fact that they do so, and the hon. Member knows that I am not trying to describe the behaviour of the Masai moran. I am only giving facts.

Mr. Speaker, the Masai come and attack our people and take away our *ngombes*. They think they can wander about naked. When the Europeans were here, they cheated them that they were the champions of East Africa. These Masai moran must be taught by our Government to behave as human beings. They must behave otherwise Members from Masai are siding with them. On many occasions I have tried to bring the Masai elders together in order to talk with them. I have done so and the hon. Mr. ole Konchellah has been doing that as well. The elders listen to what is being said and then they go back and revert to their old ways.

Mr. Speaker, recently two young Kuria men were speared and several villagers were burned by fire at night and their *ngombes* were all taken away and they were left with nothing, nothing to eat at home, and people whose sons have been killed and, also *ngombes* have been stolen by these rough charactered moran from Masai.

Mr. Speaker, I feel that the Ministry of Internal Security and Defence must call for a case file from Kehancha Police Station to the Ministry and, also, the Public Relations Officer must take action, drastic measures to investigate how many cases are being reported to the Kisii Division Police.

[Mr. Muisori-Itumbo]

Mr. Speaker, I feel that if my people are loyal to the Government of Kenya, they must also be defended otherwise they will defend themselves.

Before the European came here, Mr. Speaker, Masai, Mr. ole Tipis can prove that they were fighting other tribes but not the Kuria, and even now it is because of my people are loyal that they are tolerating this and that is why they are very patient in waiting for the Government to do something, otherwise you could easily hear that they had gone and defended themselves.

Mr. Shikuku: Do they have spears?

Mr. Muisori-Itumbo: They have everything. They can defend themselves, but we do not want to do that, Mr. Speaker, we would like the Minister for Defence to call for the file from Kehancha and have a thorough investigation into this issue, otherwise I do not think that my people are going to tolerate these characters any longer, and let them behave as animals any longer in that area.

Mr. Speaker, this is a request on which I have already contacted the Minister concerned and I think he will take steps towards this, so as to satisfy my people, within a week, or otherwise I would not blame anybody if the tribal clash occurs in that particular area.

Mr. Speaker, I am heated, I am very angry about this issue and I think I had better rest now. I do not want to speak any more.

The Speaker (Mr. Slade): Perhaps before you start, Mr. Lorema, I should explain that I am not calling you because Mr. Muisori told me to do so, I had already intended to do so.

Mr. Lorema: Thank you, Mr. Speaker.

I would like to take this opportunity also of congratulating His Excellency the President on the speech he made on the 2nd November. Now, Mr. Speaker, His Excellency the President touched on all the aspects of the problems and the general development of this country, but since then, Sir, all the hon. Members who have spoken have touched on many points. I thought that I would not be doing my duty as the Member for West Pokot without contributing on this important debate.

Now, Mr. Speaker, Sir, there are one or two points I would like to make. It is a matter of just emphasizing. One point deals with the housing projects, and this was contained in the President's main speech. Regarding the housing projects, Sir, I feel the Government should consider very much about this issue of houses, because, just taking a picture of African houses, Sir, this is quite appalling because you will find, that although it is

mentioned here that housing projects and programmes will have to be taken, there will be so many houses built on one place, whereby you find one family having six children is living in one room. Somebody with daughters and sons is living all in one room, whereas you find some other people have palaces in this country. The people who will be concerned with these houses must plan properly and understand that the Africans also would like to enjoy all the facilities that are necessary for a human being. If one goes to one corner of Nairobi one will find that it is terrible there and the ways which lead to these houses are not so good, so a proper method must be devised as to how these houses will be built. That is point number one, Sir.

Point number two is about Administration. It was mentioned that up to now about 44,000 citizens of Kenya have been Africanized out of 51,000. Mr. Speaker, Sir, for your information and for the information of the House, I would like to say that out of all these 44,000 people of civil servants, there is no single Pokot man working as anything ranging from office boy to a District Commissioner or a Provincial Commissioner or, for that matter, a Permanent Secretary, and this is an international shame.

Mr. Speaker, Sir, I think in order to bring a proper co-ordination between the people and the Government, some of the people who are living far away from the town must be given the preference, and I think there is a loophole somewhere. Now, it is the machinery, Mr. Speaker, by which this thing is done—Whether tribalism exists I do not know, but then the Government seems to concentrate largely on the provincial level, forgetting entirely the districts. The districts are being overlooked. That is to say, for example, if there is a job which is to be given, say, to a province like the Rift Valley—Now, one of the major tribes living in the Rift Valley is the Kalenjin. Somebody from a Kipsigis origin may be coming from the Kipsigis area, and now the assumption will be that the Kalenjin have been settled. They have their Provincial Commissioner, they have their District Commissioner and then they are thought to be all right. I think the Government should consider, and this is just a point that I want the Government to consider, this district. Mr. Speaker, because in the province there are so many districts and so many tribes which comprise this country. If that is done, I am sure there will be no complaints.

This is also relevant to scholarships.

Another point I would like to touch upon, Mr. Speaker, is a matter to do with the less-developed areas, known as the low potential areas, and this

[Mr. Odera-Sar]

fight for the release of Mzee Jomo Kenyatta and during that time the Colonial Government did not like Central Nyanza and Central Nyanza was left behind. Today, Mr. Deputy Speaker, the President, Jomo Kenyatta, is leading this country and every Minister, but when economic planning is being planned in this country, Central Nyanza is now being punished again by the present Government which we fought for. That has nothing to do with Luo. I say we think we thought His Excellency the President was a man whose Government could be excellent, but today in Central Nyanza we are not regarded. For example, here

The Deputy Speaker (Dr. De Souza): Order!

Mr. Odera-Sar: Are you fighting against what I am saying or against the Luo? Mr. Deputy Speaker, if they are fighting against the Luo or asking me against the Luo, they must remember that

The Deputy Speaker (Dr. De Souza): I think you should continue with your speech, Mr. Odera-Sar.

Mr. Odera-Sar: I think the Luo community is responsible for bringing the President, Jomo Kenyatta, to rule this country.

The Deputy Speaker (Dr. De Souza): Order! Order!

Mr. Odera-Sar: He was in Kadu, he did not like Mzee Jomo Kenyatta to come back.

Now, Mr. Deputy Speaker, because I have been warned I would like to say that we talk of building one nation in this country and in the President's speech he talked about the spirit of *Harambee*, when he finished the speech. I do not know whether in this country we are very sincere about the *Harambee* spirit. Mr. Deputy Speaker, may I ask

The Deputy Speaker (Dr. De Souza): Order! Order! There is too much talking. Let the Speaker speak.

Mr. Odera-Sar: Are these people sincere in what they say here? No, they are not sincere. It is in this House where we see Ministers from the same Cabinet, which has a collective responsibility, opposing or criticizing one Minister. Are they not destroying this Government? Do you call that *Harambee*?

The Deputy Speaker (Dr. De Souza): Address your remarks to the Chair, Mr. Odera-Sar.

Mr. Odera-Sar: Mr. Deputy Speaker, Sir, we have a Kikuyu man here. One day Mr. Ngala spoke and said—

Mr. Kamau: On a point of order, Mr. Deputy Speaker, is the Member in order to mention Kikuyu here, in particular in passing and exchanging words in this House all the time.

The Deputy Speaker (Dr. De Souza): Mr. Kamau, I am afraid every Member has complete freedom to speak as he wants, it is not for me to decide whether he is right or wrong. Order! Order!

Let us have a little more silence in this House and Chamber, then the speaker can finish and another speaker can then start.

Mr. Odera-Sar: Mr. Deputy Speaker, we want to know if the President of this country is supporting this group which meets in a bar called Corner Bar. If he is supporting this group, he is really speaking the truth to tell the nation that he is working for the unity of this country. They are saying that Mr. Kenyatta, the President of this country, is supporting one group in this country and I tell you, Mr. Deputy Speaker, he is destroying this Government which he has himself built because if you decide, Mr. Deputy Speaker, you destroy. Do you call that unity? Today I hear that split is the unity in this House. Divide and rule. Whom will you divide? Mr. Deputy Speaker, Sir, in this House, if we are really working for the unity of this country—Mr. Deputy Speaker, Sir, my hon. friend here is talking of Kisumu and Wakamba dying because of hunger.

The Deputy Speaker (Dr. De Souza): Order! Order! Let him speak.

Mr. Odera-Sar: I think if my hon. friend here is wise enough, clever, he should work hard and see that the Wakamba are fed well. The Kisumu people are feeding all right.

Mr. Deputy Speaker, I do not know why my speech is worrying every Member here. Is it hurting, or what? That is why I was talking of whether we are bringing Kenya to become one nation with people trusting their friends, because if you do not trust, Mr. Deputy Speaker, I cannot trust you. Recently, in this country of Kenya, we heard a Minister representing the President on an occasion in the presence of the Vice-President. This embarrassed the whole country and this is known even to the world—

The Deputy Speaker (Dr. De Souza): Your time is up now.

Mr. Odera-Sar: Do we call that African socialism, *Ujamaa*? No respect.

Mr. Muisori-Itumbo: Thank you very much, Mr. Deputy Speaker. I do associate myself in thanking the President for the speech he gave during the opening of this new Parliament. Mr. Deputy Speaker, although I give thanks to the President, but as a Member of a constituency, I have very little to thank for all he has done for the country since he came into power.

Mr. Deputy Speaker, I remember it was during last year when he was giving a speech during the *Madaraka* Day, when His Excellency was able to tell the country that they were able to get free medical treatment. That was, Mr. Deputy Speaker, in accordance with the Kanu manifesto, because in the Kanu manifesto you find that there were three enemies mainly underlined which the Kanu Party promised the country it was going to fight, if at all it came into power. Mr. Deputy Speaker, disease being one of the enemies, I would like to say that I do not appreciate the issue very much simply because my people do not participate in obtaining this free medical service. The reason being, if I am asked why, that it was the former Government, Mr. Deputy Speaker, who did not reach the country as such. The majority of the people living in the rural areas did not have these facilities, such as dispensaries, health centres, in order that they might benefit from any issue or any free treatment given by the Head of our State or of our Republic.

Mr. Deputy Speaker, that is why many Members have complained and they are questioning where is free medical treatment and many have alleged that this free treatment is benefiting people in the towns like Nairobi, Nakuru and so on. Mr. Deputy Speaker, although it is free treatment to the whole country of Kenya, I would urge the President to plan how to disperse the free benefits or free promised medical treatment to the people of Kenya everywhere, so as to reach them in various remote areas like Kuria, West Pokot, Turkana, El Molo and some parts in Masai.

[The Deputy Speaker (Dr. De Souza) left the Chair]

[The Speaker (Mr. Slade) resumed the Chair]

Mr. Speaker, Sir, the other issue took place recently before the opening of this Session, when the President made a speech on Kenyatta Day which took place on the 20th October. At that time he said there would be free education for Forms V and VI. Here, I have nothing to thank the President for because you hardly find any students in these upper Forms in most of our high schools in Kenya, or elsewhere. One may say that this is none of the President's mistakes, but, still, the promise of free education as understood

by the country was that this was the implementation of something promised in the Kanu manifesto where it was stated that there would be free primary education, not free education in Forms V and VI. In these upper classes you find most of the students are Asians and other foreign students who attend at the East African high schools. If the President meant that the public should taste the goodness of free education, I feel that he had to give it for the lower classes. If it was to be in the Forms, then it should have been in classes lower than Forms V and VI. Although the announcement was cheered by a few people in Kenya—few Asians, very few Kikuyu and Luo and some people from Mr. Masinde's area—my people have not seen the fruits of independence up to this moment. If we are all to be considered participants of the freedom which has come to Kenya, then my people who are underdeveloped should be given a plan in order to raise their standard both educationally and medically.

The Kanu manifesto also speaks of going away with poverty. These days we can see quantities of yellow maize flowing from America to Kenya under the direction of a Ministry of a certain hon. Member. This maize is dished out in some areas. There is a lot of corruption going on. I would like to say here that even a single bag of maize has been taken to my constituency. I challenge any hon. Member here who will stand up and say that he has seen maize being taken to my constituency; because no such thing has been done.

The Speaker (Mr. Slade): I am afraid you have to keep off that subject Mr. Muisori-Itumbo, because we have had notice of a Motion dealing with that matter which may very shortly be debated in this House. There is a rule against anticipating Motions in another debate.

Mr. Muisori-Itumbo: I will wait until the Motion comes up if you will give us a chance to speak on that because I find, Mr. Speaker, that only certain Members in this House get the chance to speak and you do not give me or the hon. Mr. Lorema an opportunity to say anything in many Motions.

Mr. Ngala-Abuk: On a point of order, Mr. Speaker, is it in order for the hon. Member to allege that the Speaker is being impartial in his choice of speaker, when he says that you choose other Members and not himself? It is well known that the Members must try and catch the Speaker's eye if they wish to speak. If some Members are lazy and do not move quickly, is that the mistake of the Speaker or of the hon. Member concerned?

[Mr. Wamutheny]

When I was in the United States of America, I met some who were students and who were being educated there. Most of them were taking an academic education. When we told them of the hardships we have with regard to technical education, most of them said, "We have already planned to take an academic education and we cannot now turn round and say that we want to have a technical education." They urged us, when we came back, to try and tell those people who are prepared to go ahead with education to take a technical training; and I think this will be helpful to our people.

I come now to social services, and the National Youth Service. The girls, I think, should take this opportunity of becoming members of the National Youth Service. There is no reason why our girls should be forgotten and roam around Nairobi trying to get jobs and failing to do so. I feel that the Government should look into this matter keenly, and it would solve the problem of the girls as it is solving the problem of the boys. This is very important because I do not think that we can progress without girls. Males cannot progress educationally or socially or in other ways of life without having the girls side by side with them.

House planning. The housing programme which has been mentioned in this speech is very important but I would urge that there should not only be a place in the city or in the towns. They should also be established in the rural areas, where many people have their pieces of land and probably they cannot meet their loan if they are asked to pay a little amount of money every now and then to enable them to build better homes for their own families.

I come to the question of the feeding of the general public. If we are only getting good houses and we are not well fed, a nation which is not well fed is a broken nation and from this point of view I urge the Government to see that dietetic lectures are being given throughout the country to show the people which kind of food or which kind of vegetable crops are useful and which go to maintain health in the general public. Otherwise if you build good houses and give them good medicine but do not give them dietetic advice on vitamins, I do not think people will grow into a healthy nation.

Another point, Sir, is that of water supplies. Water supplies, especially in my own constituency are very much lacking in some localities. I have one sub-location called Gachika which is near by Kiganjo Police Training School. This place is completely dry and therefore water is very far away. Those people have now subscribed about

Sh. 8,000 to bring water and they have not got any plan. I have been trying to get somebody who is qualified like an hydraulic engineer to give advice to those people but he has not been available, I think the hydraulic engineer is brought into the Ministry of Agriculture, and he should try and meet these demands and see what subsidy the Government can give to those people.

Now, about tea growing in my constituency, we are growing a high grade of raw tea and also when it is manufactured it fetches a very high price in the world market. What is a pity is that the growers are being given very low pay for their labours. They are being only paid 30 cents for their raw tea, while the tea which we grow is fetching from between Sh. 9 and Sh. 10 per pound of the manufactured tea. Four pounds of raw tea make one pound of the manufactured tea, which is being sold at Sh. 9 to Sh. 10 in the world market. I think if the manufacturers were paying them a little better for their raw tea, this money will be available, if they are not going to be profiteering manufacturers.

Now I turn to the land settlement programme. We have many people now isolated in small villages who were left behind by those people who were bought out. Now, those people have no money because their time of earning has been a very long time since they received a single cent in their hands, but it is now the duty of the Government to see what they can do with those people, because every now and then, when anybody says, I want a piece of land, he has to pay a certain amount from his own pocket. Those people cannot afford this and I wonder if the Government will not consider those people, they are going to die. I hope that the Government will take serious steps to adopt any method which will provide a better way of living for them than they have at present.

From this point, I would urge the Government to loan them a piece of land where they can work and if the Government finds the farm which they are going to be settled on, at the end when they harvest their crops, the Government can deduct its due and leave them with the balance to keep to feed their own families and to give them clothing.

With those few remarks, Mr. Deputy Speaker, I beg to support.

Mr. Odero-Sarr: Mr. Deputy Speaker, Sir, before I say something—

Mr. Masinde: On a point of order. Mr. Deputy Speaker, in view of the fact that the Member failed to catch your eye . . . . . (Inaudible) what can we do if we want to speak in this House?

85

The Deputy Speaker (Dr. De Souza): There were about seven people, Mr. Masinde, who stood up at the same time and I am afraid I cannot advise all of them to speak at the same time. I can call only one and if you have not caught the Speaker's eye I am afraid you must try again. You may have better luck the next time. By standing up on a point of order I do not think you can force yourself to be chosen the next time because this is a way of trying to persuade the Speaker to call you. I am afraid that is not the way to do it.

Mr. Odero-Sarr: Mr. Deputy Speaker, first I would like to congratulate His Excellency the President of the Republic for his speech which he gave here in this House and I would also like to comment on some of the points he raised when he was reading his speech. He spoke of the party manifesto to fulfil the aspirations of our people in this country. Mr. Deputy Speaker, Sir, you are aware that during the fighting for independence of this country, we had two parties, one was Kanu and one was Kadu. We promised the people of this country after independence they would realize some promises which the party promised them. But since then, Mr. Deputy Speaker, they have only got free medical treatment, but this is only around areas like Nairobi and some few towns. The people who are living in reserves, only hear of free medical treatment as being introduced in this country but they have not realized this because they are very far away from the hospitals and health centres, because these are not built near their homes.

This, Mr. Deputy Speaker, although the President was talking about this, I do not think he was informed fully whether everybody is seeing the fruits or is feeling that he is now being treated freely, not only a few people living near the health centres. He also spoke of the fact that we here in Kenya today claim that we have a one party State. I am very pleased that he said that no legislation was to be introduced in this House towards the people to follow one party. You know pretty well, Mr. Deputy Speaker, even here in this House people are not talking about one policy. It was known during the time when Kadu and Kanu were in existence in this country, some preached tribalism, some Africanism, but today when we have one party, tribalism has risen very rapidly and I would say, Mr. Deputy Speaker, that the President was very wise. I think he knew that here in Kenya people do not support one party policy because here we talk of tribalism, we talk of different ideologies from other countries and even here today in Kenya people are now following what we call personalities, or people are

not working towards one to bring about the unity, which the President was preaching before he was elected in this country.

He also spoke of something called *Ujamaa*, which is African socialism. Since this thing, African socialism, was introduced and approved in this House, I do not think that any African who was poor is now able to see anything better. The poorer is the poorest now. Also the richer is the richest. We know pretty well, Mr. Deputy Speaker, before independence the African was the poor man here and he was the poorest of all. Today after independence, people who are now being helped by this Government, are the people who had kept some money during the colonial times and they are the people who are being helped by the present Government, and here I may say we are not benefiting by this Government to help the poor African, that is not true, if anybody claims to say so.

Mr. Deputy Speaker, there are also very few privileged Africans. There are a few of them, of course, who have gained good positions, for example, here in this House we have Members of Parliament, some of them are now Ministers. We have heard of very many who are buying *shambas* which cost a lot of money and which an African in the reserve cannot afford to do. This has brought about a class for the poor and for the rich in this country. Now the poor are in the majority.

An hon. Member: So what?

Mr. Odero-Sarr: He is asking me "So what?"

The richest men who have managed to come to this House and have become Assistant Ministers and go and buy a farm which he could not buy during the colonial time, and he is now saying "So what?"

This is what is wrong. One day a poor man will be annoyed and the rich person will suffer. They have not come out, they are coming in.

Mr. Deputy Speaker, Sir, we want a plan to benefit everybody in this country because we have a Minister for Economic Planning and Development and he is not planning for the whole country. He is not planning for Central Nyanza. Central Nyanza during the colonial time, I think we made a mistake, because in Central Nyanza during the colonial time—

The Deputy Speaker (Mr. Stade): Address your remarks to the Chair.

Mr. Odero-Sarr: Mr. Deputy Speaker, Sir, in Central Nyanza during the colonial time—this is my personal view—we engaged ourselves in

Mr. arap Choge: Such as Kakamega, such as Central Nyanza, what do they beat Nandi with? In Nandi we have tea, coffee, sugar cane, what not, grade cattle, and so on, Mr. Speaker. Sir, and there is no reason why the chiefs and sub-chiefs should be given low wages, whereas these people are working very hard for the development of the district, Mr. Speaker, Sir, I do not see any use or any logic in giving these chiefs very low salaries at all, when they are working very hard. I challenge any hon. Member, either from the Northern Frontier District or from Central Nyanza or from Kakamega District for that matter, and if my hon. friend Masinde can say that his district is more developed than mine, it is untrue. That is why his chiefs are being paid higher salaries. I highly oppose this type of attitude.

Mr. Speaker, Sir, the other thing which I would like to touch upon, is Agriculture. I do not want the people of my district, especially my constituents, to be told to mark time, not to move, just because there is a shortage of money for putting up factories, the Government should put them on the same level, with Kakamega, Kisumu, some parts of Kericho, and the Nandi District. In Nandi, Mr. Speaker, Sir, we are fortunate enough to have some of these settlers near us and we can process our leaves, our tea leaves, through their factories, and they have agreed to do so, and I do not see the reason why Nandi is being given a limited number of tea seedlings per year to plant, instead of allowing them to plant as many as they can plant, because they have factories near them.

Mr. Speaker, Sir, another thing which I would also like to touch upon and that is I would like to thank the Minister for Agriculture for what he has done in the Kenya Meat Commission. The Minister, and I must thank him, has tried very hard to see that most of the key posts in the Kenya Meat Commission are Africanized, and there is very vast Africanization in the Kenya Meat Commission. I wish to congratulate the Minister for Agriculture for this, Mr. Speaker.

Mr. Speaker, Sir, another point which I would like also to touch on, is the recruitment into the Kenya Army. From the circular that was sent to hon. Members on the 25th of last month it was felt that recruitment was not evenly distributed over the country. Nandi was missed from this list and even if they are in the army you need some more efficient men, who are loyal to this Government from Nandi and I am sure even the Minister for Information and the Attorney-General know very well, that those Nandis who are in the Kenya Army are serving the Government very well. Can you deny that?

Mr. Speaker, Sir, I do not see the reason why the Nandis are being avoided every now and then from being recruited into the Kenya Army. Even if there are to many, you want efficiency, as I have said, Mr. Speaker, Sir, if it is a question of saying, too many, I do not see why. I would like to quote some of the places and you could then conclude as to who will be recruited into the Kenya Army next time, which group.

On the 1st November you see National Youth Service at Langata; Team moves to Nakuru on the 2nd; Team selects at OI Kalou; Team selects recruits at Nakuru; Team moves to Nakuru; to Nanyuki on the 15th; the Team selects recruits at Nyeri; Team selects recruits at Nairobi on the 19th and 20th.

An hon. Member: Very good.

Mr. arap Choge: You may say it is very good because Nakuru is included as one of the recruiting centres, which is the hon. Mr. Oneko's own constituency.

I think, Mr. Speaker, Sir, some of the rural areas are forgotten, and I would very much like to see Nandi District included.

The other point which I would like to mention again, Mr. Speaker, is the number of secondary schools in Nandi District. So far, we have only three secondary schools in Nandi District and we feel, Mr. Speaker, that these secondary schools are not enough for the Nandi people. It is true that in the past the Nandis did not very actively go to school, but these days they go to school in great numbers and we would like our Government, which is our national Government to consider favourably giving more secondary schools to the Nandis. Some other districts which knew more about education were in the past, given priority because they had enough students to go into secondary schools and so they have enough secondary schools.

Mr. Speaker, Sir, I would very much like Nandi District to be considered for more secondary schools.

With these few remarks, Mr. Speaker, Sir, I beg to support.

Mr. Rurumban: Mr. Speaker, Sir, I am sorry that I have been on my feet since yesterday and, today, too, and I have not been lucky enough to catch your eye. However, Mr. Speaker, Sir, I feel very honoured to join the House in recording my thanks to our President for his concise statement on public policy, which he delivered when we opened this new Chamber.

The policy as contained in this booklet is only a concise survey of our Revised Development Plan, but, as far as I have gone through it, I

[Mr. Rurumban]

hope it will be a policy that will really meet the aspirations of our people. But, Mr. Speaker, I will only warn our Government not to make this policy theoretic, but to put it into practice and implement it for the good of the people of this country, Sir. I would also further appeal to our Government not to follow the policy of the then Colonial Government, which did develop some areas of the country and ignored others with the excuse that the inhabitants of those areas were dormant and did not want to progress. I am saying this, Sir, because I have also noticed that our present Government follows the same policy. I am saying this, Mr. Speaker, because if I go back to my constituency and try to look at what changes have taken place since we attained independence, in fact, Sir, I can say that the only little changes there are those which were made by the Colonial Government and not by our own Government, a Government which we claim as our own, a Government of the people by the people, Mr. Speaker, for a Government to say that the people are dormant and that they do not appreciate the Government policies is really absolute poppycock, because they are not dormant. Every community, every tribe, in this country is part and parcel of this Government, and it is the duty of this Government to devise all ways and means whereby changes can be achieved. It is my considered opinion, Sir, that our present Government should use propaganda, should use encouragement or, at least, should use all methods in order to make the people of these backward districts understand its policy. I am sure, Sir, that if this Government does that the people from these backward districts will accept the policy and then they will be very much responsive to the Government's aims.

Another point I would also like to touch on, Mr. Speaker, is that of the present fiscal arrangement that makes each local authority depend on its own taxes or its own revenues in order to provide the services for the people in its area. I would like to make it very clear, Sir, that there are some local authorities which really do not have sufficient money to meet the cost of the services for the people or the services of the country. For example, Mr. Speaker, Turkana, Samburu and some other under developed districts are in this position. I am saying this because the people who live in these districts depend entirely on a cattle economy. They do not have cattle sales, Sir, and the sales they do have in their districts are sometimes not held for as long as a year. During that period, these people do not get cash to pay school fees, they do not get cash to pay taxes, they do not even get cash, Mr. Speaker,

to buy food for their own subsistence. They cannot, in fact, relate education to their needs because they lack finance.

I would urge the Government to pour a lot of money into these unfortunate districts, to put a lot of technical knowledge there, to help these backward districts to catch up with the more advanced districts in the country.

Mr. Speaker, Sir, another point I would like to touch on also is the National Housing Authority. I very much welcome this Authority, Sir, and I hope that it will concern itself very much with these underdeveloped districts, particularly my constituency, so that by 1970 my people will also be living in good modern houses instead of their present unhealthy mud huts.

Another point is that of education. Now I heartily endorse the view that was expressed yesterday in this House by my hon. friend, Mr. Kibaki, about adult literacy, and I do not want to repeat what he said, Mr. Speaker, except to emphasize the fact that education is the keystone of our progress, and therefore we need education for innovation.

The last point I would like to touch on is the position of our country in being a one party state.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Dr. De Souza) took the Chair]

I fully support the idea of our Government not intending to submit any legislation to Parliament on this matter because this clearly shows that our country is democratic, our country is modelled on the principles of African socialism.

With these few words, Mr. Deputy Speaker, I beg to support.

Mr. Wamthenya: Mr. Deputy Speaker, I wholly side with the President in his speech of the 2nd November 1965, and I have certain comments to make. I will start with education. We have quite a fair number of educated people academically, but technical education is very badly lacking. I think it should have serious consideration because many of our primary people, primary students, who have passed their Kenya Preliminary Examination, cannot find vacancies in the secondary schools; and they should be channelled into technical education. They can be taken as electrical students or carpenters, masons, blacksmiths, mechanical engineers and so on. This will alleviate the situation which is causing our people to suffer because they do not have a chance of going on to higher education; and probably some parents cannot find sufficient money to give them higher education.

The Speaker (Mr. Slade): Excuse me interrupting you for a moment, Mr. Somo, but I see some hon. Members are troubled by the sun on that bench. We are going to install blinds there as soon as we can, in the meantime, I would suggest that the hon. Members move from bench to bench as the sun moves. It only stays about twenty minutes on each bench.

The Minister for Information, Broadcasting and Tourism (Mr. Achiong-Onoko): Thank you very much Mr. Speaker.

Mr. Somo: I just appeal to you, Mr. Speaker, for the three minutes which have been wasted.

The Speaker (Mr. Slade): I would not say that took three minutes.

Mr. Somo: Anyway, Mr. Speaker, what I would like this country to do is as follows, but in this country nowadays, if you express your opinion you are being called a communist. It is high time for we elected Members, as the representatives of the people, for the people who elected this Government. This Government is not a Cabinet Government or it is not a Presidential Government, it is a people's Government. So, when we express our views, we do not want the Cabinet Ministers to interrupt our speeches while all these people who are sitting on both galleries have a say in this Government. They are the people who elect this Government.

Mr. Speaker, here in Kenya we have three grades. We have grade "A", we have grade "B" and we have grade "C". The grade "A" are the people who are right on top, and grade "B" is the empty grade where there is no one, and grade "C" are the people who are still suffering, who are still under the ground, and what I want this Government to do, Mr. Speaker, is to bring those people from grade "A" and put them in grade "B", and those who are in grade "C" should be raised and come to grade "B", then there will be grade "B I" and "B II" whereby these grade "B I" people will be always on their own feet and they will know what they are doing, so that they should enjoy the freedom of this country. However, Mr. Speaker, we are not going to sit and see that those people who have been opposing this Government are the only people who are enjoying the freedom today and are getting the first opportunity, while the people who are suffering, the people who have been in detention for years and years and have even lost their families, are the only people who are suffering. Even when these people apply for a job as a sweeper, they never get the job.

Mr. Speaker, for how long are we going to allow such cases? Are we only going to be promised that we are going to do this, we are going

to do that, we are going to have a fishing plot in Lamu, we are going to have a very good industry for tourism whereby even the Minister for Information has never been to Lamu. He was only there during the term of his detention. What a great shame this is, Mr. Speaker. Are we only going to depend upon this kind of promise? How long will these promises take, or will they only take from the time of the election to the time of the election? Are the people going to think that they will depend only on this lip service? If they think Somo is not doing his job, they will kick me out and they will elect another man, and if another man is going to act as I am acting in this Government, are we going to have this only?

Mr. Speaker, I wish to thank the President for his speech and this Sessional Paper No. 10, that is African Socialism, which has been already drafted and is the paper that we do not want only when we say that we are going to marry this girl because she is beautiful and that is only a promise made by this Sessional Paper. We want action to be taken, not only the mere words. We want action to be taken and these are the things we want to see. This is also the Government of Mr. So-and-so and Mr. So-and-so and this is the Government of the people. Without the people you cannot have a Government unless it is a dictatorial Government.

The Speaker (Mr. Slade): That is the end of your time now, Mr. Somo. In fact, you had another minute to compensate you.

An hon. Member: Give him another five minutes.

The Speaker (Mr. Slade): Only with the leave of the House. It is suggested that Mr. Somo be allowed another five minutes. Order. I can only do that if no hon. Member objects.

Mr. ole Konchellah: No.

Mr. arap Choge: Thank you, Mr. Speaker, Sir, for very active eyes which happened to catch me. Before I thank the President, it is usually customary to thank some one for filling your belly, and therefore straightaway, Mr. Speaker, Sir, I would like to dwell on my constituency during the course of my speech. Mr. Speaker, Sir, I would like to begin with the Administration.

The appointment of chiefs and sub-chiefs has been said several times, in this House, that we would like some sub-chiefs and chiefs still to be removed and replaced with new chiefs and sub-chiefs. This has been said even in the newspapers, in this House repeatedly and in our Parliamentary Group meetings, but no steps have been taken and I think therefore that this Government is overlooking this question but if they are to

[Mr. arap Choge] develop our country, then they must see to what its supporting Members are saying about the Administration in this House and outside this House.

We would like, Mr. Speaker, Sir, especially in Nandi, to see some of the sub-chiefs who are out of date removed and replaced with new sub-chiefs and, as I speak now, I speak for the people and I was appointed by the people—that it is of no use for the Government to keep on delaying it with tactics of reinstating the same chiefs and sub-chiefs to continue working in the Civil Service, Mr. Speaker.

Mr. Speaker, Sir, some other things which I would like to mention about the Administration are about the civil servants who are interfering, or who are getting into politics. I would like to mention a few names, at least two names, Sir, of some district officers and district commissioners who have indulged in politics and this Government has not taken any steps whatsoever to see to it that these people are punished accordingly. Mr. Speaker, Sir, I would like to begin with one of the district officers who was once at Vihiga, a Division in Kakamega District. A few months ago this man who is known as J. Korunga, this district officer took a very active part in the politics—he is from Kakuyu and I reported this matter to the District Commissioner, and it also reached the Provincial Commissioner, Kakamega. Contrary to this, this chap was posted to the Provincial Headquarters in Kakamega and he was given a better position there than the one he had before. This man is already indulging in politics and is playing a very active part in politics, and here I have a document on which I base my allegation.

Mr. Speaker, Sir, here I have a letter which was written by him on the 28th June 1965, when he wrote to the District Commissioner opposing the suggestions made to him by the District Commissioner. This District Officer also gave me a copy and this, in itself, is evidence and any hon. Member who would like to have a look at it, may do so after my speech.

Mr. Speaker, Sir, the other District Commissioner who was—

The Speaker (Mr. Slade): It is the correct procedure (if you refer to a document, to table it unless it is a document in public circulation; so that you should place it on the Table, as you suggested, at the end of your speech.

Mr. arap Choge: Yes, Sir.

The Speaker (Mr. Slade): You can have it back later.

Mr. arap Choge: Thank you, Sir.

The other person, Mr. Speaker, Sir, I would like to attack is the present District Commissioner known as Mr. Kimweli, who is the District Commissioner at Kapsabet. This man, I have said repeatedly, takes part in politics and does little for the people and it is high time I declare, on behalf of the Nandi people, that we no longer require the services of this man and anybody, whether he is the President or the Assistant Minister, who may not see fit to get rid of him should send him back to his own constituency or his own district and work for him there, otherwise this being a Republican Government we are not going to tolerate the people who do not work in accordance with the needs of the people. On the 9th and 10th, Mr. Speaker, Sir, of last month, he sent the policemen round and the district officers round to stop the people from coming to my meeting and he went on after I had written to him on the 25th September, asking for a public meeting licence in order to hold a meeting on the 9th and 10th. He did not give me the licence, and he did not say anything at all.

So, Mr. Speaker, Sir, I proved later on that he was acting on behalf of some other politicians who are dying in the district, but because they are his friends he had to try his level best, maybe after a bottle of beer, then he was sort of acting for them. This is Mr. Kimweli, the District Commissioner, Kapsabet.

Mr. Speaker, Sir, I would like the Government, if the Government is not willing to get rid of this man, then they should decide what to do with him, because the District Commissioner who was very active in Kapsabet was taken away to Nakuru and that District Commissioner is now in Nakuru. I can hear the Minister for Information also supporting me. Mr. Speaker, Sir, the District Commissioner from Nakuru was sent to Kapsabet and the District Commissioner from Kapsabet was sent back to Nakuru. This is a very clear demonstration that this man had failed in Nakuru District and he was therefore being posted to Nandi and Nandi has gone too far in the present development and we do not require the services of such a lazy man any more.

The other thing, Mr. Speaker, Sir which I would like to raise concerning the Administration, is the grading of Nandi District. I do not see why Nandi District is in the last grade, one of the last districts and was given a very low grade, whereas some other districts are better graded than Nandi District, when they have no development at all, these districts are given higher grades than Nandi District.

Mr. Masinde: Which ones?



(Mr. Komora)

Mr. Speaker, I have lodged a complaint with the District Commissioner of the Tana River and told him that the people of that area must be compensated for the knives and clubs which they lost in the burning. Mr. Speaker, I also told the District Commissioner that the people must be compensated for the loss of half a day. I said they should be given at least Sh. 2 each so that this amount can be used towards part payment of their graduated poll tax.

An hon. Member: What? Is graduated personal tax only Sh. 2 for your people?

Mr. Komora: I reckon that it will be a loss of Sh. 4 for a day, and since they had to spend half a day away from their work, I said they should each be compensated Sh. 2. I want to go to Tana River and see what steps the District Commissioner has taken. If he does not compensate these people, then there will be a row between the politicians and the administrative officers in the Tana River District.

Now I wish to touch on the subject of natural resources. The President himself has stated on page 4, paragraph 10— I am happy that the Assistant Minister for Natural Resources is here, because he has been in with your permission. Mr. Speaker, I would like to quote: "The conservation and development of natural resources is a long-term process, having equal standing with all other development and services as a key to Kenya's future." He further states, "In parts of many districts, complete wildlife management projects may represent the highest form of land-use, and bring the maximum benefits in revenue, employment and trade." Sir, this is very true, and I think the Government should consider seriously establishing this particular source of revenue in the Tana River District because this is a suitable area. In fact, I personally wonder why the Government has gone into bigger expenses, to the tune of £2 million, to investigate the possibility of carrying out irrigation schemes in the Tana River basin instead of exploring the possibility of having game management in that area. The £2 million would have helped to start the project. I am sorry to state that the Government has gone into unnecessary expense and now it may find out that there is nothing it can do about the money that has already been spent.

I wish to thank the President when he said that his Government is going to take stern measures stamping out *Shifita* activities in the North-Eastern Province and other nearby districts. It was only on the 20th October, when almost all the people of Kenya were celebrating Kenyatta Day that

Somali *Shifita* crossed the Tana River and kidnapped people, broke into shops and went away with property. They kidnapped the people and made them carry the stolen property for a great distance until they were sure the security forces would not be able to catch up with them, and then they sent the kidnapped people back. So, Sir, it is high time the Government improved its efforts to stop this menace which is affecting the people of this country.

Mr. Speaker, Sir, I end with the words that I would like to give thanks to the Speaker who has given me the chance to speak now, but there is one point I would suggest to him. There seem to be in this House first-class Members of Parliament and second-class Members of Parliament. For instance, Sir, I was on my feet the whole of yesterday afternoon—including some other Members who were determined to speak—but the Chair gazed at a person as if to call him and then turned away and called on somebody else.

The Speaker (Mr. Slade): Order! Order! I am very sorry to have to stop your criticism of the Chair, Mr. Komora, but you are only allowed to do so on a substantive Motion for that particular purpose.

Mr. Komora: I am sorry, Mr. Speaker.

With these few words, I wish long life to the Father of the Nation and to our country, in the name of the Father, the Son and the Holy Ghost. Amen.

Mr. Somo: Mr. Speaker, Sir, thank you for giving me this chance to air my views on the Presidential speech. I would also like to congratulate the President for his excellent speech, the best he has ever given. The speech was so good that all the people of this country have appreciated it; not only Kenya but the whole Continent of Africa. I would have liked to have spoken longer on the President's speech, Mr. Speaker, but I cannot do so because I am upset about what the Government has been informed on, the declaration of independence in Rhodesia. This has hurt my heart very much.

As you know, Sir, and everyone in this House is aware, my area, particularly the Kiunga Division, has been attacked by the *Shifita* from time to time. Because of this the people of that area have deserted the division. Very few people go there and you hardly find any people living there. All this is due to the fact that the Government of Kenya withdrew the security forces from that area. This area borders with Somalia, Sir, and, therefore, it is a great shame to this country because it has failed to give the necessary security to the people of the area which is affected.

(Mr. Somo)

On the question of the national flag of Kenya I would say that in this area it has been lowered by the *Shifita* and torn into pieces. So, in that division there is no flag. There are no administrative officers, there is no district assistant, no chief, no headman, nothing to show that Government has some right over this area. I think this is a shame to the Government of Kenya. There is no Government administration in Kayunga Division and the *Shifita* have made this place their headquarters from where they decide on which places to attack, tonight, tomorrow, or any other day. I feel the Government is paying no attention whatsoever to this; that land belongs to the Kenya Government and the Government does not seem to be interested in whether it is occupied by the people of Kenya or the *Shifita*. If this Government is tired of the Lamu District it should let us know. Then we can decide which way we should turn so as not to be treated as we are being treated at present.

When the people of Dodori were being attacked by the *Shifita*, that same division, the security forces of this Government had no news for three solid days, and on the fourth day when they went into action all they did was to burn the maize crop. Mr. Speaker, how can anybody burn the maize crop when this country is suffering from hunger?

There is another point also: when the cattle stolen by the Somali are being followed by the Bajuni who are loyal people—and have been loyal from the beginning—you find that the Kenya Government punishes them for what they are doing. Why should the Somali at the borders be given better security than the Bajuni who are loyal people? Government must decide who are the loyal people and treat them accordingly. If the Government considers the Bajuni people to be loyal, then it should teach them to carry guns and it should give them better security. I want Government to tell us clearly what is the position. I know that the Bajuni whose cattle were stolen, were escorted right to Lamu and there they were imprisoned. They were not allowed to enter Lamu and were considered to be *Shifita*. Government thought these people were the bad Somali when they were not. If Government wants us, Bajuni to carry our guns for security purposes, then we are prepared to do so.

Now I come to the subject of development in the Lamu District. Here we have quite a number of Ministers visiting the area, making wonderful speeches, saying that they are going to do this and that; they say they are planning to establish a fish industry, to introduce agricultural

schemes, but nothing has been done. No action has taken place so far. One hon. Member says that Lamu is only good for fishing, that there is plenty of fish there. I agree with him, Sir, but why, if there is plenty of fish there, has a fishing industry not been started? Are we only going to depend on foreign aid services? Furthermore, Mr. Speaker, I quite appreciate the words of the President on what he has said, that the people should go back to the land, on which my colleague has said here that the people should go to the town. Well, the people should go to the town, but I also support that the people should go to the land, but who are the people to go to the land? We should know this, Mr. Speaker.

The people of Kiambu, or Nyeri, or Gatundu, they are the people who should go to the land. How could you expect the fisher folk to go to the land? How could you expect the Wakamba to go to the land? How could you expect the Somalis to go to the land? How could you expect the Turkana to go to the land, unless the irrigation schemes have been established? Are we going to farm on dry land? I must congratulate the President of the United Arab Republic who has done a good job for his people—

The Speaker (Mr. Slade): Order! Mr. Somo, you are not required to look at the Speaker all the time, but you are not supposed to turn your back on him.

Mr. Somo: I am sorry about that, Mr. Speaker.

When you tell the people to go to the land, Sir, you have to assure them that there is something in that land, which, when it has been developed, will come out, so that the people could enjoy the fruit from it. They should not be told to go to land which is dry land, people are suffering from having no water to drink. What are they going to farm there? Dry trees or what?

An hon. Member: Spaghetti.

Mr. Somo: Mr. Speaker, Sir, this Government should look into this matter. I know the President of this country is a man who really wants to help his people by all means, but the theme he has is the wrong theme. It is entirely a wrong theme. You cannot expect a goalkeeper to play a match from one goal and score right to another goal. He cannot play against players unless he has colleagues. Now the team-mates of that team must be good players, but we cannot have the bad players who are taking assistance either from East or West. We must have these people—

[Mr. Jahazi]

Minister woke up and used this radio to protect Kenya, like the armed forces. He may go out but I think he will be told by one of his spies.

Mr. Speaker, Sir, I would also like to thank the President on his statement on the roads, and also for elevating Mombasa airport to be of international standard. For those people, Mr. Speaker, Sir, who come from near Voi, they cannot appreciate the efforts of the Minister for Works. The Minister for Works must be thanked for his efforts since Independence. The Mombasa road, which was a death trap, today if you travel on it, although it is not fully tarmac-ed, we see the fruits of Independence and the energetic work of the Minister for Works, where the whole road is almost tarmac-ed and now only that, in the Western Region, everywhere, even people in Embu, you hear that road projects are going on. We only add that the Busia Tororo road or whatever it is, is going to be tarmac-ed. I do not see why the Member for Teso is complaining. It is on the plan. Therefore, we must take off our hats to the Minister for Works, Communications and Power for the wonderful job he is doing.

Mr. Speaker, Sir, I would also like to say that all the money we get from Britain for settlement, some of it should be diverted onto settling Africans in towns, because we are tired of Africans always being regarded as people coming from the villages only. The money should buy out some of these people in towns so that you resettle Africans in towns, because all visitors come to towns first. Now, Mr. Speaker, Sir, it is a shame to see that you cannot even find a building in town which belongs to a Kaniau, it either belongs to a Patel, Munjibhai and So-and-so. When shall we have our own houses? So, Mr. Speaker, Sir, we think that this money also, in order to show the image of independence, must go to settling people in the towns, as well as just for settlement, so that we see Africans also prospering in towns, but not only by people who come into town in the morning and by nine o'clock, except in the bars, you do not see an African anywhere.

So, back to the land and back to the town should be the motto. Mr. Speaker, Sir, for those who have *shambas* to go on the land, that is all right, they can go back to the land and stop begging in town. But for those who have business to do in town, I say that they should stay in town and work hard and build the cities and the country.

With those few remarks, Mr. Speaker, I beg to support.

## NOTICE OF MOTION FOR THE ADJOURNMENT UNDER STANDING ORDER 14

### UNILATERAL DECLARATION OF INDEPENDENCE BY RHODESIA

The Vice-President (Mr. Odinga): On a point of order, Mr. Speaker, we have news that Rhodesia has unilaterally declared Independence. I ask the leave of the House to move the Adjournment of the House under Standing Order 14 to discuss the attitude of Government in this matter.

The Speaker (Mr. Slade): Order! This is quite clearly a definite matter of urgent public importance. As a matter of form, I require the support of at least ten hon. Members.

(A number of hon. Members stood in their places)  
In that case, I will invite Mr. Odinga to move the Adjournment of the House at 5.30 p.m. today, which will allow us up to an hour to discuss this matter.

Mr. Anyieni: On a point of order, Mr. Speaker, would it not be in order for this to be discussed straight away? Maybe the Ministers are not ready yet, in which case, Sir, I withdraw my point of order, but if they are ready—

The Speaker (Mr. Slade): No, I would explain to the hon. Member that there are two reasons for fixing a slightly later time on these occasions. One is, as he hon. Member acknowledges, that the Ministers, indeed Members, may not be quite ready to debate the thing immediately. The other is that we want a time limit for discussions of this kind. If we start now, there will probably be no stopping until 6.30 p.m. If we start at 5.30, we know we have limited ourselves to an hour.

### MOTION

#### THANKS FOR THE PRESIDENTIAL ADDRESS

##### (Resumption of Debate)

Mr. Komora: Mr. Speaker, Sir, I wish to thank God who in His wisdom and goodness has blessed and enabled the father of our nation, His Excellency, the President, to deliver his very good speech in this House. Mr. Speaker, Sir, I am myself satisfied with what the President has stated here, but, Sir, there is something which I do not understand, and I would like to have some clarification of it from the Government. This point, Sir, arises on page 1, paragraph 1. With your permission, I would like to quote this, but it is rather a long quotation so that it will be clearly understood. "Today I address you as the Head of State. But our people have the right to elect a Parliament to serve them not only as a forum, or as a Council of Elders, but also as an Executive instrument.

369 Monday

[Mr. Komora]

We therefore believe that no part of the Republic's Government should lie outside our Parliament." Mr. Speaker, the following remark is the one to which I want seriously to refer. "Our Constitution provided that all Members of the Government, including the President in his capacity as Head of Government, should be Members of the Lower House."

Sir, I am a little bit perturbed here because when I referred to the Constitution, section 75 (3), I saw this, and again I wish to quote as I did before. "The Governor-General shall appoint as Prime Minister a Member of the House of Representatives who appears to him likely to command the support of a majority of the Members of that House and shall, acting in accordance with the advice of the Prime Minister, appoint the other Ministers from among the Members of the two Houses of the National Assembly."

Now, Sir, that says "the two Houses of the National Assembly". And here in the President's Address, we find that it is stated that all Government Members should come from the Lower House. This is where I require some clarification.

My second observation concerns page 1, paragraph 3 where the President stated: "Each Member is a link, binding the Republic to the people. And in each direction there is an obligation both to guide and to lead." Mr. Speaker, Sir, this is very well understood but I am sorry to say that Members of Parliament are sometimes not acquainted with the Government's policies so as to be able to guide and lead their people. For instance, in Kenya today there are several locations whose chiefs resigned a long time ago. Interviews were carried out, delegations have been sent to provincial commissioners, but up to this moment there are chiefs who have not been appointed, and the public are inquiring about this. They are asking why the chiefs have not been appointed. The Members of Parliament do not know the reason for all this delay over the appointment of chiefs. Therefore, if one is not aware of the Government's business and the Government's policy, it is difficult indeed to lead and guide at certain times. I hope that from today onwards the Government will give us a clear insight into policy so that we are able to lead and guide our people.

Mr. Speaker, Sir, Government's policy on health, housing, co-operative societies and education has my approval and blessing, except that on education the public is not happy about the Government's decision to assist only those children in Forms V and VI to have free education. Since the Government has already stated that within a short time a board will be set up to investigate

the set-up of the primary and intermediate schools, I do not think there is much need to quarrel with the Government, except to say that this should be implemented. It should not be merely a statement here to make us happy, and then we wait for two or three years before it is implemented.

Mr. Speaker, Sir, as regards community development training centres, I wish to emphasize to the Government that if we mean economic development let us see that those less developed areas do develop. And therefore, Mr. Speaker, Sir, as it is laid down in the Constitution, Tana River District being number one, I would like to see that, when it comes to the time of establishing these training centres, Tana River gets them, Lamu, the whole of the Coast Province, in fact, except Mombasa, which has sufficient development, Turkana, Masai, Samburu and the whole of the North-Eastern Province, all these areas must have the first priority in the establishment of these community development training centres.

Mr. Speaker, Sir, I would like to mention the question of graduated personal tax, arising from the President's statement on, I think, page 3, paragraph 4. I wish to quote a little bit here. Sir, The President states: "In this regard, we deplore a position in which people in many areas are blaming their local authorities for inefficiency, while the councils blame the local people for not paying taxes that are due." Mr. Speaker, Sir, the civil servants, especially the administrative officers who have been charged with the duty of collecting graduated personal tax complain that the law provided for collection of graduated personal tax is not sufficient; they feel the law should be amended so that the officers in the field can take stern measures. I agree with that, because in some areas people do not take heed and refuse to pay the graduated personal tax and the administrative officers are sometimes forced to torture our people. For instance, a few days ago, the District Commissioner for Tana River waited until 11 o'clock on a Saturday. Then he took an escort and went to Galole trading centre and collected every person he found, except those who were in the shops as shopkeepers, and took them to his office. He was in a position to utter the worst abuse possible because prior to this he had taken away the knives and clubs from the people and burned them. He said he did this because they had not paid their graduated personal tax. I am sure the law does not state that the people should be tortured in this manner. The people had used money with which to buy knives and clubs and now that their things have been burned, it will necessitate their spending money all over again to get themselves more knives and clubs.

361 Motion

[Mr. Muliro]

Province and provinces that feed Kenya. Today, a bit of it is being illegally transferred to Tanzania.

Mr. Speaker, another point I would like to raise is on the issue of the supremacy of Parliament. It was in this House, and was a decision of this House that we should appoint a Commission of Inquiry into the dairy industry and a report should be published up to this minute. Sir, no report has ever been published and today an African is called upon to pay Sh. 200 per gallon in order to get a quota of milk to be sold to the Kenya Co-operative Creameries. Mr. Speaker, Sir, this quota system is an object which was never created by the Africans, it was created by a Colonial Administration, and is a very dangerous creation which, Mr. Speaker, should be abolished. We would like this House to debate the Mwai Kibaki Commission on the dairy industry. We would not like to see any fictitious document in the form of Bills by the Government in this House before we see the report as recommended by Mr. Kibaki's Commission. This, Sir, I feel, must be looked into.

Another point, Sir, I would like to raise here is the question of the Higher School Certificate, the non-payment of fees. At the moment, it is only the very refined, the able children and parents who go to the top. The majority in the high schools are Europeans and Asians. If the Government wanted to give free secondary education, at least secondary education, if they are worried about the primary education, they should have given the whole secondary education free. Then we would know that our Government is delivering some goods.

Mr. Speaker, one thing on which I have to congratulate the Government and the Minister for Health, my hon. colleague, is on the release of the in-patients from the payment of fees at hospitals. This is highly welcome, it is one thing that I welcome very heartily in the speech of the President, and this means that the patients are not going to pay the fees. I think this is going to be declared because it is already here from the President. The Minister is sitting here, very patiently, Mr. Speaker, I think he is going to talk about it.

Finally, Sir, the call "back to the land". We all appreciate the call back to the land by the President, but we also urge the President and his Cabinet to give fair prices to the people who go back to the land so that they can benefit by their sweat.

With these few remarks, Mr. Speaker, I beg to support.

**Mr. Jahazi:** Mr. Speaker, Sir, I am very grateful for having caught your eye despite other Members grumbling. I would like to exercise my right and privilege to thank the President for his very good speech delivered to the House on the 2nd November.

I would like to take this opportunity to comment on what the President told the House and the whole nation. Mr. Speaker, Sir, there is a very important date that is nearing which was set as a deadline to the people, or to all foreigners in this country, who were given two ears to choose whether they were with Kenya or against Kenya. Very favourable terms were given to these people and I think Kenya is the only country that was generous enough to give these people, who are always undecided, two long years to think whether they will be with Kenya or not. The last date will be December 12th. From the 13th December this year, we want a new Bill. In the President's speech I wanted to hear what was going to happen to these people from December 13th. Mr. Speaker, Sir, we have been very patient, we have been very tolerant, we have been more than what we are. We have been half angels because where people have been exploiting our country, people who had power in their hands and people who showed us that to them power in their hands was an instrument to oppress us. We were discriminated against, we were put under a very strong thumb, so that we should be—as they used to put it—put in our places.

Now, the old man, our President, came with a type of preaching that we should forget the past, but we cannot forget the past while others are still remembering it. Therefore, Mr. Speaker, Sir, we demand to know what is going to happen to these people from December 13th. I would say that all those people who have been given two years to choose whether they will be citizens of Kenya and who have not taken that opportunity should no longer enjoy the rights they are enjoying. All business that could be done by the indigenous people of this country and the citizens should be taken over from these people and we should only keep those who should be here when we profit from their presence here. All those people who are just here to live as parasites on us should be told that the time has come for them to seek the country they have been seeking, whether to go back to India, Britain or anywhere. But such people should never be tolerated to live with us here, because after all the generous terms they have been given, they have failed to take the hand of friendship extended to them by the African community. Therefore, we urge the

365 Motion

[Mr. Jahazi]

President to tell us what steps he is going to take after this generous term of two years has ended on 12th December.

Having said that, Mr. Speaker, Sir, I would like to also comment on the new National Housing Authority which the President told us is going to be established. This is very important, Mr. Speaker, Sir, only the other day we heard the Minister of Health and Housing telling us the percentage ownership of Africans in this country is only 1 per cent, and 99 per cent is owned by other people. If we scrutinize this 1 per cent, we will find that may be it is only .5 per cent. Mr. Speaker, Sir, any independent country that can stand with a flag and be proud of that flag and show to the whole world that they are independent, then it is a shame to see that the people, the indigenous people, only own 1 per cent of the houses they are living in. This, Sir, is a problem which should be tackled by the Government with all the urgency, and speed which the Government can manipulate, because, Mr. Speaker, Sir, we can no longer tolerate paying all the rents, and yet more rents to the people who at the same time export this rent to benefit other people, their own brothers.

Therefore, Mr. Speaker, Sir, the National Housing Authority should have the real authority, not only a dream or some sentimental board, which we shall be shown in this House or be referred to every time. Also the Central Housing Authority should have some authority and not be without it at all. It should have enough funds to buy out houses in towns. They should have authority to take over some of the plots of land and pay people just by instalments, because not only do we not own houses, but we do not even own the land to build these houses on, and this housing authority will be confronted with having some money but no plots on which to build. Mr. Speaker, Sir, how are they going to solve the problem of getting the plots?

As I said, Mr. Speaker, Sir, the other day, the Africans are getting tired of being sent to Langata, which is ten miles away from the town. We want to stay in the centre of the town so that whoever comes here knows that we own the country and we own the towns. This business, Mr. Speaker, Sir, of sending us ten miles away and then starting to put a bus service, at Kariakoo, Embakasi, should stop. Mr. Speaker, Sir, there is a lot of empty land in the centre of the towns, in the hands of the speculator waiting until 1970 when the price of land will go up. These people should be caught in the middle and the plots taken over, they should be paid but it does not matter how

long, so long as we are not grabbing their land free of charge, but the term of payment should be dictated by the Government.

Mr. Speaker, Sir, I would also like to comment on the Ministry of Broadcasting and Tourism. Mr. Speaker, Sir, this Ministry seems to be sleepy somewhere, because the radio is a very powerful medium, but the Minister is not using it. You hear a lot of propaganda from Radio Somalia. We happen to hear it in Mombasa and the coast area. These broadcasts are put on specially for the Somali-speaking people, and you find that the Minister cuts off every time at 8 o'clock, he only broadcasts to people in Nairobi and the surrounding areas, and the people at Mombasa and Kisumu are told, "We shall be with you again at one o'clock," and then at one o'clock the announcer says "Good-bye to the people in Mombasa and Kisumu, we will be with you again at five o'clock." Is this radio only meant for a section of the people? We want it to be on the whole time for the whole of the country. There should be no business of announcers saying, "We are now saying good-bye to the people in Mombasa until one o'clock or until five o'clock," because what is this for? Radio Somalia is abusing Kenya like I do not know, because I do not know whether the Minister himself listens to this or he has any centre whereby he gets this information, but I would like to ask him tonight, at about six o'clock, between six o'clock and seven o'clock to listen to Radio Somalia. They are urging all the Somali Members here to quit and go back and fight with the *Shifita*. They are told, "if you do not come home now and fight the Kenya Government, the Parliament of Kikuyu, you will find that you cannot come back home." Now, Sir, there is not even a reply from the Voice of Kenya, to answer back to these people. Now, Sir, while these Somali Members are being subjected to such attacks by Radio Somalia, how are you protecting them? These people are loyal enough to be with Kenya, but despite their being attacked by Somalia, nobody stands for them, nobody to say, "Now, you people, do not worry, carry on as planned, the *Shifita* will get it." The Minister for Information, Broadcasting and Tourism must use this radio as a propaganda medium, not only to announce that a Minister is going to visit such a place, or a Minister will address this meeting, and all that. That is not enough. We want the radio to be, in fact, the radio is so weak it cannot even reach Tanzania here. Many people at the coast tune to Radio Tanzania because it is more powerful and the programmes are better, but the Minister seems to be using it for, oh, I do not know what. It is high time the

Mr. Masinde: On a point of order, Mr. Speaker, I stand for your guidance. In case a Member is not making a noise but is only cheering up a speech, is such a Member then to be punished, just because he is cheering who ever is speaking?

The Speaker (Mr. Slade): I do not follow your point, Mr. Masinde.

Mr. Masinde: Mr. Speaker, Sir, I am only seeking your guidance or your ruling. In the case of a Member being under the influence of drink but he is only cheering up a speech—

The Speaker (Mr. Slade): Cheering up a speech?

Mr. Masinde: Yes. Is such a Member then punished because he is cheering up whoever is speaking?

The Speaker (Mr. Slade): Of course not. Reasonable applause at the right time or interjections, hon. Members know very well, are allowed. It is just childish behaviour that there is a limit to.

Mr. Shikuku: Mr. Speaker, Sir, I have a lot of points and, as I said in the beginning when we started this question of the President's speech, some of us have a lot to contribute, but the time is so short when one has a lot to say. I am sorry my time is being taken over by other people.

The question of the university is very important, but at that time the Ministry of Education did not even agree with my Motion. Today, the President says the university, or rather a school, is going to be built. We should be thinking ahead of—

Mr. Mate: Interjection.

The Speaker (Mr. Slade): Mr. Mate, you must leave the precincts for the rest of today. You will leave the precincts of the Assembly for the rest of today.

(Mr. Mate withdraw from the Chamber)

Mr. Shikuku: Mr. Speaker, Sir, I will have to hurry up—

The Speaker (Mr. Slade): You can have three more minutes.

Mr. Shikuku: Thank you, Mr. Speaker. Sir, the other issue is the question of the economic development of this country. I insist that so long as the Africans, the indigenous people of this country, do not control the money in this country and the trade in this country, we are not—and I say this again—we are not independent. A flag alone is not enough. Today, Mr. Speaker, all the money is handled by people who are not even citizens of this country, and if we are going to buy

out the farmers why do we not buy out the Indians? To be fair, Mr. Speaker, why do we not buy them out and have the Africans taking over the shops? When you say that, no one on the Front Bench does anything. But I must tell you, Mr. Speaker, that so long as we sit here and think that everything in the garden is green, we will be surprised when we find that everything in the garden is very dry—

An hon. Member: And red.

Mr. Shikuku: No, not red, it is usually pink. Mr. Speaker, I feel that a system must be instituted, and I call upon the Government to reshuffle the Licensing Board so that we let us say, if a man like Patel or Mulji, is licensed to get 500 tons of cotton per year he would have only 250, and the rest would be given to other African traders so that they could come in. But to talk in terms of competing with Mr. Mulji or Mr. Patel, Mr. Speaker, is just like asking a boy of eight to race a boy of eighteen, which is madness.

Mr. Speaker, Sir, the other point is the question of the civil servants. Some of the civil servants are supposed to be loyal, as the President so states here on page five. He said, "Nothing is more important than that all Government policies should be executed by a loyal and effective civil service." Some of the civil servants are not even loyal. They are only interested in what the politician is doing, and all the time they are doing nothing but taking part in politics. As a result their work is getting worse every day.

The Speaker (Mr. Slade): I am afraid your time is up, Mr. Shikuku.

Mr. Shikuku: Mr. Speaker, Sir, I wish to state that I regret the fact that my time was somehow taken up by unnecessary interruptions. However, I hope it will be possible to get in touch with the Ministry concerned and put my views across so that they are not kept in the dark about them.

With these few remarks, Sir, I beg to support.

## PERSONAL STATEMENT

### SUBSTANTIATION OF ALLEGATION

Mr. Khalif: On a point of order, Mr. Speaker, if I remember well, yesterday Mr. Godana was asked to substantiate an allegation here, and was given twenty-four hours in which to do so. Would it be in order for him to substantiate now?

The Speaker (Mr. Slade): Yes; though it is not necessary that he should do it to the House, if he did it to the Member who inquired.

Is Mr. Godana here?

Mr. E. D. Godana: Yes, Sir.

The Speaker (Mr. Slade): Have you produced the passage to which you referred?

Mr. E. D. Godana: Yes, Sir, I can quote it to the House.

The Speaker (Mr. Slade): Well, you can do it now.

Mr. E. D. Godana: Mr. Speaker, Sir, I just want to inform the House of what I said and the Member who asked me to—

The Speaker (Mr. Slade): If you would remind us of what you said and quote the passage on which you rely, that would be all right.

Mr. E. D. Godana: Mr. Speaker, Sir, I quote my statement. I said, "We would like some priority to be given to the Northern Province in all fields of development as in the Kanu manifesto of 1963 when some people wanted us to vote for their support."

Now, here is the manifesto, and I quote: "Masailand and the Northern Province will be given special places in the Development Plan of the Kanu Government."

The Speaker (Mr. Slade): Thank you, Mr. Godana.

### (Resumption of Debate on Motion of Thanks for Presidential Address)

Mr. Muliro: Thank you, Mr. Speaker, for giving me this chance of airing my views. I have a few points that I would like to raise on this magnificent speech by the President, Mr. Speaker, I happen to be unfortunate because many Members have already spoken on this speech by the President.

My first point has been touched on, but I only want to draw the attention of the House to the fact that if Parliament is to be supreme, it must not only be supreme in theory but also in practice. If our National Assembly is to have any dignity at all, it should not only have the force of law; but whatever we pass here whether it comes from the Cabinet, or as a Bill introduced by a Cabinet Minister, should have the same effect as a Motion. The Motion in this House have a meaning only so long as those Motions can be acted upon and become the law of the land. If they do not, then this is nothing more than a mere debate whereby Members will show their talents as debaters.

Mr. Speaker, it was in this House that we, the Members of the National Assembly, passed by an overwhelming majority that the price of maize for the 1965/66 crop was going to be Sh. 47/50. Today, what have we? The Kenya Cabinet has decided that the price of maize is going to remain

at Sh. 32/50. That is the guaranteed price; when all the relevant cesses for the county councils, the boards, are deducted, the amount will be Sh. 24/50 in some places and Sh. 27/85 in others. This is not what we would like to see.

Maize is a staple food for Kenya and whatever our Cabinet thinks, we must try, by all possible means, to stabilise the staple food by creating stable prices, guaranteed to the Kenya farmer in order to produce the necessary food for our nation. Mr. Speaker, Sir, it is humiliation, complete humiliation, to find that the national food is imported. It is a big shame because if we are to depend on America, on China, on Russia and on Britain for our food, the food which is consumed daily in hundreds of tons, then we are mortgaging our own dignity to a different nation. This, Sir, is the thing which our Cabinet, whatever their minds are occupied with at present, must reconsider.

We have in this country today the thing which has brought about so much trouble, and that is the combination of Maida and Unga Limited. These two millers which formerly used to vie with one another, the two groups which were the biggest of enemies, have today come together to form the apex of an organization for millers. The Kenya Finance Development Corporation had 5 per cent of the shares, here, but today that has been virtually bought off, and these two millers are the dominating groups; as I speak this minute, they hold more than 65 per cent of the shares in the milling industry. What they would like to see is that the monopoly continues in order that they can exploit the African consumer.

I would suggest that the whole industry of milling should be taken over by the Government. The Government should take over the milling industry in Kenya, all the statutory boards, all the maize boards that are of any substance whatsoever; it should mill the produce, the food of this country, so that we know that a semi-Government organization is milling the food for Kenya. In this way the prices to the consumer will be guaranteed.

Mr. Speaker, Sir, in Uganda today the Government would buy the maize produced directly from the grower, it mills that produce and then whoever buys the food buys it at a guaranteed Government price, which we do not have in Kenya. This, Sir, is quite heartbreaking and therefore, Mr. Speaker, I would urge our Government to rethink on its policy, to rethink its decisions on the price of maize. Some hon. Member has whispered at my back that I should declare my interest. Mr. Speaker, I speak on behalf of the farming community, the provinces that grow food for Kenya, Western Province and the Rift Valley

[Mr. Shikuku]

Now, Mr. Speaker, on the first page of the President's speech, in the first paragraph, one of the most important sentences here is, and I quote: "But our people have the right to elect a Parliament to serve them not only as a forum, or as a Council of Elders, but also an executive instrument. We therefore believe that no part of the Republic's Government should lie outside our Parliament." Mr. Speaker, the operative word here is "executive", but to my surprise—we have many times had Motions in this Parliament which were passed unanimously, sometimes on vote, but you would be surprised to note, Mr. Speaker, that nothing is done.

If this is the executive instrument, then Mr. Speaker, Sir, if the other Members want examples, I will give them some examples but the fact remains, Sir, that this House is more or less deteriorating to a stage where it could be easily and safely regarded as a debating club, because in debating clubs you do not decide anything, nothing can be done, but this is an executive body of the country and, whatever we pass here should be implemented. I therefore call upon the Government to be very careful in future not to overlook resolutions passed here. We are going to be looked upon as people who only come here and talk, but still nothing is done. For example, Mr. Speaker, Sir, one of the examples, is this: I remember sometimes ago, in 1964, we passed in this very House that a federation would be implemented by August 1964. There was a Division on this and the Government was defeated and they were forced to agree with the House, but nothing up to now has been said.

The other thing, Mr. Speaker, Sir—

Mr. Masinde: They are the Ministers.

Mr. Shikuku: They are tired Ministers. I am coming to that.

Mr. Speaker, Sir, the other issue is that we have had questions in this House time and again when Members raised the question of civil servants meddling about in politics and the answer usually is, "the civil servants, are not supposed to play about with politics", but nobody has ever taken any trouble to stop or to punish the civil servants who are playing about in politics.

Mr. Speaker, Sir, we passed a motion here to that effect that all civil servants will be under the elected representatives of the people, but what has the Government done?

Mr. Speaker, Sir, I can go on quoting so many examples that it will really make a fool of this House.

Mr. Speaker, Sir, another issue here is the question of the maize price which was passed in this House and what has happened, Mr. Speaker, Sir? Mr. Speaker, what do we have in this country? Corruption, and maize swindles. Mr. Speaker, Sir, with due respect to the House and the country, I have very high esteem for this House and I shall be very hurt if it is going to be turned into a sort of debating club, which will not mean anything.

Mr. Speaker, Sir, if I may come to the second point, which I note here, and I quote, this is on page 1, it reads, "I now wish to say just a word about the position of Kenya as a one-party State. The Government does not intend to submit legislation to Parliament on this matter." Mr. Speaker, Sir, the President must be congratulated, by any reasonable man, that this was the most wise thing the President has said in his speech, also because it affects the country as such. Mr. Speaker, Sir, when the opposites was in this House, Ministers were always on their feet, but these days, Sir, you would be surprised to find that the whole bench at times is all clear, and the Ministers and Assistant Ministers all gone out and nobody is listening to what the Members are saying. They have become so sleepy and tired, because there is now no opposition.

Mr. Speaker, Sir, I hear some of the Members saying that they are busy, but I am not worried about that, I am not going to generalize at all, but, Sir, what I am worried about is the presence of the Ministers here to note whatever the Members of Parliament say, because they are our servants and they are, as a matter of fact, earning the public's money by being Ministers and therefore they should be present here, but because of this one-party system almost everybody takes it easy and just rush out and leave the Members to talk to the benches.

Mr. Speaker, Sir, I feel that the Members in this House have to be very vigilant. We have a country to cater for, we have to be on our toes to draw the attention of the Ministers to whatever the people of this country want; and the Ministers are expected to be present in this House all the time so long as we are here. What is happening, Sir, is that after the questions have been answered every Minister gets his file and off he goes, for a glass of beer and—I do not know—gin.

Mr. Speaker, one interesting thing—

(*Interruption by Mr. Mate*)

The Speaker (Mr. Slade): Order! Mr. Mate, you must be quieter.

Mr. Shikuku: Mr. Speaker, one of the things which I must say quite categorically here is this. Despite the fact that we have now a one party system in this country, I am very much worried because we have gone— This House is now divided into two groups.

Several hon. Members: Which groups?

Mr. Shikuku: You know them. We have a cold war going on in this House, Sir. I speak as the referee; I belong to no group, but I know all of them. However, what the hon. Members of this House must know is that people are not interested in ideologies at all. We have promised our people a lot of things which we have to fulfil; but if we are going to quarrel among ourselves here, because the other man is East or West—

Mr. Kerich: Mr. Speaker, Sir, on a point of order, would it not be in order for the hon. Member to tell us these groups he has in mind?

The Speaker (Mr. Slade): You cannot require that as a matter of order.

Mr. Shikuku: Mr. Speaker, I will not go into this, but I am for Kenya and I will never let Kenya go to the dogs. I wasted a lot of my time and spent nearly half my life struggling for the independence of this country; and I am not going to let anybody play about now. If you are an American stooge or if you are a Russian stooge or if you are a Peking stooge, you must know that this is not American property or Peking or Moscow or London.

(*Interruption by Mr. Mate*)

The Speaker (Mr. Slade): Order!

Mr. Shikuku: I am coming to the Americans; you wait.

Mr. Speaker, the other issue is the question of housing, which is mentioned here by the President, I very much agree with it but I have only one fear here and that is that if we are going to implement what has been stated here—which I do not wish to quote because everyone knows about it—we are going to have the rich landlords, who are rich even now, becoming even richer and they will own every estate. But I do not think I would want to support such a policy. What I would support, Mr. Speaker, is that there be a tenant hire purchase scheme, whereby anybody staying in a house would automatically own that house. But if you are going to have some few individuals—and we already have them—with a lot of money to buy up whole estates then we shall not have the freedom we have been fighting for.

Therefore, Mr. Speaker, as regards that paragraph, I wish to draw the attention of the Government to the fact that they should introduce a tenant hire purchase scheme so that the poor people, or the people who have little money, can own their houses after a certain period.

If I may leave that issue, Mr. Speaker, I would like to turn to the question of higher education. Here, the President says—if I may quote—"My Government has now agreed to the establishment of a full under-graduate medical school in Nairobi in 1967, and medical students from Kampala are already attending the Kenyatta National Hospital for their fifth year of clinical teaching. New training schools for nurses are also to be built."

(*Interruption by Mr. Mate*)

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, I think the other day—

The Speaker (Mr. Slade): Are you raising a point of order?

The Assistant Minister for Education (Mr. Mutiso): Yes, Sir, I am asking whether it is in order for the hon. Member to stand in the Chamber and show his finger when he appears to be under the influence of drink?

The Speaker (Mr. Slade): Mr. Mate, you must behave yourself if you want to stay in the Chamber.

Mr. Shikuku: Thank you, Mr. Speaker, I seem to be getting some unwarranted interruption. I was wondering if you could give me a minute or two more after this to carry on?

Mr. Speaker, on this issue I do remember very well that I moved a Motion in this Parliament to the effect that we should be thinking in terms of establishing our own university in this country, but at that time—and I say this when the Assistant Minister is here—they said that was impossible. How has it become possible in a few months? I saw this a long time ago. The fact—

(*Interruption by Mr. Mate*)

The Assistant Minister for Information, Broadcasting and Tourism (Mr. Onamu): on a point of order, Mr. Speaker, Sir, since there is an hon. Member who is behaving like a lunatic in the House, should we not be in order in sending him to Mathari?

The Speaker (Mr. Slade): Order! Hon. Members are allowed a little latitude with regard to their behaviour, but there is a limit; and I give Mr. Mate a last warning. If you disturb the House any more, you will be ordered out.

[The Assistant Minister for Education]

So I think the only thing I have to say to the hon. Members, Mr. Speaker, is that when we see a genuine case for putting up a secondary school in any given area, we have officers who are in the field and who advise the Ministry as to which places really demand or need the establishment of a secondary school, and it does not necessarily mean the less-developed areas because a neighbouring area could well serve the less-developed areas, if those people were in a position to put up a self-help school, or if there were Government or maintained schools. This is no case to worry about.

Mr. Speaker, this is why, instead of putting up so many secondary schools and involving a lot of expenditure for the Government, we have decided, in any school which has perhaps been catering for a few classes, to increase the number of classes by putting either double or treble streams in those schools, so that the students from a long distance can be catered for in those places.

Therefore, Mr. Speaker, this is a case which I think did not need to take up the hon. Members' time. The hon. Member here is talking about teachers, but I think this a different issue which I cannot labour on much here.

Therefore, Mr. Speaker, without taking much time of the House, I would say that this was a question which was satisfactorily answered and it did not need to be brought again, because I did say very clearly that the less-developed areas are well catered for in the Government development plan.

Mr. Speaker, one thing I should mention is that we have the National Development Plan and the less-developed areas are very well considered in our national planning. If the hon. Member had asked whether a specific area warrants the establishment of a secondary school, I would have been in a position to answer that quite clearly without even taking more of the valuable time of the House.

So, Mr. Speaker, with these few words, I think this question ought not to have been brought before the House.

ADJOURNMENT

The Speaker (Mr. Slade): We have now spent half an hour on this discussion. The House is therefore adjourned until tomorrow, Thursday, 11th November, at 2.30 p.m.

The House rose at Seven o'clock.

Thursday, 11th November 1965

The House met at thirty minutes past Two o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS

NOTICES OF MOTIONS

Mr. Godia: Mr. Speaker, Sir, I beg to give notice of the following Motions:—

INCREASED PENALTIES FOR THEFT

THAT this House, noting the increase in theft in the country, urges the Government of the Republic of Kenya to meet such increase by another increase in penalty so as to provide for the burying of certain classes of thieves while alive.

NON-AFRICANS TO BE DENIED BUSINESS AND EMPLOYMENT OPPORTUNITIES

THAT this House, being of the opinion that non-Africans in Kenya have deliberately refused to take up Kenya citizenship due to their historical past attitude of exploitation against Kenya Africans, and that such non-Africans go on despising and undermining our independence calls upon the Government for immediate legislation to prevent them from carrying on business in the country or being given preference by the Kenya Public Service Commission for employment.

Mr. arap Bii: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

MORE DEVELOPMENT FOR KIPSIGIS

In view of the Harambee initiative employed by Kipsigis as far back as 1948 in building permanent and modern primary and intermediate schools, health centres and water supplies without requesting the then Colonial Government for any grants, this House calls upon the Government as a matter of urgency to appreciate what the Kipsigis have done in putting up such magnificent projects and by so doing allocate more secondary schools, streams, health centres and mechanical water supplies in the course of the implementation of 1965/70 Development Plan.

Mr. Gichoya: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

COMMISSION OF INQUIRY: KIRINYAGA COUNTY COUNCIL

THAT this House appreciates the efforts made by councillors from Gichugu constituency in Kirinyaga County Council in their struggle for

justice in the district and urges the Government to appoint immediately an independent committee of three to—

- (1) investigate the alleged misappropriation of the county council funds by some of the county staff members; and
- (2) examine the grievances of the people of Gichugu on the Kirinyaga County Council set up both administratively and civically which have compelled the county councillors from Gichugu to resign en masse.

Mr. Rurumban: Mr. Speaker, Sir, I wish to give notice of the following Motions:—

SETTLEMENT OF IMPOVERISHED SAMBURU

THAT in view of the large number of Samburu families who as a result of *Shifita* raids have lost all their livestock and other properties, this House urges the Government to vote in the 1965/66 Development Supplementary Estimates a substantial sum of money for the settlement of these impoverished families.

EMPLOYMENT OF SAMBURU MORAN IN KENYA ARMY AND POLICE

THAT this House, being aware of the steady increase of stock theft by the Samburu Moran and Masai, calls upon the Government to find jobs for those Moran, particularly in the Kenya Rifles and the police force, with a view to mitigating and reducing the present toll of stock thefts in the country.

MOTION

THANKS FOR PRESIDENTIAL ADDRESS

THAT the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on the 2nd November 1965.

(The Vice-President on 9th November 1965)

(Resumption of debate interrupted on 10th November 1965)  
(Third Day)

Mr. Shikuku: Mr. Speaker, Sir, I wish to state quite briefly, because much has already been touched on by the previous speakers and I do not want to bore the House by repeating what other Members have already said.

I have studied the President's speech and, at the outset, I would like to congratulate the President for his speech and, at the same time, Mr. Speaker, I think I have the right also to point out what was omitted in the speech, as this will enable the House and the country as such to work together in the spirit of *Harambee*.

[Mr. Oseju-Nyalick]

Speaker, I think that the Education Department must tell me when a constituency, such as Winam Constituency, where we hardly have any secondary schools and we happen to have some of our boys qualified for secondary schools; they should not be denied the chance because we do not have the requisite amount of money with which to put up a secondary school.

It is because of this, Mr. Speaker—I know some of them, a few of them who have money to go into missionary boarding schools have places, but many of the secondary *Harambee* schools do not have boarding facilities, the students learn and go back home. Now, the communities around do not generally accept the boys or girls for entry to the schools where their parents did not contribute. This is a fact. I do not think my child would be allowed to enter a secondary school built in Kiambu, he would only be given a chance when other boys and girls around the area had already been admitted to some other places. Or else, he would be turned out and this is a common thing we people in remote and poor areas are experiencing. I am saying a poor area, not because we are not working hard, but because of the extremeness of the natural calamities we have in my constituency. It is a well-known fact that we are always being faced with flooding and drought which is a common thing, but this does not make an excuse for my Government to deny my bright pupils the facilities of secondary schooling.

So, by this question, I put it in the House in order to find out whether the Government would take it upon itself to see that boys from such places are given first priority in certain circumstances, that they should not be left at the mercy of the community who have the facility to build the school. I mentioned a case where five students from my area were turned down and they are at home. The Education Department had nothing to do. That is why we want to find out if the Education Department have a formula through which, when such a case happens, we could seek some aid.

Mr. Speaker, Sir, I do not mean to have much to labour on this, it is only a question that was put, but unfortunately I was not present on the day it was asked. I would have asked what I am not asking by way of supplementary question. But I made it quite clear to the Education Department that it is no use pretending that wherever people are building up *Harambee* secondary schools, they would easily allow students from other areas to come and join them unless there are some directions from the Education Department.

With this, Mr. Speaker, I beg to support the Motion on Adjournment.

Mr. E. D. Godana: Mr. Speaker, Sir, while I support this Motion on adjournment, I would like to speak on the *Harambee* secondary schools. I am concerned with help for secondary schools in backward areas.

We have a secondary school in Marsabit, which is in part of the Northern Province, and this *Harambee* school was started in 1960 or 1961 when our people started contributing and building their own school, when they were so anxious about education facilities. But, Mr. Speaker, as time went on and education was so much needed throughout the country, this primary school which was started in 1961 was promoted to a secondary school. Now it is very difficult to run this secondary school in view of the poor situation of our people from that area. Particularly since 1963/64 up to date, our people have been unable to sell their livestock because there has been no market for them. On many occasions it has been said that there is foot and mouth disease so that they could not sell their livestock. So this *Harambee* school, which was built in 1960/61 when people contributed their own money and sold their livestock, is now going to collapse, unless Government intervenes and gives assistance immediately.

In this case, we are appealing to the Ministry of Education to look into areas such as Marsabit, Moyale District or Isiolo, so that they can have first priority and assistance from the Government, in order that this secondary school will continue. This secondary school has been established since the beginning of this year and it has been unable to get enough students. We have been having students from Nyanza, Western Province, Eastern Province—Machakos—and Embu and Meru, so that we could cope in a spirit of *Harambee*. But still the biggest problem is how to get the funds to run the secondary school, because what the Government is providing at our secondary school at Marsabit (which is part of the Northern Frontier District)—is only the salaries of the teachers; the running and maintenance of the school is being paid for by the county council and the local people.

Therefore, Mr. Speaker, when the Assistant Minister replies, I would like him particularly to give details of what Government assistance is to be given to such as the secondary school in Marsabit—in a backward area—because this *Harambee* school was started before the call of *Harambee* by the President in Kenya in 1963.

[Mr. E. D. Godana]

Mr. Speaker, I would not like to take much of the time of the House, but I would like to know exactly what the Ministry of Education is doing in such places as Marsabit or Wajir where we have some secondary schools and do not have any assistance. By the end of this year, some of these are going to be closed. What assistance is the Government going to give, is the question which I want to be answered?

With these few points, Mr. Speaker, I beg to support the adjournment Motion.

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, actually I must start by saying that the Mover of this Motion has proved that he was not really going to say anything which could contribute, and that is an indication that the reply I gave to this House, Mr. Speaker, was quite adequate and there was no need to pursue the issue further.

Mr. Speaker, the Mover of the Motion did say that my reply to the question was too general, but I think even the question itself was also too general because it was not specific. The hon. Member has not referred to any specific area and asked what plans we have for that particular area. So I was not able to answer that particular question, but he did imply generally that he wanted to know what we intend to do in the less-developed areas. Therefore, the question had to be answered in those general terms.

Mr. Speaker, having said that, I think what the hon. Member ought to know is what really determines the establishment of a secondary school in a particular area. It is no use saying the Government should put up a secondary school, say, in a less-developed area where perhaps we have about five or two or one primary school. Will that really be economic, will it serve its purpose, because a secondary school has to be fed by the number of existing primary schools in that particular area? So that school will have to meet the maximum number of pupils who are required to fill in one particular class.

Mr. Speaker, Sir, in the so-called less-developed areas, I did indicate quite clearly that the Government gives preference to the pupils from these areas in admitting them to our national schools. I even went to the extent, Mr. Speaker, of saying that we maintain boarding schools particularly for the pupils who come long distance or who come from the less-developed areas and who are not able to attend day secondary schools, so that all areas of the country can be served educationally. Mr.

Speaker, I did say that the question of establishing a secondary school in any given area is to be determined by the number of primary schools which exist in that particular area. If the hon. Member were in a position to produce some substantive case to show in a particular area—say, Moyale or Marsabit, or Narok or Kajjado, for that matter—in the less-developed areas, that we have so many students, so many pupils in primary schools who have completed their Standard VII education and the unable to find accommodation or places in the existing secondary schools, then, Mr. Speaker, this would be a different case. However, if hon. Members speak in general terms, saying, "Oh, the less-developed areas are not being considered," I think this is not being quite objective.

Therefore, as far as we are concerned in the Ministry of Education, at the moment the less-developed areas are catered for quite effectively and efficiently and there is no question of any hon. Member coming here and saying, "Oh, the less-developed areas educationally are not being well looked after." If there is any specific case in a given area to indicate that a number of students or pupils have failed to secure places in the maintained schools or the Government schools, then this is a genuine case which, Mr. Speaker, can be looked into.

The other thing I would like to mention, Mr. Speaker, is the case which the hon. Member Mr. Nyalick brought up. He said that in his own constituency of Winam five boys could not find places. I am wondering, Mr. Speaker, whether he was seriously suggesting that the Government could establish a secondary school for five boys. Would this really be worthy of its name, of the action that the Government can take? Is the Member seriously suggesting that these boys could not find places in the neighbouring constituencies? If, Mr. Speaker, this is the kind of case which the Members have to bring forward to the Ministry of Education, I think it is a very shallow case which nobody can take seriously, because five pupils who have failed to secure positions in a school do not warrant the establishment of a secondary school which needs about thirty-seven pupils from Form I up to Form VI. Mr. Speaker, I think this is not a case worthy of being listened to.

Having said that, Mr. Speaker, as regards the question of all the allegations which the hon. Members have tried to level against the Ministry of Education—of not being able or failing to look into the case of the less-developed areas—I would say this is something which does not hold any water.

[Mr. Godia]

and I quote, "Having regard to those areas where people are so poor that it would prove almost impossible for them to raise any substantial money required to embark upon a self-help secondary school, what plans has the Minister for such areas so that they should not lag behind educationally as far as secondary education is concerned?"

Mr. Speaker, Sir, the Assistant Minister for Education replied to this question as follows and I quote, "It is the Ministry of Education's concern that children from all areas who qualify for secondary education should have the opportunity of entering Form I either in a local day school, or Form I of a boarding school in each province, or in a national school. Consequently, Mr. Speaker, Sir, the Ministry's development plan aimed at providing as nearly equal opportunities as possible for the eligible children of all areas by increasing the number of maintained day and boarding schools in relation to the predicted number of candidates coming forward from each province."

Mr. Speaker, Sir, this reply, I consider unsatisfactory for two reasons. One, Mr. Speaker, Sir, it is too general and too vague. Secondly, it did not show the Ministry's figures for increased secondary schools for 1966 in the various parts of the country. From the answer, Mr. Speaker, Sir, it is clear that there is some kind of Imperialist reflection, particularly that one of generalization. The planners in the Ministry appear not to look ahead, and it is not surprising, Mr. Speaker, Sir, therefore, that the Ministry may not foresee the number of teachers who are required in the country in 1975, the number of Form I's required in this country in 1975, and the number of Kenya children who will be attending school in 1978.

The Speaker (Mr. Slade): Mr. Godia, you must be careful not to get off the point of the actual question which you are following up. It was on helping backward areas, where for some reason or other education could not be provided or the parents could not pay the fees. You must keep to the backward areas.

Mr. Godia: Yes, Mr. Speaker, Sir, I referred to this because, it needs planning. I contend that the question needed someone to plan. So, Mr. Speaker, Sir, I think within the Ministry of Education there ought to be a senior African education officer with full experience of the African difficulties throughout the country who can work along with the other officers in planning for secondary educational development in this country for the next few years. I would say ten. An African knows the feelings of the African teacher better than one who is not an African. Mr. Speaker, Sir,

with this planning body in mind, the body would have to see that all the teachers who left teaching due to poor conditions are attracted back and that this negotiating machinery between the Government and the teachers is functioning properly—

The Speaker (Mr. Slade): I must again ask you to get back to the particular point we are concerned with, Mr. Godia. It is the backward areas and, I think, the troubled areas where floods and so on have created difficulty, not the general education policy of the country.

Mr. Godia: The whole thing, Mr. Speaker, Sir, is that I have so much to say. The Assistant Minister is saying that I have no material, Mr. Speaker, Sir, but the whole thing depends on the planning of the secondary education within the Ministry.

The Speaker (Mr. Slade): I am sorry, not this particular whole thing. This whole thing is limited to backward areas and troubled areas.

Mr. Godia: Mr. Speaker, Sir, yes, thank you very much for your advice.

#### QUORUM

Mr. Mung'oi: On a point of order, Mr. Speaker, Sir, I do not know whether we have a quorum in the House.

The Speaker (Mr. Slade): We do not have a quorum. Ring the Division Bell. I think it is a pity for hon. Members to draw attention to lack of a quorum on an adjournment Motion, but I have to take notice of it once it has been brought up.

(The Division Bell was rung)

Mr. Mairori-Itumbo: On a point of order, Mr. Speaker, Sir, is it not the duty of the Whips to see that a quorum is maintained in the Chamber, and if one of the Whips is not staying in, as a person employed by the Government to look after this question, then do we have any power as a Parliamentary group, to ask the Parliamentary group to discharge the present Whips and then employ others?

The Speaker (Mr. Slade): I am sure you have a very good case, but not as a matter of order. Party discipline is outside the order of this Chamber.

Mr. Godia: On a point of order, Mr. Speaker, Sir, in view of the fact that this is an adjournment Motion, may I propose that it be exempted from Standing Orders, so that we can continue without a quorum?

The Speaker (Mr. Slade): No. I think by your good fortune it is not necessary, Mr. Godia; but in fact this is one of the things that cannot be

[The Speaker]

exempted from Standing Orders. Moreover, and Motion for exemption from Standing Orders can only be moved by a Minister. I think we have a quorum now. Yes, we have.

Mr. Godia: Mr. Speaker, Sir, we therefore need a realistic educational policy, particularly as far as secondary education is concerned, which should be drawn up by the Minister of Education—

The Speaker (Mr. Slade): Now, Mr. Godia, do come to the point. I have told you twice. The point is backward areas and troubled areas that need special help.

Mr. Godia: Mr. Speaker, Sir, I think I have so much material—

The Speaker (Mr. Slade): Well, then, reduce it to what is relevant in that case.

Mr. Godia: Mr. Speaker, Sir, in areas where the communities have been running schools, say, Harambee secondary schools, for over a year, I suggest that the Ministry of Education should take up the initiative of taking over the schools and running them. In cases where people are poor and they are unable to establish such schools, the Ministry of Education must act as a guardian and go into the field and establish a school for such an area, because then it would mean that the Ministry of Education is acting like the guardian of all the children in the country. When we put this to the Ministry, due to certain officers within the Ministry whose ideas are somehow imperial-minded or colonial-minded, they turn our questions back in a negative form. So, I hope, Mr. Speaker, that when the Assistant Minister comes to reply he will tell the House of the number of secondary schools he is going to establish to cater for the areas which are so poor that people cannot afford self-help schemes. I hope that secondly he is going to tell the House that in areas where the communities have shown the initiative in putting up Harambee secondary schools and in running them for over a year, the Government through this Ministry would take over these schools and run them in accordance with the recommendations which are contained in the recent Report of Professor Orinide's Educational Commission.

Mr. Speaker, Sir, this is the reason why I felt that the Ministry lacked somebody to bring in the needs for the Africans within the plan. That is why I did suggest that a senior Education Officer with experience, who is an African, would be best suited for the post, to work with the assistance of the Europeans who are working on the planning of the secondary schools. Mr. Speaker,

it means, therefore, that there is need for more teachers and, therefore, we can only increase the number of teachers who should take up their posts in these schools—

The Speaker (Mr. Slade): Mr. Godia, this is not relevant to this matter. That is the last warning. If you continue with irrelevancy I shall have to tell you to sit down.

Mr. Godia: Mr. Speaker, Sir, then I would propose that we attract teachers in these schools to help in teaching secondary schools. It should be possible for some kind of plan to be made by the Ministry of Education so that students who have passed Cambridge School Certificate after Form IV could be required to teach compulsorily for two years before proceeding to Form V and Form VI. This would then help to uplift the standard of education in most of the areas. Mr. Speaker, Sir, I think I should allow other Members to express their opinions on this issue, but I would impress on the Ministry of Education to think in accordance with the wish of all Africans in this country.

Mr. Oselu-Nyalick: Thank you, Mr. Speaker, Sir, the question as it stands was tabled in this House in order to find out whether there is any assurance from the Government as to what steps would be taken in cases where people are so poor that they cannot by themselves put up Harambee secondary schools.

We know for certain that there are areas in Kenya where people are eager to learn and these areas have been backward areas for years, but because of the financial position, they are unable to put up the decent buildings required for secondary schools, as well as raising Sh. 40,000. There are cases in my constituency where five boys passed their K.P.E. and were selected by the Education Department to be admitted to a secondary school adjoining to my constituency. The community around the area in which the school was built were against this selection and they put up a pressure to the Education Department until the Education Department withdrew in order to give places to their own boys and girls. Because of this I was trying to find out whether there is any reason why the Government should not come in to help such areas by establishing secondary schools, rather than leaving these people to lag behind educationally. We know for sure that secondary education is a key to our development. Very many of our people have primary education at the moment, but they do not have places in Kenya today. Many of them are roaming about, they do not have places to fill and, therefore, Mr.



[Mr. arap Sol]

Minister is here because he can listen to what I have to say. I am telling him that we want more police in our area to help them to do their work properly.

I want to say something about farmers because I come from an area where farming is important. I would like something to be done with regard to the Kericho District so that the people there will be doing better than they are now doing.

Let us look at dairy farming. The people know that cows which produce milk are more important than cows which do not and it is better to have a few cows which are producing milk rather than a lot of cows which are not. Cows which produce milk form the wealth of this country. Most of the farmers cannot improve their cows because the expense involved is so high. For example, there is artificial insemination, but this is so expensive that the farmers need big subsidies in order to help them to take advantage of this. If the animals could be given artificial insemination then the quality of cattle would improve and our nation could have enough and better milk.

On the agricultural side, I would like to say that farmers should be given subsidies in the form of fertilizers. This would double production of maize and other crops. At the moment many farmers do not have money to buy fertilizers such as phosphates and other things which would help. Because of this, many farmers plough a large acreage of crops such as maize, tea, and other things, but they are so poor that they cannot produce better quality crops in different areas. They could produce more if they had fertilizers. Government should scrutinize the question of farmers and farming. These people should be given more subsidies in the form of fertilizers.

With regard to the animals, I think subsidies should be given on the basis of artificial insemination. There should be a free artificial insemination system in the country in order to double the number of cows and to save this country from hunger.

The next point, Sir, that I would like to touch upon is the question of visits by Ministers. In many constituencies, Mr. Deputy Speaker, you find there are constituents who are wondering why Ministers, since Independence, have never visited their areas. They come to Kericho District, they go to the Tea Hotel where everything is so beautiful, but they never come to Bomet which is just nearby. I have invited them, but yet they have never come. Sir, this point is very important because the Ministers are using Government money, they are using our taxes, they are using

Government vehicles, they speak on Government policy, but they do not visit all the districts. Mr. Deputy Speaker, Sir, they visit areas where they know they have political enemies but they never come to places which are peaceful. One hon. Member is suggesting that I should invite them, but, Sir, there is no question of inviting them because I did not appoint them to the Ministry. This was done by the President and so it is up to the President to tell them to go to the various districts. Members who tell me that I should invite the Ministers could be called foolish because I think it is wrong for Members to say that Ministers should be asked to visit an area. Take, for example, the Minister for Economic Planning and Development. He should go to various areas to see whether there is enough water, whether there is sufficient agricultural development, road development, or settlement development.

Therefore, Sir, I am urging the Ministers to visit different areas and different constituencies so that the people can feel that they belong to the Government. At the moment the Ministers have not done this. Take, for instance, the Minister for Home Affairs, Mr. Moi, he has never visited Bomet since he became Minister for Home Affairs.

The Minister for Home Affairs (Mr. arap Moi): On a point of order, Mr. Speaker, I visited Kelele in his own constituency, but the hon. Member was not present.

Mr. arap Sol: I am sorry, Sir, the Minister has pointed out to me that he did visit this area, but at the time I was in Britain and so I could not accompany the Minister around the area. Yes, Sir, he is the only Minister who has visited this area and I would like to congratulate him for having come to Bomet.

Another thing I want to say is in connexion with communications, and I mean communications in the rural areas in particular. During his speech the President mentioned roads, but he never touched on things like railways and tarmac roads in different constituencies. He spoke too much on external roads leading to different territories, but I think that in order to increase the wealth of the country we have to make more and better roads, internal roads, leading to places where there is wealth. It is an important matter that for the progress of this country we must have roads which lead to areas where there is wealth; and for this reason we need good roads.

In my area there is a fertile stretch which produces different kinds of crops like maize, pyrethrum, potatoes and other things. The area also produces a lot of milk. However, Sir, this area

[Mr. arap Sol]

is a fifty-five miles from Nakuru and the people have to go through forest; if we had a road that could be built then this would help to change the economy of the area. I am talking about Merigi to Bomet constituency. What the farmers do in that particular place is to travel along the Kericho road which would be almost 200 miles to Nakuru where they can sell their milk and potatoes. That is why I am asking the Ministry of Communications and Power to go into the matter and see whether people need roads and even railways.

For example, Sir, there is another urgent need in this country and that is railways which should be built from Kedowa through Sotik to Kisii or Homa Bay. This is very important. If you look at the country, especially the Nakuru area, you find that there are many rail links which were put in for the development of the province, in order to help the farmers who had settled in those areas. There are rail links to Solai, Kaptagat, Njoro and so on. There are no railways in the smaller areas. In the old days money had been spent because there were people living in those areas and carrying on farming and it was necessary to help them to make money to transport their goods and, in this way, to make more money. But since our Government has come into power they have not built a single railway line in any of the districts. If any Minister can tell me that the Government has built a railway line since we have had Independence, especially in the rural areas, in order to help transport—How can you transport produce from one place to the other, from Kericho to Sotik, if there are no proper railway links? It is important if one has to transport very big things to do this by train; this is very necessary for farming. If some people cannot understand simple economy then it is time they went to school.

[The Deputy Speaker (Dr. De Souza) left the Chair]

[The Speaker (Mr. Slade) resumed the Chair]

I hope that Government has a better plan in the revised Development Plan which is to take effect from now until 1970. I hope this revised Plan will include every constituency and not just a few provinces. That is wrong. We should not think of developing only the Nakuru area or the Rift Valley area. That is nonsense. This Plan should affect every constituency where Members of Parliament come from so that the Members can tell their voters that this Government has realized that something should be done for them. It is obvious that at the moment, because the Ministers do not visit the poor areas, the people

in these areas do not feel they are catered for. Ministries concerned should take all these points into consideration.

I want to touch on the question of water development. This is a very important development for the country, as important as roads. It is important as far as dairy farming is concerned. Many people have tried to buy high-grade cows, but whenever they have done so they have found that the animals have died soon after because of lack of water in the district. So, in some areas, it is not possible to keep these good dairy cows. Mr. Speaker, some cows have very heavy udders and so, when they have travelled over four miles, they are tired and cannot produce the necessary quantity of milk; where they should produce one gallon of milk they only produce half the amount. This is very serious.

Mr. Speaker, Sir, water development has been stressed very much by this Government in the township areas, in the Nairobi area, in Nakuru area, in Eldoret area, but just in the townships. The water supply department should also go into the rural areas to develop or to make water available to the farmers and the farmers would be ready to pay for the water. I think the Government should take it as their duty to develop water in the whole of the country, and especially in the areas where people would like to farm, but are defeated by the lack of water.

Mr. Speaker, Sir, many Members have spoken about water and I do therefore not want to go into it very much, but only to mention it—

The Speaker (Mr. Slade): I am afraid not even that, Mr. Sol, your time is finished.

Mr. arap Sol: All right, Mr. Speaker, Sir, I wish to support the President, but to tell him—

The Speaker (Mr. Slade): No, Order! No, Mr. arap Sol.

## MOTION FOR THE ADJOURNMENT

### SECONDARY SCHOOLS FOR POOR AREAS

The Speaker (Mr. Slade): Actually, it is just time for the interruption of business. I would ask a Minister to move that the House do now adjourn.

The Minister for Home Affairs (Mr. arap Moi): Mr. Speaker, Sir, I beg to move that the House do now adjourn.

Mr. Godia seconded.

(Question proposed)

Mr. Godia: Mr. Speaker, Sir, the hon. Oselu Nyalick, Member for Winam, has asked the following question of the Ministry of Education,

**[The Assistant Minister for Economic Planning and Development]**

when the campaign is fully launched in the new year, it is going to rely very heavily on the voluntary effort of the teachers, the Members of Parliament, and all other people who in this country have had the fortune to obtain some education. The campaign will not succeed unless we receive that contribution. Mr. Speaker, that is my only reason for bringing it forward.

I want to mention briefly, because there is going to be a debate later on, on a Motion on maize distribution, I do not want to speak, therefore, about maize today. There has been enough talk about it.

*[The Speaker (Mr. Slade) left the Chair]*

*[The Deputy Speaker (Dr. De Souza) took the Chair]*

There will be a Motion. The only point I want to mention here is that we are all aware in this country that the farmer in this country, and let us not forget that the farmer constitutes 80 per centum of the population of this country. We are all aware that the farmer in this country, Mr. Deputy Speaker, gets only 30 per centum or 40 per centum of the value of his crop. We know it. I quote the hon. Members who come forward talking about the system of distribution of maize. I want to draw to their attention the efforts which Government is making to change the system of distribution of all products in the whole economy, so that the man who works hard, the man who sweats and produces should be able to reap the benefits of his labour. In this campaign, Mr. Deputy Speaker, and I might point it out to the hon. Member for Kuria, in that campaign only the Member like the Member for Kuria is going to be able to help the farmer. It is not going to be enough for us merely to turn up in this House and shout that we are being exploited by Indians, it is true we are being exploited, but it is not going to be enough, Mr. Deputy Speaker, the Government has recently started a programme which is mentioned in the President's speech to combine small, tiny co-operative societies in various districts into one district union, that would be able to become the agency for distributing goods, that would be able to become the wholesaler in the district, that would be able to become the channel through which the farmer marketed his produce to the urban markets. Mr. Deputy Speaker, I am sorry to say that so far most Members have not given that campaign for the combination of co-operative societies the support it requires, and yet that is the one way that you can eliminate

the middle men, that is the one positive way of dealing with those middle men who today, as you say rightly, exploit the farmer, exploit the consumer, exploit all of us who live in towns, and we would be glad to have the support of all these Members who represent rural constituencies in organizing those farmers so we can buy from them direct. If I was paying Sh. 7 for bananas, and I knew that that money was going to that farmer in Kisii who actually brought the bananas, it would not be so painful, but as it is they, I happen to know that that farmer in Kisii who brought that banana only gets one damned shilling for it. Sh. 6 is lost somewhere between here and Kisii to the middle men.

Now, Mr. Deputy Speaker, where is the problem of getting those farmers to form a co-operative society and market that stuff direct to us who live in town? Many hon. Members cannot afford to leave all that business merely to the field officer of the Government and then come to this House and shout pious hopes, it is not enough.

Mr. Deputy Speaker, I want to speak briefly about credit to the farmers. There is a lot of confusion in the country, and in fact, three instances I have been to, some people are trying to make political capital out of the work the Government has set-up for the purpose of helping the farmers. The Agricultural Finance Corporation of this country was set-up by the Government to nationalize the very many credit organizations which the Colonial Government used to have to serve their own purposes. This one organization now has in all the farming districts a loans officer. The purpose is that every farmer who is prepared to follow the advice of the agricultural officer should be able to go to the district office of this organization, get the forms, fill them up, obtain the recommendation of the agricultural officer, and this is important. Mr. Deputy Speaker, the hon. Members must learn that this is not political business. There is no way in which a Member is going to force a farmer to get a credit if he does not go through the proper channels. The way to get to the channels is to put the case to the agricultural officer in the area, the recommendation will be given and the farmer will get the loan. I want to clear the confusion also, Mr. Deputy Speaker, because in some districts farmers feel that they would not get a loan unless their land has been consolidated, that is not true. What is true, Mr. Deputy Speaker, is that the farmer must be able to identify his land beyond doubt. There must be no dispute as to what area he owns. As near as

**[The Assistant Minister for Economic Planning and Development]**

we can establish that, then we will get a loan, so it is not necessary for him to wait. In this, if I may say so, where there has been no land consolidation we have already been lending money for beautiful ranches, which will be a lovely education for the hon. Member for Isiolo who was speaking before if he would only visit that area.

Mr. Deputy Speaker, Sir, can I just draw the attention of the hon. Members here to one fact about our development planning. There is so much shouting here about how much we must do, but I believe, Mr. Deputy Speaker, that we are not facing up to the harsh economic realities of Kenya. The fact of the matter is that, today, the people of this country are spending all their earnings on imported produce from other foreign countries. The fact of the matter also, Mr. Deputy Speaker, is that the development plan of Kenya, or of Uganda or Tanzania or any of the countries in East Africa, depends on raising 75 per cent of the capital required, from abroad. It is a shameful situation. How can we say we are independent economically, or politically if, to finance our development, we have to raise so much money from abroad?

It is quite clear, Mr. Deputy Speaker, Sir, that we therefore depend on the goodwill of others, and I would like to point out to hon. Members that one of the things that we need to do in this country is for each one of us to encourage his constituents and for each one to take action himself to save more and invest it in this country, and then we shall have the resources we require for development.

Mr. Deputy Speaker, I remember that, earlier on in this year, I had occasion to appeal to the hon. Members here to let Nairobi alone and to have fun. Mr. Deputy Speaker, Sir, I am glad to say it appears that most Members have now learned that the proper job is to look after their own constituencies, not to wander around here. I hear the hon. Member for Nairobi North-East, complaining, but mind you he represents a special area therefore he might have a different word to say.

Lastly, Mr. Deputy Speaker, Sir, I wish to emphasize that all of us should take to heart what the President did say: that our overriding duty is to the nation. In the speeches made before mine, there has been too much talk about tribalism. Mr. Deputy Speaker, Sir, I am not saying that you will eliminate tribalism over night, but equally I am saying that it is the duty of us in this House to ensure that if there is a complaint

against Mr. X, it does not become a complaint against his tribe. We, as hon. Members in this House, should have the courage to stand up in public and in this Chamber to identify a person who is doing something wrong. We should be able to stand in this House and demand action to be taken against anyone who is flouting the national interests, but, Mr. Deputy Speaker, Sir, let us make it our commitment not to condemn all tribes, whole clans, or whole groups because in that way we are not really heeding the President's advice to build. We would be destroying.

Mr. Deputy Speaker, Sir, I am afraid my time is finished, but I hope I will have another opportunity to remind the Members that—Mr. Deputy Speaker, Sir, I beg to support.

Mr. arap Soi: Mr. Deputy Speaker, Sir, thank you. I know many Members have stood up and have congratulated the President on his speech and I am also joining them, but I have some points to put to the Government. I come from a constituency, Mr. Deputy Speaker, where stock thieving is very serious. In Bomet Constituency there are so many Masai coming across the Mara River and they take away some cows. In the same way, Sir, the Kipsigis cross the river and they also take away cows. In so doing, they clash and they fight to kill each other. I think the Government should have controlled this long ago. It should have established small police posts along the borders. As we have heard last week, and this week, the fighting has been very serious and I would urge the Government to send more police, even men of the General Service Unit if possible, to the area to look after the people. We do not want to fight the farmers who are farming and cultivating, but we have sometimes to fight those who behave as thieves. As Member for Bomet I would like to say that those people who come as thieves to my area do not come to take *shaurias*, clothes, or any such thing, they come to take cows. I want the Government to send more police to that area. The department of defence is doing nothing at all. There is an allegation that some tribal police have been shooting people who have been following those who have stolen the cows. They have shot people dead, bullets have been found that have entered their bodies, and all the time the police are sleeping. Some of the police are stopped from crossing from one district to the other to follow the tracks of the cattle. This is very serious, Mr. Deputy Speaker. Police should be able to move from place to place. If this is not done properly it will be clear that the police have completely failed in their work. I am glad that the Assistant

(Mr. Omweri)

successful candidate complain of injustices and we would like the policy of our Government to be definitely adhered to, that if it is advertised that the post needs these qualifications, people who turn up with those qualifications should be given the first consideration and should qualify accordingly without indication that some unfair means had been used by getting somebody who did not have the qualifications filling the post.

When recruiting teams go out in the other departments, for example in the Army or the Air Force, we would like a better approach to be employed in this case, recruiting officers should consider all areas. We find that when general recruiting is done, for example, in a district headquarters, probably you might have a mistake in that one part of a district has all the places and the other parts are left without people being taken from those parts and people try to complain that this is not fair, so we would like to draw the attention of the Government that when recruiting teams go out, they should pay greater attention to unifying the employment by taking people from various parts of the district concerned. This is more so when we speak of national issues, that if there is anything to be given to the people, nationally, then the whole country should be considered and not just a section of the country. In this case, it goes further below, to districts as well. I do not want to say much about the Youth Service, but I think there is one point I would like to get clear, in that if this National Youth Service has any meaning to us, those youths who have been sent away simply because they finished their one year, and they were not told what to do at home, and then the Government is considering giving other youths some work, they should be called and be re-instated within the Service and then be considered for the next position.

They should not be left to become a menace and tell people the Government cheated us, that they were going to give us something in the Service, but they are not doing anything now and they have chased us away.

There is one other point which I think hon. Members have not mentioned here, and I would like to mention it, and this is discriminatory and unwanted laws legislated by the former Colonial Government, which still exist.

Last year, we asked in this House that such laws like the Outlying Districts Ordinance should be abolished, Trespassers laws, and the like, laws like the one the hon. Mr. Kamau was referring to in connection with the Land Tenure, should be looked into and be repealed, not only amended but repealed, so that we can replace those with

better ones. This question of restricted areas, I think, Mr. Speaker, after we have had our Independence, there is no need now to have certain districts which are closed districts and others which are open districts, and we all belong to one Government and all believe in one Government and are all subjects of our President, Mzee Kenyatta. We feel that this question of closed districts and outlying districts ordinances should now be done away with and be replaced with a better law which incorporates everybody under one Government, rather than have different ideas that one district probably has certain things which others do not want to see.

Going onto tourism, I would only like to draw the attention of the Minister for Information, Broadcasting and Tourism to the fact that we would like tourism to be introduced throughout the country. We have other places which should now be improved, which the Minister should be creative, he should now consider bring up new ideas, we would like places of interest, like Kapenguria, for example, to be brought into fresh tourist interest so that we have tourism growing. Tourism at the moment is at a standstill. We would not only see tourists going for animals only. We should be creative and have better constructions elsewhere, so that when tourists come here they are shown not only a part of the country but they are shown as wide an area as possible. The more these tourists are made to travel within our country, the more we benefit from them. I do not think that if they are left as they are now, that we have the most benefit out of them.

Going to foreign affairs or what I could call even East African affairs, I would like to say that we welcome the President's Statement about East African co-operation. I would mention that the new commission which is going to look into ways and means of better co-operation should realize that it will not be possible to have a common market which has different currencies. This would be very difficult. This commission should then first of all start with holding up these different currencies and try to find out if they could work towards one currency and then try to work round that currency to have a better and workable common market, but if we allow the different currencies, I do not think we shall have any common market at all and this would indicate the end of the co-operation which the Governments are seeking.

On the question of Southern Rhodesia, we feel our Government has made its statement clear, we would only like the Government to state clearly whether it supports the cowardly statement made by Prime Minister Banda here the other day, trying to discourage the African cause

33 Motion—

(Mr. Omweri)

to liberate the Africans from Smith's treatment, which he went further to repeat in his own Parliament that Rhodesia would not be defeated by Africans. I think our Government should refute this since it has declared straight away that we are not going to yield an inch to any minority threat of any kind.

The Speaker (Mr. Slade): That is the end of our time, Mr. Omweri.

Mr. Kibaki, do you speak for your Ministry of yourself?

The Assistant Minister for Economic Planning and Development (Mr. Kibaki): For myself. There will be a full statement by the Minister in due course.

Mr. Speaker, Sir, I merely want really to press one point which is only mentioned in one sentence in this major speech by the President which we all welcome, but a point which perhaps needs more emphasis than Members may have thought it needed. This is the mention in one paragraph about the need to have a literacy campaign for the whole of our illiterate population in this country. Mr. Speaker, I want to stress that this is an aspect of our development which is far, far more important than very many of the points that Members, with due respect, have brought to this House. It is true, Mr. Speaker, that we must expand our primary schools, we must expand our secondary schools, we must expand our universities, but I would like to point out to the hon. Members that these people we are training in primary schools, in secondary schools, will not be available to us for five, ten, sometimes fifteen or twenty years. So that, Mr. Speaker, for that period, these people will continue to be what we call a dependant population, a population being fed in other words by those adult labourers who are now working in Kenya. It is, therefore, a fact that if we want rapid economic and social development, we should look to improvement in the productivity of the labour which is now employed.

It happens to be a fact, Mr. Speaker, that of these four million adult people in Kenya, the bulk of them are illiterate. By their being illiterate their productivity is limited in that they do not have access to the new technology. It has been discovered Mr. Speaker, that the real difference between developed and so-called under-developed countries can be summed up in one word, technology. The fact that we here in this country, for instance, cannot make acceptable to our industries, to our agriculture, the modern technology, this is the reason we are backward economically, and if we are going to

change that situation, we must therefore change the population, the horizons, the outlook, the attitudes of mind. We must make acceptable to the present adult illiterate labour force, a new technical way in agriculture, and in any other organization of the industry. The way we can do it, is being proved by a few countries, including more recently the State of Israel, is to have a proper campaign for literacy, adult literacy, so so that in a few years we should be able to have everyone able to read and write. Once you get them to that point, you will then be able, Mr. Speaker, to make available to them in a simple form the new methods of production. In the same process of teaching them literacy, we would be able to introduce them new ideas in the field of civics. In other words, an outlook as to why they need to work hard to uplift themselves.

We would eradicate in that process the one great evil of colonialism, which was the sense of irresponsibility that was left in the minds of the people, the expectation that the high authority, the Government, would do all that it can do, which is, if I might say so, I do not want to be misunderstood, but in some way it has been reflected in some debates in this House where virtually everybody is asking us, the Government, to do everything including setting-up a local co-operative society. It is perhaps—I should use a strong word—shameful that an hon. Member can stand up in a House like this and say that the Government has not set-up a co-operative society to market something or other in his constituency. What is difficult, Mr. Speaker, in setting-up a co-operative society, it is merely, I would like to say, one example of the attitude of mind, the legacy of colonialism left to us the lack of that self-reliance, the lack of will to develop, to raise ourselves, by our own efforts. In this literacy campaign, Mr. Speaker, this is one of the things we would do. We would ensure that the population as a whole gets a new sense of direction, a new sense of what they need to do for themselves. Perhaps even more important, we would need to enforce training, so that whatever anybody was doing during the day, at the end of the day's work, he would have one hour of training, to improve whatever it was that he was employed in. In this way, you see, we would raise the productivity.

Now, Mr. Speaker, my only reason for raising this matter is to bring to the notice of the Members that although the Government has sought the help of U.N.E.S.C.O., although the Government has sought the help of the United Nations, although the Government is getting the help of other friendly Governments, in this campaign,

[Mr. Bonaya]

looked after and will be developed just like the North-Eastern Region because I have now heard that there are two secondary schools in the North-Eastern Region, while in the Boran area there is only one secondary school. We want two secondary schools in Isiolo District. Mr. Speaker. The Member for Lamu has just recently come back from America and he is saying that we are lucky, but, Sir, we are not lucky. We want more schools, more boreholes and, also, more dams.

Mr. Speaker, Sir, although I do not want to continue very far, I would like now to speak about the National Youth Service. I would like to say that there is not one from the whole Isiolo District. I have recruited sixty-five men. But, in those sixty-five men, although there is a lot of recruitment for the Kenya Army, who came from the National Youth Service and the Kenya Police, and also, from the City Council, but not a single one has been taken from Isiolo District. Mr. Speaker, this is very discriminatory, and it will show my people from Isiolo District that the Kenya Government is not really governing that area. Let us be told today that the Kenya Government will either take more people now from Isiolo District who are now in the National Youth Service to the Kenya Army, or they are not going to be taken into the Kenya Army, or that they are not loyal. But, Mr. Speaker, Sir, I would like to tell you that 99 per cent of the Borans of Isiolo District—in Isiolo District there are something like 85,000 Borans and 2,000 are Merus and Kikuyus—are behind Mzee Kenyatta. But others say that simply, because we resemble and look just like Somalis, then we are *Shifita*. I have even found that some people, even when I came just recently to a certain hotel in Nairobi, Mr. Speaker, I was told, "Is that a Somali, a *Shifita* man?" But, Mr. Speaker, I am a Boran, I am not a *Shifita*, I am not a Somali.

Mr. Speaker, if others make a lot of commotion because they say that they will not be able to make a differentiation between the Somalis and the Boran, then let a commission of inquiry be set up so that Borans and Somalis be parted completely. Even during the Colonial time the Somalis were given their own area, that is the North-Eastern Region, that is an entirely Somali area. The Boran were put into the Eastern Region, that was very nice, but it was very unfortunate that the people of this area, the other down-country area, do not understand or make a differentiation between the Somalis and the Boran.

Again, Mr. Speaker, I would like to speak about the animal business in our area. I think the African Livestock Marketing Organization has been organized by the Europeans, only remote areas of Kenya, especially the Northern part and the Masailand are neglected. Mr. Speaker, I understand quite well that the Kenya Government is not encouraging our people in our area whatsoever to form co-operative systems. I remember, it is something like one and a half months ago, that I formed Isiolo Co-operative Society Limited. But, this has not been encouraged by the Kenya Government. It is the African Livestock Marketing Organization which is dictating to our people of the northern part of the country, but also in the Masai area. I wish the hon. Oloitipip was here. Mr. Speaker, Sir, he would like the Kenya Government to know this, because we also know that the northern part people are the people who are really supplying all this meat to the Kenya Meat Commission, and I think hon. Members have really today enjoyed and have been pleased with the very nice beef that they have had for lunch at Parliament Buildings. But this came from the northern part of Kenya, and we would like the people of the northern part to be encouraged so that they can form co-operative societies for livestock, so that we can even sell these animals overseas. I think this would help our economic development very much. The Minister for Economic Planning and Development is here; I think he will advise the Minister for Agriculture and Animal Husbandry to act on this particular thing, and also the Minister for Commerce and Industry.

Mr. Speaker, Sir, I also want to talk about the party, that is, Kanu, although I do not want to criticize anybody. But I would like to say that we would like to see the party very well—I do not know what word I would use for that one, but I would like to see our party very strong. Let us not be like the British people when they talk about their Governments; if you read the newspapers of yesterday or today, you will see that they talk about a Labour Government or a Conservative Government. They do not want to remove their party names from their Government. We would like to see our party strong enough so that every time we talk about the Government, we say, "The Kanu Government." Mr. Speaker, we would like to organize our party, Kanu, and we would like to see that the name of Kanu is heard everywhere.

When we talk about the development of Turkana or the development of Central Nyanza or the development of Central Province, we want to

[Mr. Bonaya] Kanu Government has done this and this and this for this area.

Mr. Speaker, Sir, with those few words, I beg to support the speech of President Kenyatta, although I have not quite used up my time.

Mr. Omweri: Mr. Speaker, Sir, first of all, before I say anything, I would like to congratulate the President himself on his educative and most brilliant speech, which coincided with the opening ceremony of this House, and which gave the House another, fresh mandate to carry on for the next year before we have another Presidential Address.

Within this statement, a number of points were raised which our Members have joined to congratulate him, and many Members have already aired their views as to what should have been changed or included in the speech. I would like to start, first of all, with education, which the President mentioned, and say that his recent introduction of free education in the higher classes, that is, Form V and Form VI, is most welcome, and people are pleased about it. This is an introduction that we are moving towards the Kanu promise. I know, for one thing, that it does not necessarily follow what we formerly preached, the idea of seven years free education, and it also is not really a new thing because formerly these two classes were taken at university or at Makerere, and there they used to be free; the students who took those classes did not pay fees, although in the last few years they started to do so when these classes were transferred to high schools. But I am sure that with the introduction of this free education in the high schools, our Government will work towards introducing free education in the lower classes. Hon. Members have already pointed out here that the effect of free education in the higher classes is felt by only a few people who happen to have their children in those classes; most of our people are stuck at the bottom. Our education is most difficult at the ground level, and it is at this particular level that we wanted our Government to come in and help the people of Kenya to bring more children forward to be educated by introducing free education. If this is done, then our people will realize that the Government is moving in the direction which we preached during our election campaign.

As far as the health and housing policy is concerned, I would welcome very much the President's remarks when he mentioned that there would be a housing corporation to look into the housing problems and to try to raise housing standards, not only in towns but also in the

villages and rural areas. I hope the Minister concerned with this particular department will take this up immediately and see to it that the policy mentioned by the President is implemented, so that people feel the benefit of his speech. Turning to the medical part of it, I feel that the President should have given an indication, along with the mention of the introduction of a faculty of medicine at the University College here in Nairobi, of how courses for lower qualified people could be introduced. We used to have courses for medical assistants or hospital assistants and dressers and so forth, so that they could do most of the jobs in the dispensaries and health centres; and courses for these people, which used to be taken in various hospitals, do not exist at the moment. We would like the Government to introduce more of them so that we have more people who are trained and who will go out to these dispensaries and health centres and carry on with the work there.

In connexion with health services, the introduction of free medical services, I think has brought in more complications and people have not really realized how free this service is. There is one complication in that when the Government announced that free medical services would be given in all Government hospitals, only a few people go to these hospitals and those who do for in-patient treatment do not have these free medical facilities. In this case, free medical services are not actually a reality. In county council dispensaries and clinics, and in the mission hospitals, medical services are still paid for; and because of this we would like the Government to widen these free services to include immediately the dispensaries and health centres which are managed and cared for by the county councils so that the ordinary man who uses these dispensaries daily gets the benefit which the Government intends to give him rather than leave it to a very limited number of hospitals. For example, if there are free medical services at the Kenyatta National Hospital, only a few people will come and they will only come through recommendations from the lower or smaller hospitals because of special cases which have defeated their skill. In this case, we would like to see that this free medical service is extended to smaller clinics, too.

On the question of employment, I would say that there has been concern about advertisements. When it is advertised and qualifications are attached to whatever vacancy exists, people are surprised to see that those who fill the vacancies or the successful candidates, usually do not have the qualifications that are attached in the advertisement, and you also find that other candidates who probably had more qualifications than the

[Mr. J. M. Kariuki]

most of these co-operative societies will be supervised by Government. To help this there should be more education given. Courses should be established to teach people about the co-operative societies.

I would like also to ask the Government to encourage very, very strongly those local authorities as the President mentioned in page 3 of his own speech, that the Government is also taking into consideration what effective machinery there is in order to ensure that local authorities are functioning properly. I would like to mention here that the Government must also encourage, more strongly, those local authorities where there is co-operation in raising the standard of the people and also in raising the Graduated Personal Tax. Most Members will be asking themselves why is it that even if we try to raise our taxes in our districts, there are limited activities by the Government and we felt that encouragement of some sort must be given.

Mr. Speaker, Sir, I would like also to mention something the President mentioned and that is in connexion with tourism. Sir, it is true that tourism is one of the biggest industries in this country, but when I was in the United States I was surprised to hear that some people there do not know whether we have big hotels and big roads in Kenya. It would be very important for the Minister for Information, Broadcasting and Tourism to have many pamphlets in our Kenya Embassy in order to inform those foreigners, in Russia, United States, in the United Kingdom that we have big hotels in Kenya, that we have big and better roads, but you see, Sir, when they see pictures of the East African Safari which are shot in Nairobi, and other places, they only see the cars stuck in the mud and they therefore think that all the roads in East Africa are like that. So, Sir, I think that pamphlets must be given to show those people that we have better tarmac roads and also better hotels. Mr. Speaker, Sir, I am only mentioning what I feel should be done by the Government, rather than criticizing for the sake of criticizing.

Mr. Speaker, Sir, I feel that nobody here should say that the Government has not tried to do something, the Government is trying to do something, but we want to see the Government doing much better than it has done up to now.

Mr. Speaker, Sir, there is however still a problem of the African businessmen and I am happy that the President did mention it and the Minister for Commerce and Industry also mentioned it the other day, that the African Government will see to it that the African businessmen

will be given priorities in order to do better business in their own areas, but we must also look into the possibilities of fighting in the Northern Province, not only by weapons but through the radio, because somebody, the other day, was translating what was being said on radio Mogadishu, and it was surprising to hear that our President was also being abused, and some people in this country are being taken as the heroes of freedom of the Somali people who are fighting for the people of the Northern Province, and it is very important that the Ministry of Information see to that, whether there is such a source of information which is coming back from other radios, and also giving preference to some people in this country as the only leaders of the people in the Northern Province.

Mr. Speaker, Sir, the other point I would like to mention here, is the point raised by the Members in connexion with the National Youth Service. I would like to mention here, Sir, that what the Minister was intending to tell the House, if the hon. Members would be patient a little and listen, and get to know that keeping silent is also as important as shouting, our intention in the National Youth Service is to train those girls to become good bar attendants and also maids who can be employed in the East African Airways as air hostesses or in other places, to be good attendants in big hotels. We need them Sir, we are not the only exceptional people in this country that we cannot have most of our ladies in big hotels. That is the main purpose of training those girls, not only that, but also to train them to go back to their own family. There are some girls in the countryside and big towns who need a lot of reconciliation they need to be told that they should have a better home, and that, Sir, is the intention of training those girls, so that they may go back to their own rural areas and work with their own parents. That must be emphasized. You are having many big towns, and you need these people to be trained, for the betterment of this country and also for the betterment of the Members of this House.

Mr. Speaker, Sir, another point which I would like to say, is that in the National Youth Service, and also what the Minister was merely trying to say is that we already have most of the young men, who have already been employed, and also the Government has given preference to the National Youth Service in every department, in every Ministry and what should be done is to wait because the Ministry of Defence has already done this and has already taken ninety from the National Youth Service, so what Members should do is to be patient, and wait to see how many

[Mr. J. M. Kariuki]

will be absorbed by the Government. Mr. Speaker, Sir, I must emphasize here that no promise was given right from the beginning that anybody who joined the National Youth Service would be given a job, we will give those who are disciplined, jobs. We will give those who are capable, but we are not going to discriminate against anybody, because he is a Luo or a Kikuyu. Therefore, Sir, I want to make this quite clear in order to alleviate some misunderstanding which is in the minds of many Members.

Now, Mr. Speaker, Sir, that I have exhausted most of my points, I would like to say that the artificial insemination in most places is failing and therefore we would like the Ministry of Agriculture to look into the possibilities as to what should be done in order to ensure that the African farmers do get better cattle as a result of artificial insemination.

Mr. Bonaya: Mr. Speaker, Sir, the President has spoken very well for the other areas, but not to the Northern part of Kenya. He has spoken about nothing especially with regards to the Isiolo District.

Mr. Speaker, Sir, during the colonial times, the Northern part of Kenya was completely neglected and nothing has been done for that part. It was actually after 1959 when we had our first intermediate school for the Northern part of Kenya, even though today we have several intermediate schools and two secondary schools. We cannot appreciate just that. We want a university in the area, my dear friend. Mr. Speaker, Sir, I would really like to say that I think that what has been done is not enough. We want more.

Mr. Speaker, Sir, the others are talking about twisting, but we are not here for twisting. I would also like the Kenya Government, because they have missed us previously, and particularly during the 1963 general election, to develop our area, especially the Northern part of Kenya, and also Turkana, Samburu, and Masai and all these areas. They say, Mr. Speaker, Sir, that they are going to develop them, but, Sir, nothing has been done for these areas. Nothing has been done especially about the roads.

Mr. Speaker, Sir, although I must say that because of this *Shifita* business they are making an excuse that they cannot do anything because there is this *Shifita* business in the area, but, Mr. Speaker, Sir, that is nothing. We can take people to build this road, Mr. Speaker, Sir. For instance, we can take people to work with a platoon from the Kenya Army and then people from the Ministry of Works will build a wonderful road in that area, and that can also help

to eliminate the *Shifita* in that area. Mr. Speaker, Sir, if these people, I mean the Kenya Government, want to eliminate the *Shifita*, then first of all they must see that the roads are very developed. Mr. Speaker, Sir, some people are talking about villagization, but, Sir, that will not help anything. Mr. Speaker, Sir, just recently the people of Isiolo District, the General Service Unit from Nairobi here, went there and beat the innocent people. They went and beat them and also some of them have even robbed. They robbed the people of their money. Then they talk about villagization. Why have they not gone into the forest to look for *Shifita* and then they go and attack the loyal people who are actually staying at their own home town? Mr. Speaker, Sir, the Kenya Government has done nothing for our area. What we want now is to see more boreholes in remote places of Isiolo District, especially that would make my people happy. There are now only two boreholes in Isiolo District. I would like to see ten boreholes in Isiolo District at the end of this year, so that my people would be happy, and they would see that the Kenya Government has done something for them and they would actually say that the Kenya Government has done something for them and they would not accept any propaganda from the *Shifita*. The *Shifita* are now confusing them, they say, "What has Kenya done for you?"

Mr. Speaker, Sir, I have held several public meetings. I promised the people that the Kenya Government would do a lot of things in my area, but I am now even ashamed, if I hold another meeting, to promise them anything now because nothing has been done for my area. But, the *Shifita* go around in my area and ask what has been done for the area. I think, Sir, that nothing has been done in my area. I would like to see more boreholes and dams in remote places of Isiolo District as soon as possible, especially for Marsabit also, which is just like Isiolo.

Mr. Speaker, Sir, I would also like to say something about secondary schools. Isiolo and Marsabit. We previously had this Northern part of Kenya which included the Somali area, Boran area and Turkana, but now we have been divided into three places, others being in the Rift Valley, others in the Eastern Region and others in the North-Eastern Region. But what we have really found is that the Kenya Government is only now doing something for the North-Eastern Region, but not for the other areas of the former Northern part of Kenya.

Mr. Speaker, Sir, I would like the Ministers who are here to jot down that the other parts of the former Northern Frontier District will be

The Assistant Minister for Works, Communications and Power (Mr. G. Godana): On a point of order, Mr. Speaker, is the language the hon. Member is using now, about lower teeth and about not being circumcised, to be included in Kenya?

The Speaker (Mr. Slade): I do not see where your point of order is, Mr. Godana. You must not raise false points of order.

The Assistant Minister for Works, Communications and Power (Mr. G. Godana): Mr. Speaker, Sir, I was asking whether the things the hon. Member is speaking about—

The Speaker (Mr. Slade): No, that is a false point of order. Sit down. Try not to do it again.

Mr. Ngala-Abok: Mr. Speaker, Sir, the matter of *Harambee* secondary schools will need to be looked into so that those areas where secondary schools which cannot look after themselves will be assisted by Government.

These multi-purpose training centres which the President said would be set up: I think the Minister concerned with this will indicate where these multi-purpose training centres will be situated, so that various Members can begin to help Government put them up or to satisfy certain conditions which may be required. As I have said, the President indicated the policy of his Government and every Minister must now pursue the document and see which parts concern his particular Ministry. Then the Ministers concerned can take part in a debate of this nature, or during the Budget Debate, to tell us what they are doing about the Presidential address. It is obvious, therefore, that we want whatever the President proposed to be copied, correctly, by every Member. We must carry out his wishes.

I would like to congratulate the Minister for Natural Resources for what he has done so far. He has been very active indeed. We have seen a number of forestry centres which have been opened, fisheries have been opened in many places. He deserves the congratulations of the House. However, I would like to ask him to take into account the dry areas of this country, for example, the Coast areas, and the part surrounding Lake Victoria, South Nyanza, Central Nyanza, Ukambani, and other such dry areas where people do not have enough water, and see to it that these people have water nearer their homes. There are cases of bringing water nearer to the homes. The Government must assist the Members to show their constituents that they are doing something for them. So the Minister in charge of the department of water development, the hon. Ayodo, should see to it that the dry areas are catered for as quickly as possible within the terms of the Presidential address.

I would like to turn to the question of industries. Mr. Speaker, and this is a very burning issue. We realize that an industry cannot go to a place unless there is enough material to warrant the industry being established there. But we have realized that some areas have more industries while other areas have nothing. Certain areas are not being catered for. I do not see how the next Parliament will get a moderate type of Members who never complain, they will get extremists like I hear we have some such now. There are a few who are called Communists here. I think the next Parliament will bring in people who are prepared to see changes within six months. Unless we realize this, I just do not know how much we shall do, despite the fact that we have money or not. People will advocate extreme measures next time. So we must gauge our policy and implement many of these things we are talking about as quickly as possible, because the only thing which will bring this country to an up-to-date way of thinking will be to see that the poorer people are given something substantial.

On the question of credit and cash here they will never blind anyone as to their value when, during the time of the elections, the people saw many things going on. So, the Government must hope for good Members who will advocate things in peace, people like ourselves, but if they want extremists they will get them the next time. I wish the Government would erect industries in places like Homa Bay, for example, because these industries will help us in our work of development and progress.

I would like now—

The Speaker (Mr. Slade): I am afraid your time is up, Mr. Ngala-Abok.

Mr. J. M. Kariuki: Mr. Speaker, Sir, I rise to support the statements made by the President and to support the speech generally. The President mentioned the Party and during my tour of the United States I realized that the party headquarters are properly organized. However, I would like to say that it is very surprising to see that in our own country we do not have a properly organized party, we have not had it right from the beginning. I hope that the Government will see to it that the reorganization of the Party is fully effected. That is equal to the other Governments, even in the Soviet Union and the United Kingdom, because everywhere the party is always very important. If we are to win the elections and, also, to win the confidence of our people the party must be reorganized.

The other point which I would like to mention is the point also mentioned by the President, that this Government will aim at giving better

houses to our people and better living standards. It must be noted that what we would like to give to our people is the best type of living standard, the best type of house, things which are today rented in Nairobi or in other places at approximately Sh. 150. We should also, at the same time, look into the high rents which are being charged for the same houses, because in some cases the rents are very expensive for our people who cannot afford to go in for this type of accommodation. They do not have the money for it. We understand that some houses in Nairobi are being demolished, for example, like those in Karokor, and such places, while others are being built on the same site; the rents which are being charged for those houses are too high for many of the African workers in Nairobi who cannot afford to pay the rent for those houses. So, when the Government comes to organize this programme, it must take into consideration that what our people want is decent houses with cheaper rents. That is the only way we can raise the standard of living of our people and this is also the only way in which they can understand that their Government is doing something for them.

Mr. Speaker, Sir, I would like also to mention that the President had stated that the care of people would be enhanced by the introduction of medical services to people in the countryside. I would like to say here, Sir, that we have quite a lot of districts which are fighting tooth and nail to raise the Graduated Personal Tax in order to employ more medical officers. We are surprised to find that although we in the district of Nyandarua have raised our Graduated Personal Tax 100 per cent, to date the Ministry has not found it fit to give us a medical officer and we are surprised that most of the people are now dying for want of assistance from a medical officer in the district. So, we would like to ask the Government to take into consideration this fact because if people are to be encouraged to pay more taxes next year, medical officers must be given in that district, in order to take care of the people. There is a typhoid outbreak in the district and it would be very, very dangerous if those people were to continue like that and no medical officers were provided. We understand the medical officer who the Ministry is thinking of employing is a lady who is taking leave for about eight months. Sir, disease cannot simply wait until she returns to Kenya. So, the most important thing here is to point out to the Government, as the President stated very clearly, that the purpose of this Parliament is to inform the Government of what is going on in their own respective constituencies. In the same way the Government must take care

of what the Members say, because the Members are the link between the people and the Government.

On the question of *Harambee* schools, as mentioned by the hon. speaker who has just sat down, I would like to say that this is very a noble idea, but at the same time, I feel that Government must be on the look out on this particular issue because so many *Harambee* schools will be in danger in the future. If we are to encourage so many *Harambee* schools which are not aided by the Government, there will come a time when many of these *Harambee* schools will not be able to support themselves and the Government will find it very difficult, and a mountain-moving job, to take the whole lot into the supervision of the Ministry of Education. That is a warning I am giving to the Government, but we must, right from now, try to find out whether in a particular district people need as many *Harambee* schools as they are trying to put up. I am not trying to discourage the efforts of the people in the field, but the Minister for Economic Planning and Development must also see to it that if a district has so many *Harambee* schools, there should be a limit on putting up further schools. People should not always be encouraged to put up a number of *Harambee* secondary schools which, in the future, would not be properly controlled.

I would also like to mention in connexion with what the President said that in 1970 it is estimated that the co-operative sector of Kenya's economy would be responsible for up to 20 per cent of our gross national product. I would like the Government to take into consideration that if the co-operatives are to function properly, there must be a proper course run by the Government, by the Ministry of Co-operatives to educate the secretaries and the clerks of co-operative societies, because most of the men are discouraged by the behaviour of some clerks who—in some cases—take the money of a co-operative and thus discourage many old men and women in most cases where they say, "We are going to see the Minister for Commerce and Industry in Nairobi." When they come to Nairobi, if the Minister is not here, they take their car to chase him in Muranga and if he is not in Fort Hall, they say he was at Kangema. They say they had to drive out to Kangema where they had to explain everything to the Minister. They say the whole trip cost Sh. 1,000. So, when they come to count how much money the society has and how much dividend is to be paid they find that they are getting practically nothing. For this reason I say there must be a provision whereby

The Deputy Speaker (Dr. De Souza): Order! Order! I think there is too much talking and particularly now with these microphones all round a tiny little noise is amplified and made much bigger. Please be a little more silent.

Mr. Ngala-Abok: Mr. Deputy Speaker, before I say something very important on this very, very eloquent and reasonable Presidential address, I would like to ask the Members to lend me their ears, and to make this debate interesting and attractive to the country. I think it does not pay Members to talk only of themselves, because that again is not the job they are supposed to do here. Mr. Deputy Speaker, Sir, I think it is very unwise to blame the President for what the President did not say, because anybody reading the speech will see that he merely gauged the direction in which his Government is moving forward economically, politically and otherwise. It is up to every Minister in a debate like this to state to the House how he intends to implement what the President himself believes in. We must get to know the big difference between the President, as Head of State, and the individual Ministers who are supposed to implement policies.

[The Deputy Speaker (Dr. De Souza) left the Chair.]

[The Speaker (Mr. Mado) resumed the Chair.]

We are troff time to time seeing Government papers on African socialism, we have seen the Five-year Development Plan and we have seen the Presidential Address which I must say was moved in a spirit I have not witnessed before, because the President made at one time a very carefully reasoned statement of policy touching on exactly what we expected, but this time the President was actually a very charming President indeed, he never referred to people spoiling Government, and so he made his statement in a very sober spirit and he was very much interested in seeing the country moving forward. I am sure that the Members really enjoyed the mood of the President, but there is one thing which we must discover. The President relies very much on his Ministers, and every Minister must at least implement what the President says. See, for example, this afternoon a Minister responsible for the National Youth Service tells us that the National Youth Service men are taught how to march, how shameful this is. We have known that these people were going to work on the farms, they were going to be trained usefully, so that when they get back they will be either carpenters, teach people how to run land consolidation, how to do some minor irrigation, how to engage on definite useful projects in their areas, and if a Member like myself has brought about ninety-something youths here,

they cannot get back to my constituency. If I find them useful, I will employ them, if I have any chance to ask the Minister what he is saying, but how could I employ a person who has not learned anything when I sent him there to learn something. When he comes back he only comes back to other opponents of mine, he knows nothing whatsoever. I find we must go away from this particular job of training youths how to march. We would like to see that apart from knowing how to shoot we want them to know that marching is a part of general life of every Member of Parliament. I wake up very early in the morning. I wash. I go to my garden, I do a bit of driving. I see that I am refreshed and get on with my political job, just like when I was in medical training school here, we used to wake up at five and march and run about the place, so exercise is a normal thing for everyone and they like it, but we want to see that these people are usefully trained so that when they get back they will not be interested in mere political and cheap abuse and cheap jokes which other people who have not gone to the National Youth Service will do easily. They should become useful people to the community and this is actually what should be done. So I appeal to the Ministers to look into the Presidential Address and implement, take part in what they should do with him because the Minister has indicated the direction, and the country, I think, has endorsed what the President has said and so every Minister should do his job.

Now you see, for example, that I want to speak about the party. Party machinery is actually and absolutely nowhere to be seen working. Members can do whatever they wish in their constituencies. They can stage a *coup d'état* against any leader they do not like and will go without saying, some who possess, "Right, you are criminals, go to prison," and then we do not want you. There is *coup d'état* everywhere. Fort Hall, South Nyanza, Kisii, just because there is nobody interested in seeing that party machinery is well organized and every Member must be disciplined to speak the truth and be loyal. So on the question of party, I am speaking as a Member of the National Assembly, there is no question of South Nyanza. It is true that we have no party now and therefore the President referred to it and there are younger people who should now work properly in the headquarters. You will find that the Organizing Secretary is at deadlock with the Assistant Executive Officer, the Vice-President is at deadlock with the Secretary-General, the President himself is merely mixed up, he does not know who is spoiling his Government and who does not spoil his Government, but if we had this party

[Mr. Ngala-Abok]

will organize you would have known the people well organized who are really working for others and those who who are really spoiling this Government, so there is total confusion from the President down to my constituency, because of weakness in running the party.

The question of education, Mr. Speaker, again we would like the Minister for Education to advise the President and implement the party manifesto. The question of jumping Form VI, Form V and Form VI does not appeal to my voters because in the entire rural areas, let alone those urban areas like those elected for Nairobi here, say we will have people going to Form V and Form VI, but in my constituency the majority of my constituents have lessons, going to Standard I and Standard II and that is not costly, Mr. Speaker. Standard I boy will need a slate only and probably will go and play, then go back early in the morning. Before he takes up so much time of the teacher, why did we not give this free education to Standards I and II, to make the ordinary voter a poor man's son, start to learn, because what we are paying for Standard I and Standard II is wasted, because in Standard I the boy will not know what the meaning of education is and even up to Standard II. Probably we might start paying from Standard III if we are not yet in a position to give free education to primary schools.

So, we would have started with a very elementary person, the person who does not understand politics. If you tell him, "I am speaking the truth," he will say, "yes, you are telling me the truth." This is the man who must be educated to realize what independence means. Therefore, I think Standards I and II—if Government thinks carefully: I can see the Assistant Minister for Education is here—should be free. What is spent there is the salary of a teacher and no more. Then a father buys a slate for the son. After that the child goes to school just in a pair of trousers and a ragged shirt. Nothing else. Then it will be at least two years before the boy realizes that education will mean anything at all. So, we want to see that education in Standards I and II is made free for all. If the Government is unable to implement this up to Standards V, VI or VII that is all right, but for the present Standards I and II must be free. Having nothing will never be of any good to my electors, and, as I have said, really I could never have anybody from my constituency going to Form V and Form VI for the next five years. This is the mistake which was made by the colonialist in order to keep us as backward people. Therefore, we do not want to mix up these terms of Standard V and Forms V and VI.

Now I come to the question of Harambee secondary schools. I am sure the Government was blinded by one of the Ministers who thought that by rushing with secondary schools the people would gain education. I have said that the Head of State is there to direct things, he will say how Harambee secondary schools are to be carried on. When the President said "Harambee" then the Minister concerned with Social and Community Development examined his statement and implemented it. This is what happened, and this is what I have said. Now, we were encouraged to build Harambee schools. We had to pay Sh. 40,000. Sometimes we may want a science laboratory, we may want this and that. This is not working very well in many parts of the country. So, how can tribalism be stopped if one does not know what will bring tribalism? If Government does not guard against tribalism, how can one stop it? If a person has been voted in by the Luo he will never leave the Luo word even if you pray forever. If I find that our tribe is not being catered for properly, I will cater for their wants and they will bring me back here. Anybody who is hoping that I will pray for the Kikuyu or for the Wakamba is deceiving himself. So, Mr. Deputy Speaker, Sir, tribalism brought me here and I am a Luo and why should I not speak freely? If I am a leader of the Luo who are my people then I will lead everybody fairly and properly. This is what we must do and there is no question of blinding us. Now, the position here is that, in fact, the Luo have nothing to fear because they are the second in majority in this country. They have plenty of experienced people; time will give them the right jobs. I am friendly with a lot of communities in this country, so there is no problem about that. However, if anybody is trying to blind me, if he has been elected by Asians and Europeans, let him cater for those people, but he cannot blind me and ask me to stop tribalism. I came here, Sir, on the Luo votes, so how can I stop talking on their behalf? It is no use pretending that tribalism can be stopped. If any experienced people cannot get proper jobs, they have done forty or sixty years, and then a person comes from Makerere and takes over that job from him, then what can I do except to complain? I say, Sir, that I am a Luo and I will die with my lower teeth removed, and I am not circumcised, but I will not change from being a Luo.

So, Sir, the question of Harambee secondary schools should be the subject of inquiry, so that those areas where our people cannot manage themselves, the Government will take over those schools.

Mr. arap Soi: On a point of order, Sir, may I know whether, when you are in the Chair, you are addressed as Mr. Deputy Speaker or Mr. Speaker?

The Deputy Speaker (Dr. De Souza): I do not think there is any specific ruling on it, but I was looking at the House of Commons procedure and I think the Deputy Speaker there is addressed as Mr. Speaker. I do not really insist on this; I leave it to hon. Members to decide.

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, one of the major problems which faced Kenya was unemployment, which was related to the rapid growth of the population of Africa, and Kenya particularly Mr. Deputy Speaker, the Members of this House will know that last year, due to this problem, we set up an agreement which was then known as a Tripartite Agreement. This was, Mr. Deputy Speaker, composed of the employers, employees and the Government.

#### QUORUM

Mr. arap Bly: On a point of order, Mr. Deputy Speaker, do we have a quorum?

The Deputy Speaker (Dr. De Souza): No, we do not, I am afraid Ring the Division Bell.

*(The Division Bell was rung.)*

The Deputy Speaker (Dr. De Souza): We have a quorum now. You may proceed.

Mr. Malsori-Itumbi: On a point of order, Mr. Deputy Speaker, I think because of Members not being very much interested in the Minister's speech, is it not in order for you to allow only private Members to give thanks to the President's speech and leave the Ministers out?

The Deputy Speaker (Dr. De Souza): That is not a point of order, Mr. Malsori.

Whether Members are interested or not, every hon. Member has a right to speak and the fact that he is a Minister does not preclude him of his right to speak. Carry on, Mr. Mwendwa.

The Minister for Labour and Social Services (Mr. Mwendwa): I am surprised to find that the Members do not know that I am elected like themselves, and have the right to speak in this Assembly. I have been elected twice, Mr. Deputy Speaker, once by the Kikuyu people and once by the President. I have two votes. I shall continue as I started.

On the achievement of Independence, Mr. Deputy Speaker, one of the major problems facing Kenya was unemployment. Mr. Deputy Speaker, this was due to the rapid growth of the population. Africans' universal problem of under-employment among the families of small landholders and a fall which had occurred in

the level of employment in wage paying industries. While it was realized that the ultimate solution of the unemployment problem lay in long-term development plans for the growth of the general economy, Government recognized the need to alleviate the particular hardship being experienced by certain sections of the unemployed, the necessity to create a peaceful industrial climate in which economic development could proceed. It was this realization which led the Government to set up, as I said before, an agreement, which was an agreement reached by the employers, employees and the Government. The name of which is well known by the Members of this Assembly as Tripartite Agreement.

Mr. Deputy Speaker, it is a great joy, especially to me as the Minister for Labour, to report to this House that it was during this agreement where we managed to put 38,500 into jobs. It is even more pleasing to tell the House that almost 90 per cent of these people who were taken during the Tripartite Agreement are still working today.

Mr. Deputy Speaker, there is one point which I would like the hon. Members here in this Assembly to assist me in trying to explain to the public and that is the problem of creating jobs in this country. This is not one man's job it is the job of every single Member, and even those who are not Members, who are at home and one of the best ways of creating jobs is in direct way of creating industrial peace and stability in this country, whereby not only the people from outside but the people from Kenya will be able to establish their own little shops or businesses, whereby they will be in a position to employ one or two fellows. In my Deputy Speaker, the hon. Members in this House are lucky enough to be able to have something to depend on and something which perhaps we can help our families with. I appeal to the Members here and this appeal goes even deeper to the Ministers and Assistant Ministers.

It has been brought to my notice as the Minister for Labour that people who should employ one or two fellows for a reasonable amount of money, Sh. 80 or Sh. 90, prefer to do the jobs themselves and even their wives prefer to do so. Mr. Deputy Speaker, this is not a laughing matter, this is something which I regard very serious indeed. Mr. Deputy Speaker, there is nothing more disgraceful than seeing a Member of Parliament driving a car himself. This, Mr. Deputy Speaker, really means that instead of reducing unemployment by one, one is actually creating unemployment, which is wrong, Mr. Deputy Speaker. Also the Ministers, including myself,

[The Assistant Minister for Labour and Social Services]

the time has come when we should employ even more people than the Europeans did because our cost of living is lower than that of the expatriates. Therefore, there is no reason why even the officers who are employed by the Government, the civil servants should not employ more people than the expatriate civil servants.

Mr. J. M. Kariuki: On a point of order. Mr. Deputy Speaker, Sir, I happen to have about fifteen drivers and I drive myself in one of my cars. I wonder whether the Minister would like me to sack fourteen and employ one.

The Deputy Speaker (Dr. De Souza): That is not a point of order.

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Deputy Speaker, this is a genuine appeal actually, which I put as the Minister for Labour to the Ministers, the civil servants and Members of this House because, as I said before, the problem of creating employment is not one man's job, it is the job of every single person in Kenya. Mr. Deputy Speaker, I think the Members in this House will remember that a few months ago we had quite a lot of trouble with the union. Mr. Deputy Speaker, if the hon. Members could say—

The Deputy Speaker (Dr. De Souza): Order! Order! Let there be a little less speaking in the Chamber.

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Deputy Speaker, I think the hon. Members will know that two or three months ago there was a lot of trouble in the union movement. The Government decided to step in and try to do something in order to settle this trouble. The committee, Mr. Deputy Speaker, was set up and I have recommended the recommendation of this committee, of which I was the chairman, I think the hon. Members know that it was the recommendation of this committee that there should be one union in the name of the Central Organization of Trade Unions with a General Secretary who should be, in the first instance, elected by the people themselves and also later on approved or disapproved by the President. Mr. Deputy Speaker, this has already been done and I hope in a few weeks or days the name of the General Secretary will be announced.

The Assistant Minister for Commerce and Industry (Mr. ole Olitipipi): On a point of order, Mr. Deputy Speaker, I rise to seek your guidance, is the Minister really in order to speak about his own Ministry's policy while we are dealing with the statement by the President?

The Deputy Speaker (Dr. De Souza): Actually in reply to the address by the President, one can speak on almost anything that affects Kenya generally. The scope is very, very wide indeed, just as the debate on the Budget Speech. The Minister is perfectly entitled to give his own constituency or Government's point of view on any particular subject.

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Deputy Speaker, Sir, these Members are finishing my time.

Mr. Deputy Speaker, turning to the National Youth Service, I think the hon. Members also are aware that last year we started this project. We have now 3,000 youths in the Service. Mr. Deputy Speaker, it is something which I think should be regarded by Members as a credit to the Nation, because some of these fellows are now being put into permanent employment. The Kenya Government has agreed in principle that if there is any employment in any department these young men who are in the Service will be given priority, which I think is a success in itself. Mr. Deputy Speaker, I think the hon. Members will know that our target was to put into Service 7,000 youths, but we could not achieve this because of financial difficulties, and, therefore we have been going at a rate which our Government could support. We hope by the middle of next year we will be able to put all the members of the National Youth Service in, that is we will reach our target of 7,000.

Again, Mr. Deputy Speaker, if you only give me time I will tell you.

The Deputy Speaker (Dr. De Souza): Do give the Minister some chance to speak.

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Deputy Speaker, if only the Members will just keep quiet, I will tell them what they want to know. We have already approved the project of putting the women's wing into the National Youth Service, or girls, call them whatever you may. Already, Mr. Deputy Speaker, we have employed a director and we have ten girls who are already undergoing training in our Prisons Department, who we think will be suitable.

I think when this comes to— Why do not the Members give me time to finish, I am just about finished and my time is over.

The Deputy Speaker (Dr. De Souza): I am afraid now your time is over, Mr. Mwendwa. I am afraid your time is up now.

Mr. Ngala-Abok: Thank you very much, Mr. Deputy Speaker.



[Mr. Tanui]

say, they have been taken to be of no importance in nation-building in this country. The landless today are expected to pay taxes, they are expected to educate their children, but how are they going to do this, Mr. Deputy Speaker, if they have no means? They are not employed, no one is taking the trouble to see that they are employed, nobody is taking the trouble to see that they get land, and yet they are expected to produce children and educate them. Mr. Deputy Speaker, this is a very serious matter. These people are merely honest, they are loyal to the President and his Government, but still they are not taken into consideration whenever land is available for people to be settled on.

Another thing, Mr. Deputy Speaker, which I think the President should have mentioned in his presidential speech in this House, is the division which seems to prevail today in this country. It is said that there is a group which is recognized by the Government, which is headed by some of the leaders of this country and which is supported by the Ministers of this Cabinet, namely, the Corner Bar group. I do myself allege that the President is aware that there is a division. And it is even alleged that this group, the Corner Bar group, about which no one can tell me except that they are aware that it exists—at the Ministerial level advises the Back-benchers what to do day after day in Parliament. That is why—

Mr. Komora: On a point of order, Mr. Deputy Speaker, I think the Member who is speaking has alleged seriously that there are Ministers who advise Back-benchers on what to come and say in the House and who have a connexion with what he calls the Corner Bar group.

The Deputy Speaker (Dr. De Souza): Well, I do not know if Mr. Tanui was referring to anything wrong. I mean, it is something quite vague. You have not made yourself specific at the moment. I do not know what you are referring to.

Mr. Tanui: Mr. Speaker, Sir, I did not say the Back-benchers as a whole, but I said the Back-benchers who belong to that group. And they are aware, when I say that there is a Corner Bar group, that it has been mentioned here several times and that they are meeting night after night, trying to arrange programmes for the following day.

The Deputy Speaker (Dr. De Souza): I think you had better not go further into that; I think you had better move on.

Mr. Komora: On a point of order, Mr. Deputy Speaker, the hon. Member has not substantiated

his statement after my point of order. He has categorically stated that there are Ministers. I want to know which Ministers these are. Who advises the Back-benchers? In fact, he said they are related to this group.

The Deputy Speaker (Dr. De Souza): No, I do not want to go into it. We had better move to the next subject.

Mr. Tanui: I tell you, Mr. Deputy Speaker, that if the hon. Member would just listen and be patient a bit, I will make my point clear. I said that I expected a speech from the President which completely united his own Members of Parliament by refuting the suggestion that there is any division in Kenya, and which said that we are one, that we are building one nation. But then you find, Sir, that the hon. Members get their fears, the hon. Ministers get their fears, some even claim to be more loyal to the President than most people in this House; and I say that there are some members of Kanu, to mention the least, who even allege that there is a *coup* which is intended to bring down the Government. Surely, the President should not rest at this particular moment, but should really say something about this thing, because the public are left confused and the country is in a confused state. When no one says that there is no truth in this, everyone seems to live in fear and no one knows when the Government will be overthrown and a new one formed. Surely, this is a very poor state of affairs, Mr. Deputy Speaker? I wish the President would take an immediate step against this group.

It was even alleged at one time, Mr. Deputy Speaker—and I must mention this when our Attorney-General is here—that if one speaks in the reserve there are some Members who claim that they are in contact with the Attorney-General, and that they will report to the Attorney-General whatever activities certain citizens of Kenya are engaged in; and that the Attorney-General, without even examining the affair, will lock them up. This is something that is confusing the masses because I am sure our Attorney-General is independent, too independent to be influenced. I have never been made to think that the Attorney-General belongs to any side or group. So, I hope, Sir, that these affairs will be taken into account.

I am not a coward, I can assure you. I will tell you that never—

Mr. Shikuku: On a point of order, Mr. Deputy Speaker, is it in order for the Member to continue addressing the Members instead of the Chair?

The Deputy Speaker (Dr. De Souza): You are quite right, Mr. Shikuku. Mr. Tanui, please address your remarks to the Chair.

Mr. Tanui: I am sorry, Mr. Deputy Speaker.

Mr. Deputy Speaker, another thing which I must mention here is the promotions that are being given out now. It surprises me and the country at large, Sir, that all the promotions and the recent ones seem to go to one particular tribe. Surely, if you examine the roll of commissioners then you will find the answer. I do not have to mention it here. But please examine any roll of commissioners and that is when you will know, you will find out, that there are no Masai, and yet they support the Government. They say they are recognized, but they do not appear anywhere on that roll. I am happy that we have a Kalenjin at least on the roll of commissioners because it is high time that the Government took appropriate measures to see to it that every corner of the country is represented in every field.

I am not applying for posts on behalf of my own tribe, I am speaking generally for the Kenya nation, and saying that everyone should be represented. This Government is a representative one and it should always see that the people are properly represented.

At the same time, Mr. Deputy Speaker, I must thank the President for having granted free education next year for the higher level students; but—I cannot continue, there are a lot of interruptions, Sir.

The Deputy Speaker (Dr. De Souza): Order! Order! I think there is a little too much speaking and laughter.

Mr. Tanui: I would suggest to the Government that the President should have given this privilege to the common man. When I say the common man, it is because there are some children who are unfortunate, who should have been granted this privilege as well. There are some chaps who are not supported by anybody, who have lost their parents; and they should have been given this privilege, together with the students in the higher classes, namely, Forms IV and V. The President should really include them.

Since the President knew that there are only about 80 students at that level, he took pleasure in saying that he was granting free education at that level; but it does not benefit very many people, Sir. I should like to see the President implementing this free education at the lower level, namely, Standards I and II, primary school level.

Now, Sir, since I see my time is nearly up, I feel I should mention my points quickly. Mr. Deputy Speaker, I must mention something to do with farming in this country. Today you find that all the supervision and all the recommendations about how to run one's farm is in the hands of the imperialists, the Europeans. You find that in the Uasin Gishu District, where I have a farm myself, the only people who supervise the African farmers are the Europeans and they misreport the African farmers. You find that the reports are directed to the Africans just because they are opposed to these imperialists. We would like to see the Government letting some Africans have the responsibility of looking after their own African brothers and advising them accordingly.

Now, Sir, we have a problem today in the settlement schemes. Actually, I do not like calling these people settlers. I do not think that is a good title. I think they should be called new farmers, the word "settler" derived from the imperialist settlers long ago, and so when these African people went to the settlement schemes they were called settlers too. But they are not settlers, they are new farmers on their own land.

Now these people, Mr. Deputy Speaker, should be exempted from paying their instalments, especially this year, when we suffered from a shortage of rain. How can you expect a farmer to pay his instalment when he never earned anything, when he never had any milk from his animals to sell and thus earn something? I think the Government should have said something about these people, and that they should be exempted completely from paying any instalment this year, and this year should be added to the future years.

So with these few remarks, Mr. Deputy Speaker, I beg to support.

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, Sir, let me associate myself with the President's speech, and before I say anything, I think I should congratulate the President and those who have been connected with the putting up of this beautiful building. Mr. Speaker, I have been to many countries like many Members here, and I think they will agree with me that very few countries, if any, of those I have visited have such a wonderful Assembly. This is a wonderful achievement. Many of these countries cannot really afford a nice Assembly like this.

Mr. Speaker, Sir, upon the achievement of Independence in this country, one of the major problems which faced Kenya—

[Mr. Bala]

with at least one meal a day. So, you cannot tell such people that we have Independence. They can only believe that they have Independence when their standard of living rises, so we want our Government to have policies which can improve the economic situation in this country. This country is an African country and the Africans—whether or not we please ourselves in this House—unless the ordinary African feels that he is benefiting from Independence, we shall sooner or later have nationalistic forces which will force this House to change certain things which we have passed.

Now, Mr. Speaker, when the President was making his political statement, it is regretted that he did not mention such very important matters as irrigation schemes which can affect people in the countryside. In the area where I come from, Sir, whenever we have—say—rain, the whole area becomes flooded and whenever there is sunshine it becomes completely dry and normally people do not have a harvest. So, I thought the only thing that could help my constituents would be to implement an irrigation scheme. On the question of irrigations schemes, Mr. Speaker, I understand, and it has been said so many times in this House, that whenever we put up a suggestion that the Kenya Government has negotiated with the Soviet Government to assist our Government in irrigation schemes.

I understand about three weeks ago the Soviet Government forwarded a paper or a sort of plan which is going to be studied by Kenya. At the same time I understand that in the course of 1964 an agreement was signed between the Soviet Union and the Kenya Government and this was signed by the Minister for Finance, Mr. Gichuru, on behalf of Kenya. Now, recently, there have been certain talks by Ministers, every Minister saying different things; when we had the Minister for Economic Planning and Development visiting my area, he said a different thing. When the Minister for Agriculture came he also said a different thing. So—

An hon. Member: What did they say?

Mr. Bala: Whether you like it or not, the Luo in this country exist. It is not up to you to say "I do politics". The Luo are part and parcel of Kenya. It is not your duty to say this, hon. Member for Butere.

The Speaker (Mr. Slade): Keep calm, Mr. Bala, address the Chair.

Mr. Bala: I am sorry. It is part of the Speaker's duty to draw my attention to addressing the Chair.

Mr. Shikuku: On a point of order, Mr. Speaker, is it not in order for any hon. Member in this House to draw the attention of the speaker to the fact that he must address the Chair?

The Speaker (Mr. Slade): Yes, but it is not usually done by directing the remark straight to the hon. Member concerned, as if you were the Speaker.

Mr. Bala: Thank you very much, Mr. Speaker, for having corrected the ignorant Member.

Mr. Speaker, the question of irrigation schemes is something which is worrying us because we cannot pretend that all is well in the constituency in this respect when they cannot harvest any crop on account of floods, and I thought His Excellency the President could have made it very clear as to what sort of arrangements he has made with the Soviet Government, or what sort of agreement he has now reached with the Soviet Government because we understand the Soviet Government has submitted a paper which is now being studied by the Kenya Government. We also understand that the Kenya Government feels that the cost is a bit high. But if there is any other Government which the Kenya Government felt could have quoted a fair cost, why could not they have started negotiations a long time ago? Why waste our time and give us the assurance that the Soviet Union are bringing the irrigations schemes when, in fact, every Minister is trying to give us different assurances, different statements? So, Mr. Speaker, I thought His Excellency the President could have stated very clearly the position of the irrigation scheme.

Another point, Mr. Speaker, is that when His Excellency was making a statement here, he mentioned nothing about foreign affairs. Presently, we in Kenya—of course, I am pleased that certain Europeans in Kenya have made out a statement of their stand, and our Speaker was one of them, for which I thank him very much—regret very much that our President has not stated clearly the Kenya policy as regards the Rhodesian politics as such. We have never seen any statement issued by the President stating the Kenya stand on the question of the Rhodesian issue, or on the question of Kashmir, Congo, and so on. So, when he is making a policy statement like that, Mr. Speaker, we feel that it is only fair that our President should state the Kenya stand as regards foreign policy.

Now, the other point, Mr. Speaker, is the Public Service Commission. Some people have said in this Chamber that we should not talk

[Mr. Bala]

I quite agree with them, that it about tribalism. I quite agree with them, that it is not fair for us to talk about tribalism, but we have to talk about policy, our Government policy which, in fact, we believe in. Presently, we believe in the African Socialism, and we believe in African Socialism as stated in the Sessional Paper No. 10. But—at the same time—you still find certain people who are actually biased towards this and that country, even though we have diplomatic relations with such countries. I think, Sir, so long as we are not clear with our policy, we are bound to come back to tribalism. Also, Mr. Speaker, so long as the Public Service Commission does not remain independent, whereby people are given jobs according to their merits, and not according to their tribes, I think we are bound to go back to tribalism. Mr. Speaker, why I say this is because we normally hear it from everywhere that there are certain people in this country—it is a certain tribe in this country—who think that the Kenya Government is theirs and does not also belong to other people. So long as these people believe that the Kenya Government is only a Government of a

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Dr. De Souza) took the Chair]

certain tribe in Kenya, Mr. Deputy Speaker, I am afraid that we are bound to go back to tribalism. Now, somebody is saying that it is including Luos. Mr. Deputy Speaker, I am sorry to say that it is not a matter of the Luo. This is a matter which is being engineered from somewhere near Nairobi and everybody is aware of it. So, so long as certain people near Nairobi believe that the Government is only theirs and theirs alone there is bound to be trouble in Kenya because this Government was fought for by everybody in Kenya and everybody believes that the Government is theirs and not the Government of a section of people.

Now, Mr. Deputy Speaker, the other point is the question of a Government newspaper. In this country we are bound to have a Government newspaper where people can get proper information about the Government policies, about the Government statements. In places like Tanzania, they have a nationalist newspaper, which states clearly the Government policy, but here in Kenya we have newspapers like *the Daily Nation*, like *the Taifa Leo* and these papers have certain policies which they are following. The only paper which I can congratulate and which is fair and independent is *the East African Standard*. Even though they have

not given me publicity, I do not care. They are independent because they normally support things according to the standard, which is their name. But, when you go to papers like the *Daily Nation* or *Taifa Leo*, these papers are serving certain individuals and I would not be wrong to say that these papers are trying to divide even the nationalists in this country.

Mr. Deputy Speaker, when the President was making his statement, he did not go far enough to mention road improvement in my constituency. In my constituency, we have some very important roads, and I think the President ought to know about them because I expect him to travel in that area one of these days. Mr. Deputy Speaker, we have a very important road from Papanditi right to South Nyanza, and this road is supposed to link the two districts—that is, South Nyanza and Central Nyanza—which is very important. It is not only one road serving Central Nyanza, it is one road which could link the people of Central Nyanza and people of South Nyanza. After all, we are all Luos in that country, we need to intermarry, we need to pay the dowries and we need roads along which we can go.

Thank you very much, Mr. Deputy Speaker

Mr. Tanui: Thank you very much, Mr. Deputy Speaker. I am very much honoured to make my contribution on the speech made by the hon. President of Kenya.

Not only do I thank him for what he said on that day, but I thank him very much for the initiative he has taken in the past and for giving his own example, surrendering his life somehow when he became the champion and the former leader of the *Mau Mau* movement which was really aimed at achieving full independence for this country. But, while I thank him so much for all this, Mr. Deputy Speaker, I have a few comments which I feel I ought to make in this House, and put on record as I am sure I am really immune when I speak in this House.

Mr. Deputy Speaker, I was very much shocked and astonished when I did not hear from the President any mention of the landless in this country. In the whole of his speech, he concentrated on other matters so sweet and very convincing, but the landless were not considered. I come from a constituency where people are sleeping in the sheds, day after day. They appear to be sick, just because they have nothing to eat. This is not their own mistake, it is because they have no way of getting it. These are the people who have been deprived of the right of getting land, either on a tribal basis or in other ways, just because they were not considered. I am sorry to

[Mr. E. D. Godana]

At this stage we would like the Government to state its policy with regard to the Northern Frontier District. Today the Government is trying to say that it cannot do much for the area because there are outbreaks of *Shifita* trouble. This is a very minor thing Mr. Speaker, Sir, development must be carried out and there is nothing like *Shifita* trouble to stop that. I can challenge the Government on this.

Mr. Speaker, up to now not one Minister, nor the President have visited the Northern Province. I have piles of letters asking the President, the Vice-President or Ministers to visit our areas but no one has come. That is a question I would like them to answer, why have they not come? We would like them to come and see that the area is dry and we need water; we would like them to come and see that there is no *Shifita* trouble there. If they do not come, it must be because of cowardice.

The Speaker (Mr. Slade): You are entitled to your own views about why they may not visit the area, Mr. Godana, but you must not say it is because of cowardice. You must withdraw that.

Mr. E. D. Godana: I withdraw.

Mr. Speaker, Sir, I would like to speak about this free education.

The Speaker (Mr. Slade): You did withdraw that, did you not?

Mr. E. D. Godana: I did, Sir. I would like to speak on free education which has been mentioned, and also a commission which is working so hard to bring it about in Kenya.

Mr. Speaker, Sir, in view of the fact that the Northern Frontier District was one of the parts neglected even during the colonial times, we would like to see free education first of all come to the Northern Province, to Northern Frontier District, so that people may get this chance to learn, then the rest of Kenya will follow. Mr. Speaker, Sir, I would like to mention this in the history of Kenya we have today one university chap, who is now in the University of Kenya. He is the first Northern Frontier District chap in the whole of the history of Kenya who has gone to university. This is because the Colonial Government had made us backward and we were left behind. We would now like to see that the first free education is given to the Northern Frontier District people in view of the promise we were given, that the Northern Frontier District would be first to be developed.

Mr. Speaker, Sir, we would also like to see some speedier methods brought about in these nomadic areas such as the North-Eastern Region, Isiolo, Marsabit, Moyale and Turkana which are in the North-Eastern and Eastern and Northern Provinces.

Mr. Speaker, Sir, I would now like to speak about stock sales. We have been having a very difficult time ever since Kenya became independent. We have not been able to sell our stock, because animals could not come to Marsabit, because, all the time they were here in the Rift Valley, the Coast Province, and the Western Province. Our people could not pay their taxes over the last two years and the school fees also have not been paid because of the lack of money due to no stock sales.

Therefore, Mr. Speaker, Sir, may I appeal to this Government? We would like to see the promises which were made to us fulfilled. Mr. Speaker, Sir, I would like to speak now about the roads.

Mr. Speaker, Sir, the road has not been graded, it has not been graded since the Colonial Government handed over independence to us.

Mr. Speaker, Sir, we are just tax payers like anybody else in Kenya, people of the Northern part, Isiolo, Marsabit and Moyale who must have first preference. The roads have not been done. Mr. Speaker, Sir, even some bridges today cannot be crossed because there is so much water, floods, and then the road has to be closed for say three months, and then there is no way of communicating with the people and no letters are coming through. So, Mr. Speaker, Sir, people have to starve without sugar, and without tea. We would like to see these roads built and something done about it. We have one Minister for roads communications and two Assistant Ministers, and one of them comes from my own area, so I would like to see that they have at least done something about it, as soon as possible to these bridges.

Mr. Speaker, Sir, these buildings erected under the call of *Harambee*, have become vague this day, because *Harambee* means only self-help. So, Mr. Speaker, Sir, I would now like to speak on the National Youth Service. Our people, particularly people from the Northern part, and when I say the Northern part, I mean all the former Northern Frontier District, including Turkana. Mr. Speaker, Sir, there is so much discrimination against people in the National Youth Service. Our youths are being discriminated against and they are such handsome and brave boys. Mr. Speaker, Sir, we would like to see,

[Mr. E. D. Godana]

when there is police recruitment, or army recruitment, our boys taken for service, because now they go and they are told, "You get thousands, you get away and you have no right here," but, Mr. Speaker, Sir, who has the right? Kikuyu, Kambas, are they the right people to be recruited in the police and in the army? We would like to know this. This is my question, Mr. Speaker, Sir. We would like to see, first of all, the people of the Northern part given first priority, in everything.

So, Mr. Speaker, Sir, before I sit down—I see my time is running away so quickly—I would like to stress that our people are not supporters of the *Shifita*, but we are against the *Shifita* elements, and though some Ministers and some people call us *Shifita*, because the *Shifita* come straight from Somalia, which is well aided by the Somalia Government, and Somalia is near the Northern part of Kenya, there is no need to call us *Shifita*. So, Mr. Speaker, Sir, we would like to see the Kenya Government do something concrete against the Somalia Government, but not to just sit down and call the inhabitants of that area *Shifita*. We would sacrifice our lives to support the Kenya Government, and to see that they defend this soil, but whoever calls us *Shifita*, and the people of the Northern part of Kenya *Shifita*, are wrong.

So, Mr. Speaker, Sir, before I do sit down, I would like to say something about the Asians of Kenya and Ethiopia, between Moyale where we used to get some of our relatives coming—

The Speaker (Mr. Slade): I am afraid there is no time, Mr. Godana.

Mr. Bala: Mr. Speaker, Sir, thank you very much for giving me this opportunity to congratulate His Excellency the President for the Policy Statement which he made in this House on the 2nd November.

While congratulating the President, I would like to say a few words on the statement which he made on that day, and before I do so, I am bound to say a few things about the Member who has just spoken before the Member who is sitting down now—

The Speaker (Mr. Slade): Order! would hon. Members please keep quieter than usual, because everything you say is being amplified.

Mr. Bala: Mr. Speaker, Sir, the hon. Member, Mr. Pandya, was criticizing the Government for its attitude towards the appointment in the Civil Service to the people of Asiatic origin. Mr. Speaker, Sir, we have to be honest in this country.

There are certain people who have been here and who are now claiming to be Kenya citizens. While they are claiming to be true Kenya citizens, at the same time they have been engaged in sending money away from the country and as a result we find that there are no buildings going on in towns like Kisumu, like Nakuru, like Kisii, Nairobi, and so on, and these are some of the people who have all the privileges of money-making, because of their experience and so on, but we cannot have in this country certain people who pretend to be Kenya citizens and at the same time they do not have confidence in Kenya. We would all the time accept these people as true Kenya citizens by their deeds, but not words and empty words of pretence.

Mr. Speaker, Sir, the Africans have fought for their independence just as much as the Asians fought for their independence in the past and they must enjoy the fruits of *Uhuru*, and as such, they should not be third-rate citizens in their own country. So, Mr. Speaker, Sir, I quite support my Government when they say that whenever there are certain jobs, they must give preference to the black Africans, because certain people have enjoyed their time during the colonial days, and therefore they must now give time to the Africans to enjoy the fruits.

Now, Mr. Speaker, Sir, when we come to the question of economic development in this country, we find that presently we have political independence, with only the flag and nothing more. People, Sir, cannot eat the flag, we have to eat something, and we have to have economic development so that we have some Africans with money in their pockets. We have to have Africans who can pay for their day to day requirements. In order to do this, Sir, we want our Government to be drastic and see that we have certain changes which can benefit the Africans of this country and the indigenous of this country. Mr. Speaker, Sir, we shall not be bluffing that the Government is doing well, that everything is going on well, unless the ordinary man benefits from his Government, because, Mr. Speaker, Sir, why I say so is this. Since independence only a few chaps were lucky, they have been promoted into the Civil Service, and they are the people who feel independent, but the ordinary man at home, or the ordinary citizen does not realize whether we have independence or not.

People like my grandfather, my father, in the countryside are still doubting whether we have independence or not, because they do not see any change. They are still walking round without any change. They are still walking round without clothes and without shoes, they are still living in mud houses and they are still doing

[Mr. Pandya]

disgraceful practice of inserting in the notices of the Public Service Commission such words which I can quote from any newspaper, particularly the *East African Standard* of a Friday, in which notices are given, saying "In all cases preference will be given to Kenya citizens of African origin". I suggest, Mr. Speaker, that the sooner this is removed, the better it will be, because this does not bring this country any credit whatsoever. We must see that the Government, by its policy, is determined to remove any discrimination in this country. I am surprised, Sir, from some of the remarks I hear, to note that there has been no change in the attitude of some Members in this House. Government must come out very boldly and clearly on its policy because I feel that many times, irresponsible statements are made by some of the people who are holding important positions in this country and these statements have shaken the confidence of people who have identified themselves as citizens of Kenya.

I would like in particular to refer to a statement which was made recently by the Deputy Speaker of the Senate, Senator Kebaso—the Senate, of course, is a part of the National Assembly to the effect that the African traders had lost confidence in the Maize Marketing Board, and the African farmers had been shocked because—and this was the only reason—an Asian had been appointed temporarily to the position of Chairman. Such statements do not help to build the necessary confidence, because I want to say to this House that Mr. Malde is a Kenya citizen, has been a member of this Board for many years, has acted as chairman of this Board in the past, and he has the courage to come forward and take the post of Acting Chairman at such a critical period. I would suggest that for any people, particularly for responsible leaders to come and suggest that a Kenya citizen should not be given such an important position, I think, is really cutting across the rights of an individual, rights that have been granted to the people under the Bill of Rights which is a part of the Kenya Constitution. Indeed, Mr. Speaker, yesterday, in the Senate, the Deputy Speaker had to withdraw references that he made to the Minister for Cooperatives and Marketing when he suggested that the Minister had committed a criminal offence in appointing an Asian as Acting Chairman of the Maize Marketing Board. Then, of course, this was changed to say that it was a blunder.

I say this to the hon. Members of this House, that this is not the type of leadership that is expected of this country. We do not want discrimination as between citizens of this country.

This was the very Government which offered equality of treatment, and the time has now come for this Government to live up to the promises it made, and to that principle enshrined in the Bill of Rights which is part of the Constitution of Kenya.

I hope, Mr. Speaker, I shall not have such interruption which shows that they are going to discriminate as against Europeans and Asians just because they belong to these races. There must be equal treatment for all citizens of this country.

Sir, I hope the Members will now be a bit quieter because I cease to speak on this burning issue.

I want to say finally that I find it difficult to understand the consistency in the statement of His Excellency the President in reference to the East African currency break up, and the setting up of a working party which is to look into the existing Common Market problems. I think there has been, Sir, a very strong tendency for the last few months, which showed very clearly that the Common Market was going the way of breaking up, particularly because restrictions have been placed on trade by the Governments of the other countries. Therefore, I was really surprised why, in the terms of reference of the working party, it was not decided to include having another look at the question of continuing the common currency that we have amongst the three countries. I can see that unless we really take steps to strengthen co-operation between the three East African countries, the very basis of our present strength will be wiped away. I think it is a waste of time and effort, Mr. Speaker, that the working party is not going to report till May next year. This, I suggest, is taking a lot of time, and I would urge this Government, as well as the other East African territories, to have another look and try to save all the three countries from disaster. The present trend will mean that and nothing else. So let this Government have a more determined approach on this matter to see and ensure, if possible, that there will be a continuance of the Common Market before we reach a stage where in our future there will be nothing but disintegration and chaos.

With these words, Mr. Speaker, I beg to support.

Mr. E. D. Godana: Mr. Speaker, Sir, while I support the statement of the President, I would like to start, first of all, by saying something on the party policy in Kenya today, Mr. Speaker, Sir, on the first page of the speech it is said, "Our business here, in accordance with the manifesto of our Party, . . .". We fail to understand what has been carried out ever since Kenya became independent and a Republic.

99 *Modio*

[Mr. E. D. Godana]

Mr. Speaker, Sir, what preference has been given to the Northern Province. The Northern Province is divided into two or three parts. There is the North-Eastern Province which is comprised of Isiolo, Moyale and Marsabit; then there is Samburu and Turkana which are in the Rift Valley Province. These areas have been neglected and yet it has been said many times that first priority will be given to the neglected areas. Nothing in the way of development has been done for this area. The people of the former Northern Frontier District have been loyal to the Government of Kenya. We have always been great friends with Mzee Jomo Kenyatta and we were the first people who came and joined the Government in order to support our President. What have we had from this? Nothing has been done.

Today there is a lot of confusion in Kenya, particularly in the organization of the Party. The Kanu Party has been in chaos and because of this there has been confusion in the country. The leaders of the Party do not know what is going on with the Government and the Party. Yet this is the ruling Party. I feel this is a failure on the part of the General Secretary of the Kanu Party. He has failed to organize the Kanu Party, and all he gives us is empty words. He also gives empty words to the public and the Press.

I would like to know what the Government is going to do for my people in the Revised Plan which is to be carried out during the next five years. We would like some priority to be given to the Northern Province in all fields as promised by the Kanu manifesto of 1963, when some people wanted us to vote for and support the Government.

I would like to quote one of the sentences published on the second page of the President's speech. It says, "Our Party must always be the instrument of the people, guiding and guarding their interests." Where is this Party today?

The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek): You tell us!

Mr. E. D. Godana: Mr. Speaker, we do not want to see empty offices in Jeevanjee Street. I went there several times and did not see even the General Secretary there.

Mr. Kibuga: On a point of order, Mr. Speaker, I would like to seek your guidance. The hon. Member has said in the Kanu manifesto, the Northern Frontier District would be given first preference. Could he substantiate that?

The Speaker (Mr. Slade): Mr. Godana, yes, it is a question whether you can quote the passage to which you are referring. Can you do that?

Mr. E. D. Godana: Mr. Speaker, I have referred to the Kanu manifesto of 1963.

The Speaker (Mr. Slade): If you are asked to quote the passage on which you rely, you must do so now, Mr. Godana, or produce it within the next twenty-four hours.

Mr. E. D. Godana: I will produce it within the next twenty-four hours because I do not have it here now and I do not want to waste time.

Mr. Malinda: On a point of order, Mr. Speaker, when a Member cannot substantiate straightaway, is it not in order for him to withdraw at that particular time, and then bring the facts to the House later?

The Speaker (Mr. Slade): As I said yesterday, if an hon. Member is asked to substantiate something which he did not expect to be required to substantiate, and it is not vitally important to do so there and then, as in the present case, then he can produce the evidence within the next twenty-four hours, or as soon as he can reasonably be expected to do so.

However, there are cases where there is a necessity to substantiate on the spot, and hon. Members must do so or withdraw. There are cases of gross misrepresentation or false allegations and serious allegation, in which Members have had previous warning of the necessity of substantiation, and in such cases hon. Members would be required to substantiate immediately or to withdraw.

Mr. Kibuga: On a point of order, Mr. Speaker, may I please have your explanation of "as soon as he can"?

The Speaker (Mr. Slade): I have said that he can produce the evidence within the next twenty-four hours in this case.

Mr. Mate: Can't he produce it now?

The Speaker (Mr. Slade): Mr. Mate, I think you had better keep quiet or you may find yourself out of the Chamber.

Mr. E. D. Godana: The people of the Northern Province lead a nomadic life and they depend on water. Our people are suffering, Sir, because of lack of boreholes. Therefore, we would like to appeal to our Government, which gave us vague promises in 1963, to give us first priority now. We need boreholes in as many places as possible so that with the help of water we will improve the lives of our people. Our people keep moving about from place to place looking for water and grazing land.

**[The Assistant Minister for Commerce and Industry]**

Namanga to here and returning without his wind-screen. This is a very great shame. I think that it is high time that those big roads linking us up with other countries should be tar-maced as soon as possible, Sir.

Mr. Speaker, Sir, I would like to mention another point which the President mentioned, that of the cattle industry. This is a very important industry. It is not just a question of my being a Masai, Sir, and the Masai owning cattle, I just would like to point out that we must not ignore the cattle industry in this country. It is a very important industry. Take tea, for example: it is undrinkable without milk. Take coffee: the same thing. Take all this frying unless you have some fat to cook with, you will not be happy. Take ugali unless you have meat with it, you will not feel happy. So this is a very important industry and I think the Government should give all priority to the support of the cattle industry in this country. I would like to see places like Kanado, Turkana, even the Northern Frontier District, encouraged to produce better cattle because I know that in some places it is very difficult to get dairy cattle. Still we are fortunate in Kenya in that we have good land for dairy cattle, and we also have very good land for ranching. Places like Wajir and all this Turkana area are the very best ranching country and I think these African ranchers must be given priority. I call upon the Agricultural Finance Corporation to give loans to Africans as they are doing, but I want them to reorganize this money so that the Africans can develop a cattle industry in this country. It is a very important industry and I feel that the farmers engaged in the cattle industry must be encouraged at all costs.

Mr. Speaker, Sir, coming to the question of the police, I am very happy indeed that the police are very active, but I have a case to put about this. I can see my time is running out, Sir, but I wish to say this. We have a lot of Masai inspectors in the police force and these inspectors let me repeat this again in this House mostly attained this rank during the time since 1938 as sub-inspectors. Up to now, Mr. Speaker, they are still holding the same rank and this does not mean that these people are not experienced. If you consider that a person has worked from 1936 to the present day, you will see that he must have very good experience of his duties. So why should he still be a sub-inspector? These are people who can catch up, they speak fluent English, do everything, but their promotion is still held up. This is the kind of thing we are not happy to see, Sir. We

want to see a man who is capable of fulfilling and doing a job encouraged to do it rather than see a young man put over him, as the hon. Mr. Khasakhala said, who is fresh from college, who has never laboured in the police, but who is automatically promoted because he belongs to a certain clan perhaps. This should not be our policy in Kenya, Mr. Speaker. We want experience, we want people who are able to do the job to be given a chance to do it and encouraged to do it.

Mr. Speaker, in finishing, I must say this. We have a very able and efficient President here in Kenya. It is high time that the President intervened and inspected all these matters, if they exist, and if they do, then they should be brought to an end as soon as possible. Otherwise it is a great shame for us to come here and say, "Oh, there is tribalism," because, if we say that it is like children who have a father, if the children complain to their father, the father must find a solution. I call on the President, Mr. Speaker, whom I support very strongly, to see that tribalism is brought to an end as soon as possible; and it should not be repeated by the Members that tribalism exists in their country.

With these few remarks, Sir, I beg to support the main address by Mzee Jomo Kenyatta at the State Opening of Parliament on 2nd November.

Mr. Pandya: Mr. Speaker, Sir, His Excellency, the President made a forthright and dynamic speech, putting clearly and lucidly the policy of the Government and the tasks and responsibilities that lie ahead for this country. I think it is a tribute to his vision and his capacity to lead the country according to the principles that have been so well laid down in the Sessional Paper on African Socialism. I think it has also been proved that the economy is so buoyant and the endeavours and plans of the Government are bearing fruit so quickly that it has been necessary to revise the Development Plan, which will take into account the development which has already taken place. It will also ensure that with greater devotion and efforts we can still improve our targets and create and build something which is worth while and which will further help to improve the living standards of the peoples of this country and create a greater participation on the part of the people in the economic pattern of this country.

Now one important feature of the Presidential address, Mr. Speaker, was, in my opinion, the observations he made on the position of this country as a one party state, and particularly his references to the fact that the Government does not intend to bring in legislation on this matter. This, Sir, I believe, is an important difference

[Mr. Pandya] between this country and other African countries; and shows how much more mature we are in our political thought and judgment. We will not follow ideas that appear alien, but we shall work out our own ideology, as the President said, in relation to our age-old traditions. And it is in this spirit that we do not intend to bring in any legislation in this country. I think this is a very basic thing for it completely establishes the freedom of the individual, particularly in its relation to the expression of opinion. It is up to us, not only the leaders but the people of this country to see that this freedom should be maintained by our own endeavours and by our own actions.

Now the Government has, within a short period, if I may say so, Mr. Speaker, made very great strides in improving the lot of the ordinary people of this country. I know there is much to be done but I think, at the same time, we must appreciate what has been achieved by greater devotion and efforts. The President gave an outline of the progress that has so far been made, and how we propose to continue to achieve the practical results in some of these fields. The President's references to housing, to the fact that there may be a comprehensive hospital insurance scheme, and education are all examples of meeting the primary needs of the masses of this country. Particularly in the field of education, the Government, I think, must now very soon make its views known and the reactions that they have had to the Report of the Kenya Education Commission, for I see in the speech of His Excellency that he is concerned with this problem. His references particularly to secondary, I believe, are of the utmost importance. He has not neglected references to the need to have another look into the problems of primary education, on which it is proposed that there should be a commission specifically to look into the requirements of the people. The numbers of students are rising every year and we will have to evolve a crash programme if we are to meet the demands of the people of this country.

His Excellency also gave us an impressive outline in the field of commercial and industrial enterprise in this country; and I think the Government certainly has a very bold programme which, to be fully implemented, will require the energies and the active co-operation not only of a few people but of all the people in this country. Here are plans which are going to benefit the small traders, leading up to encouraging people to take greater part in industrial enterprises in association with other people.

An hon. Member: Wapi??

Mr. Pandya: My friend, of course, cannot see it because he has a very limited outlook—

An hon. Member: Hapana.

Mr. Pandya: —but we will soon be told about the details that have been outlined in the President's speech.

In this connexion, His Excellency is right in stressing the importance of roads and he has told us that the roads are important in relation, particularly, to the development of commerce and industry in this country. I would suggest that they are also very important in relation to tourism which is one of our major industries here.

I note with great satisfaction, Mr. Speaker—if I may speak parochially for a while—the point which was made by my friend, the Member for Kwale West, on the question of Mombasa Airport, that it will be expanded for the use of jet aircraft on international routes. I think this shows the importance of Mombasa as the gateway of this country; and the Government has recognized the importance and significant role this town has played in the development of this country, not only in the past but even in the present.

I want to refer to another matter which His Excellency mentioned and that, of course, is the policy of Africanization and the great advances that have been achieved in this direction. From the figures that were given, I see that through this Africanization policy 85 per cent of the Civil Service is composed of African people. I think great progress has been made and it is a tribute to the programmes of this Government in the past, which have enabled this country to achieve this result. Now, Sir, the House is aware of my views on this matter of Africanization, and I will not be misunderstood when I say that Africanization should be related to the citizens of this country, whatever their race or origin, and that there should be no discrimination or preference between citizens. But the Government is determined, and has justified this policy in the past on the grounds that there has been a racial imbalance. I have always contended that there should not be this argument, and that this should not be the criterion of judgement as between citizens of different races or origins. If there was to be a difference, it should be based on the fact of whether a person is a citizen or not. There can be no clamour against this policy. I would suggest that now that there is such a large percentage of the Civil Service which has been Africanized, the Government should give an assurance to this House and to the country that it will discard what I consider is a shameful policy for the Government, giving preference to one type of citizen over the other, and cease the

[The Assistant Minister for External Affairs] would not tell anybody because he thinks he is going to be victimized. Mr. Speaker, Sir, when we have this kind of thing, in a free country, it is wrong. Where the discrimination comes whether it comes from the Luos or the Coast people, if the Coast people discriminate against the others, it is wrong. Therefore, Sir, I condemn it and, Mr. Speaker, Sir, I can quote examples and examples, many examples. I hope this will be put right.

Mr. Speaker, Sir, another point which I would like to bring forward is the question of the armed forces in this country. The other day, the youth, the army and the police went to recruit people from the National Youth Service, when they went there they only took other people and not one person which they took was a Coast man, for these armed services. Mr. Speaker, Sir, what is all this? We do not want to interpret it as discrimination, but when we see that all the young men of the Coast who have volunteered to come and learn and to serve their country not being given the opportunity to serve the country the way other people serve it, what else can we think? What else can we call it, Mr. Speaker, Sir? I call it discrimination. I may call it tribalism, I may be accused of this, but what else can I call it? Mr. Speaker, Sir, I am sorry the time is over, but with these people, I hope the Government will try to go into them.

The Assistant Minister for Commerce and Industry (Mr. ole Ololotupit). Mr. Speaker, Sir, I feel very much honoured to stand here and to speak about the main address by His Excellency, the President, Mzee Jomo Kenyatta, at the opening of this new Parliament, and I am very grateful that the speech has been a very good one indeed and that it has been admired, not only by the Members here, but throughout the country by the people who have been listening on the radio. Mr. Speaker, Sir, I wish to congratulate the President on what he has done, not only today when he opened this Parliament which we are now in, but all the time.

Mr. Speaker, to start with, I am going to speak about tribalism, and this time I will speak as a constituency member. Mr. Speaker, tribalism has been expressed in this House by the hon. Members of not only the House of Representatives, but of the Senate as well. The Members of the National Assembly have been speaking of tribalism, tribalism, people in the papers have also spoken about tribalism, and I think it is high time that our President comes in and intervenes in this matter to end tribalism in this country.

Mr. Speaker, Sir—before we attained our Independence—we were singing the tune of "colonialism, colonialism", but after colonialism has gone from this country, there comes another song, "tribalism". Why should we have this tune in this country if the Government is a Government of Africans themselves and the people of the country? Mr. Speaker, I think it is high time that the President should check very strongly on every Ministry and on every department, that tribalism is no longer existing there.

Mr. Speaker, the question of the speech delivered by our hon. President is a very sweet one. But, Mr. Speaker, I know he can contribute much and I know he contributes such speeches and gives them to the Ministries concerned to deliver the goods to the people, but what will they, Sir, and I say freely, is that those people who are held responsible to deliver the goods to the people are not doing their jobs properly. Mr. Speaker, I would also ask the President to see that the speeches he makes to the public, the public is very happy about the speeches, but what the public are waiting for today in the country is the implementation of the speech by the President, and this should be done as soon as possible.

Mr. Speaker, I want to speak a bit on the Public Service Commission. I do not wholly criticize this, but recently, as I said, there has been advertisement for Trade Officers to be employed by the Ministry of Commerce and Industry, my Ministry, yes, but I am speaking as a constituency member. Sir, so many applications were brought forward, and when they were brought forward—I am speaking for the Masai who has a diploma in Commerce and his application was just brushed aside and some people who have not his qualifications were taken in, and this is why people come in and say that tribalism is there.

Mr. Speaker, Sir, I should also urge that this tribalism—because it is the same thing—should end as soon as possible and the President must see that tribalism must not exist.

Mr. Speaker, coming to the question of Africanization, I appreciate highly that the Africanization has taken place very rapidly and a lot of our people have been fitted to jobs and they are doing very well, but—at the same time—I was amazed the other day to see that in Kajjado District and Narok District, which is a division of its own, we used to have a Game Warden for Kajjado and, at the same time, a Game Warden for Narok. During the colonial times, Mr. Speaker, the Game Wardens—one from Kajjado and one from Narok—were all Europeans and they were dealing direct with the Chief Game Warden in Nairobi.

[The Assistant Minister for Commerce and Industry]

But today you find that they have placed on top of those two Game Wardens a Divisional Game Warden, a European, and these African Game Wardens—Africans who were trained for two years at their colleges—cannot communicate direct with the Chief Game Warden. Mr. Speaker, Sir, these people will feel embarrassed if they cannot communicate with the Head of the department, because they have someone placed on top of them. I do not see any necessity for placing a Divisional Game Warden while we have District Game Wardens who can directly communicate with the Chief Game Warden. Nairobi, I feel very strongly, Mr. Speaker, that it is high time that we gave our people time and peace to work and they feel very much respected if they are left alone to work within their own districts without another divisional European. You go to Turkana or to Samburu, a divisional European, you come to Kajjado, Narok, a European. This is the wrong time, and I do not think the Game Wardens themselves or the people in the country are very happy about this and I should request the Ministry concerned to investigate this matter, because these people have been trained in their jobs and they know their jobs quite well, and they should have the powers to communicate direct with their head office here in Nairobi.

Mr. Speaker, Sir, coming to the question of Ujamaa as stated in paragraph 2 by the President, that we have our own concept of Ujamaa springing from our own nature here, that is quite true. Mr. Speaker, Sir, I see no reason why we should copy from other people. We have been created by God as black men, we shall live black men and die black men, and we have our own ways of life, which suit us, and therefore, Mr. Speaker, I think it is the right thing that we should only concentrate on being Africans and not copy from anybody else except things that need to be developed for our own people. But the question of one man to go to the East and the other to go to the West for the question of money; this will not help us out at all, but will exploit our people. We should be very proud to be Africans because we were born Africans and we shall die Africans. If this question is looked into clearly, it is the question that big people in the country are the people who are trying to confuse the masses on this question of Ujamaa.

Mr. Speaker, Sir, I also call upon the leaders of the country themselves—including myself—to try to be neutral and regard themselves as Kenyans and Kenyans alone, and to forget being Eastern or Western or Northern or anything.

**[Mr. Khasakhala]**

during the colonial days. This is a credit for our Government and Government should continue to improve the roads all over Kenya in the same way that it is doing at the moment.

I would like to turn now to the Ministry of Information. Very often you hear of things that have happened in a certain area and then you realize that it is the area the Minister comes from. That is not what we want, Mr. Speaker. We want information which covers the whole country to be announced over the radio. We want information from and about every province, and all the areas should be given adequate publicity. It should not be only from the area where the Minister comes from.

I appeal very strongly to the Ministers to extend their services throughout Kenya. Today the Ministers seem to concentrate on the big towns only, places like Mombasa, Nairobi, Nakuru and Kisumu. There are many people who do not know the Ministers. If you are a Minister of this Government you should tour the whole of Kenya and give your services to the entire country. The Ministers should look at the whole of Kenya and not concentrate on certain areas where there are good hotels, or where they have friends with whom they can stay for a day or a night. The Ministers should go out into the country, they should visit the people, educate them with regard to the policy of the Government and tell them exactly what the Government is doing for the masses. Today, the Ministers have forgotten their duty in this respect and as a result the country is doubtful about the statements being made that there are some people who condemn this Government. It may be true that there are people who are threatening the Government. They feel these stories are true. The Ministers should tell the people the exact position about the Government and what it is doing for the people.

With these few words, Sir, I beg to support:

**The Assistant Minister for External Affairs**  
(Mr. Matano). Mr. Speaker, Sir, I feel greatly honoured to be able to say a few words on His Excellency's address on the occasion of the opening of this Parliament. First of all I would like to congratulate the President on the way he conducted himself. I would like to say that he looked very dignified in the cape of leopard skin and that what he was wearing was worth the dignity of this House.

I have a few points I would like to put forward at this time, as a Constituency Member. I was here yesterday when we were asked to declare our position when we spoke. This afternoon I

would like to say certain things on behalf of my Constituency, as a Constituency Member, and as a representative of the people. Mr. Speaker, Sir, I would like to take the President's speech paragraph by paragraph.

To begin with, the President said, "The Members of Parliament do not simply have a narrow responsibility to their constituencies." This is a very important point in the President's speech. I have noticed that most of us, including myself, tend to think mainly of our own constituencies and the problems that face our people immediately. We do not look far. I think the time has come when the leaders of this country should regard it as a free nation, and should try to look further than our borders. There are lots and lots of things that are happening beyond the borders of Kenya which affects us whether directly or indirectly and it is time the Members of Parliament here, including myself, should take more interest in what is happening beyond the borders of this country. Because all the speeches that were made here by notice said that a lot of Members confine themselves to the borders of Kenya, and they left alone what was happening just across the border. I feel that it is very important that we take an interest in what is going on beyond our borders.

Mr. Speaker, Sir, I am not speaking on behalf of the Government, but in the President's speech His Excellency put it quite clearly, that our policy is non-aligned. We are not aligned to any side either East or West, we are non-aligned, we accept aid from either quarter without strings attached, and if there are strings, we must negotiate those strings and agree upon them, we do not want to be tied with copper wire strings as it were, which will not cut.

Mr. Speaker, Sir, I would like to go further and come to paragraph 12, which says, "... and our Development Plan will give details of new hospital construction", and here a lot of money will be given and even when free medical treatment is likely to be given to our people in this country. This is a welcome move, we all welcome it, but I hope also the Government will spare money to prevent diseases rather than wait until the people are ill and then spend a lot of money to try and cure them, without them paying anything. I believe it is cheaper in the long run, if you try to prevent disease like bilharzia, which can be prevented with a lot of propaganda and education, and also diseases like malaria, I think they can be controlled with education and propaganda. These can be controlled and if they are controlled, the Government will be spared from spending vast sums of money in trying to put them right.

**[The Assistant Minister for External Affairs]**

Mr. Speaker, Sir, I would like to go further to the next paragraph, in which His Excellency says that Parliament has been asked to approve the setting up of an Adult Education Board. This is a welcome move. Mr. Speaker, Sir, as well, and I remember a few years ago when a certain school closed. I was particularly disturbed, because I thought that particular school, Jeanes School, was playing a very important part in the life of this country. There people used to go and they used to be trained how to look after their shops, they used to be trained how to look after their families and that was really a fountain of education for the adults who unfortunately, through no fault of their own, were unable to attain education which was necessary to them to lead a useful life as citizens of this country. Mr. Speaker, Sir, when it was closed, I spoke at great length in the other Chamber, that perhaps we were making a big mistake in closing this institution and I am glad to notice here that our Government has come forward with a plan of opening an Adult Education Board. I hope it will not only stop there, but money will be spared whereby a place will be opened where people will be able to go and get some knowledge, be helped to become more and more useful citizens of this country. I notice, Mr. Speaker, Sir, that time is getting on and I have quite a number of points which I want to put forward. I noticed here that Community Development staff are now hard at work in twenty-six districts of the Republic and further, officers will be changed. Here, Sir, again I go back to my constituency.

Mr. Speaker, Sir, I notice that in Kwale District we have one training centre at Matuga where an officer is stationed, and this officer is supposed to run the centre and at the same time to go out in the district to do some community development work. This is almost impossible. I request the Government to see to it that an officer, a full time officer, is employed to try to go into the question of development in the area which I have just mentioned. I would also request the Government to take over Matuga and make it a Government centre rather than give it to the hands of the county council who are very hard pressed with cash and sometimes when they have community developments of that nature, they tend to ignore them.

Mr. Speaker, Sir, I will rush to the question of water development. There are certain areas in this country which are dry and it is through no fault of their own. I hope the Government will put more money in areas that are dry, areas such as Kwale, Northern Province, and Masai and more and more attention should be given to this. Mr.

Speaker, Sir, I wrote to the Minister responsible for water and was very disappointed when he told me that they could not do very much in my area. I request them again to go into the question of water in this area, because it is a pastoral area and without water the animals and human beings suffer immensely.

Also, Mr. Speaker, Sir, I would like to touch on the question of the fisheries. I notice that money will be set aside for the development of the fisheries. I hope the Lamu area will be considered in this and money put in this area, because this is an area where exploitation is taking place at its worst. I would not like to go into details as to how it is taking place, but I am sure the Government is quite well aware of how this is going on. I hope something will be done to try to put this right.

Now, Mr. Speaker, Sir, I want to move into the question of Tourism. I hope the Ministry of Tourism will try to exploit the attractions of the Coast. I think we have a beautiful coast here and I hope the Minister will go into it and try to explore all the possibilities of attracting tourists to go to the Coast. I was particularly pleased to notice that the aerodrome at Mombasa will be developed and jet airlines will be coming to Mombasa. I hope the Ministry will go into the question of hotels and also money to be put aside where these attractions will be developed.

Mr. Speaker, Sir, for my last point I would like to speak on the question of Government service. I think we are very fortunate to have a very good Civil Service in this country. But, Sir, there are one or two officers who are spoiling the reputation of the Civil Service. I have an example of a man who has been discriminated against for no other reason at all, but I think it is because he comes from the Coast. I say this openly because I know the details. I am quite prepared to give these details to anybody who asks for them. This man went to a coastal school, he went there and once trained there as a cashier, he came out, he was given a job and while he was doing it, he was told, "You are doing job well, but we shall have to transfer you to another area, but you will train somebody else to do this job. We shall bring you another man and we want you to train him." This man, of course, did not understand it. Why should he train somebody else, while this job is new? He was interested in this job, but they said, "No, we want somebody else," and this man happens to be a Luo. I do not say this because the Luo are discriminating against the Coast people, but this is a case which is there now and I can prove it to some people, and with regards to this civil servant, there is no one to tell and he

[Mr. Khasakhala]

even provincial commissioners who are very junior compared with other senior civil servants, who should have been promoted.

A similar thing has happened in the Police. The people with experience in the Police have been replaced by those with very little experience, especially the young men who come from the universities with pieces of paper announcing their degrees, but without any experience; they are promoted over experienced people who know this country better than they do.

I feel very strongly, Mr. Speaker, that there should be a review of Government procedure as regards promotion of civil servants. We have civil servants in this country who know exactly what to do and I feel the Government should take this seriously into account and reconsider the position. It may be that someone is deceiving the present Government into thinking that the civil servants are contented with their promotions. I would like to warn the Government, if I have to do so, that they have to be careful because some of the civil servants are not even loyal to our own Government, they are loyal to individuals.

Mr. Khalif: On a point of order, Mr. Speaker, would the hon. Member substantiate by giving an example of the civil servants are not loyal to the Government?

The Speaker (Mr. Slade): I think you ought to say why you say that, Mr. Khasakhala, though you probably cannot substantiate it altogether.

Mr. Khasakhala: That is one of the statements which, when you make them, do not mean any particular thing, Mr. Speaker. I mean that some civil servants, as I know, have indicated to the President himself. They have even criticized the President in their speeches.

The Speaker (Mr. Slade): Order! There are some statements which are so general that it is hardly possible to substantiate them; and maybe they hardly amount to more than a matter of opinion. Yet hon. Members should be very careful in this House as to what they say in general criticism of a class or community, and I do not think you should say that, Mr. Khasakhala, unless you are prepared to bring forward some reason for saying it. I think you should withdraw it, for the time being anyhow.

Mr. Khasakhala: Mr. Speaker, I might say even some Somalis who are in the Government today, holding posts, are not loyal to the Government, and that would mean that they are not loyal civil servants. Some of them were even suspended from their duties because they were disloyal to the Government.

Mr. Khalif: Point of order, Mr. Speaker.

The Speaker (Mr. Slade): I am dealing with a point of order at the moment. Yes, I suppose an hon. Member is entitled to say he has his suspicions of some members of a class or community. I think Mr. Khasakhala is not under an obligation to withdraw.

Mr. Khalif: Point of order, Mr. Speaker.

The Speaker (Mr. Slade): Not on that point any more; not following up that one.

Mr. Khasakhala: I am continuing.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onyok): On a point of order, Mr. Speaker, the hon. Member just mentioned that some civil servants have criticized the President. Must he not substantiate that? There he was specific.

The Speaker (Mr. Slade): Yes, I think Mr. Onyok is right about that, if you say that that is so you must substantiate.

Mr. Khasakhala: I withdraw that one because I should like me time to substantiate.

The Speaker (Mr. Slade): No, no, Mr. Khasakhala, when you withdraw, you withdraw without qualification.

Mr. Khasakhala: Well, I withdraw that one, Mr. Speaker.

Mr. Speaker, Sir, I was elaborating on the Civil Service as a whole. I strongly feel that people with experience should be given their chance for promotion, and not be eliminated by young men who have not obtained any experience in Kenya.

Mr. Speaker, the educational system in Kenya has dropped, and I am sure that most Members will support me on this particular issue. The reason why the educational system in Kenya has dropped down today is because we are not having the inspectorate team which used to be there in the old days. At present, the education officers we have, have not even visited the secondary schools or even primary schools, for that matter, to give a report. I am sure that even if we ask the education officers today, or the Minister for Education, to tell us how many times he himself has written in the log-books of certain schools, it will be found that he has not been to some of these schools.

Mr. Speaker, I feel very strongly that the Ministry for Education should re-establish its Ministry so that we have enough inspectors to inspect the work in schools. Today, teachers teach up to Thursday and if you go to the schools on Friday, you will find most of the teachers out

[Mr. Khasakhala] of school. If a school has about five teachers, you may find only four or three at school. The rest will have gone somewhere else.

At the same time I criticize very strongly the way in which teachers have been treated in this country. Instead of being paid through the banks, like other people are being paid, they have to line up at the education officers' offices to receive their salaries like labourers. Mr. Speaker, Sir, this is not right, these people are educated people and should not be treated in this manner.

The Assistant Minister for Education (Mr. Mutiso): On a point of order, Mr. Speaker, can the hon. Member substantiate that the duty of paying teachers should be through the banks, that it is the duty of my Ministry?

The Speaker (Mr. Slade): What is your point of order?

The Assistant Minister for Education (Mr. Mutiso): Sir, the present speaker is criticizing the present policy of paying teachers. He says they have to line up at the Ministry like labourers. Can he substantiate that?

The Speaker (Mr. Slade): No, we cannot substantiate what is merely a matter of opinion.

Mr. Khasakhala: Mr. Speaker, the information I was trying to give the Ministry of Education is that the teachers, instead of teaching on Fridays as well as other days of the week, are told to line up before the education officers to receive their salaries. Is that not wrong? Are they not being treated like labourers? I feel this is wrong because the teachers are educated people and should be respected. They should receive their salaries through the banks like other people instead of being asked to line up. I feel that when they leave the schools and go off to receive their salaries they are wasting a lot of time. Some of them take almost half a day to collect their pay. Mr. Speaker, parents pay schools fees so that their children can be educated and there is no use the children staying in schools without teachers to teach them. This is what I meant when I said that the Ministry of Education needed to be re-organized or re-established. The Ministry should go into this matter seriously so that no time is wasted. Students must be given their due care and attention at school.

Mr. Speaker, the Western Province is a young province and when you come to our headquarters, Kakamega, you find that it is no better than Karokor in Nairobi. This is a shameful thing for us. Funds are still being distributed equally to developed and underdeveloped areas and I feel

this is not right. We would like to see Government give us some special grants in order to enable us to develop Kakamega as it should be. We want electricity. Other areas have electricity and we feel that if we have electricity it would be a great help towards progress. What is stopping Government from giving Kakamega, in a special case and issue, a particular grant so that the people of that area can develop Kakamega to look like other places, places like Kisumu, etc. Government should reconsider the position in regard to developing certain areas and neglecting others.

Now, I would like to turn to the question of industries all over the country. We should not deceive the masses by telling them that we are independent, when people still have to go to the towns to seek employment as they did during colonial days. Rural areas must be developed.

Mr. Anyieni: On a point of order, Mr. Speaker, the hon. Member is saying that we should not deceive the masses by saying that we are independent. Can he substantiate that Kenya is not independent now?

Mr. Khasakhala: I will qualify, Mr. Speaker, what I mean. If the masses travel from outside the rural areas they will see that in certain places there has been considerable development while other areas have been left behind. This is what makes them wonder if Kenya is independent, because if we were independent development would have been carried out all over the country equally. This is what I was going to say when I was interrupted.

Mr. Speaker, we want the Government to establish industries throughout the country so that we can have equal development in the Western and Eastern Provinces, as well as in other provinces. We do not want to see that Nairobi and progress confined to places like Nairobi, Nakuru, Mombasa and Kisumu alone. Kisumu is a dry area and there are no raw materials there. The people of Kisumu get their raw materials from other areas. We, in Kakamega, should have some of the industries that have been established in Kisumu transferred to Kakamega. We have the raw materials.

Our area is an agricultural area and Kakamega should be developed industrially. At present we lack this and I feel that the Minister for Economic Planning and Development, who is not here now, should take into consideration all the promises which were given so that we do not call them vague promises. Some industries should be established in our area.

Government has done very well by improving roads and building new ones. At present the road service in the country is better than it even was



Mr. Malinda: On a point of order, Mr. Speaker, Sir, I do not know if it is going to be in order for me to give my notice of Motion which is more or less the same as Mr. Oduya's.

The Speaker (Mr. Slade): It is in order; and then it would be a matter of selection by the Sessional Committee as to which Motion comes forward, but you might prefer not to give your notice in view of this one.

Mr. Malinda: I will give it, Mr. Speaker, Sir. Mr. Speaker, Sir, I beg to give notice of the following Motion:

#### JUDICIAL INQUIRY INTO MAIZE SITUATION

In view of the general dissatisfaction and allegations of corruption within Kenya in regard to maize and maize products distribution, this House calls upon the Government to instal immediately a Judicial Inquiry to investigate and make appropriate recommendations to Government applicable thereto and remedial steps necessary to alleviate this alarming situation.

Mr. Muliro: On a point of order, Mr. Speaker, Sir, in view of the gravity of the maize situation, could this be debated tomorrow?

The Speaker (Mr. Slade): This Government allows time for Private Members' Motions; it can only be taken on Friday, though the Sessional Committee in its wisdom, sitting tomorrow evening, might well decide that this particular Motion should be first on the list on Friday. That is two days hence. Otherwise, as I say, there has to be an agreement by Government that it should take up Government business tomorrow.

Mr. Ngala-Abok: On a point of order, Mr. Speaker, in view of the importance of this Motion, could the House signify that when the Sessional Committee meets it will endorse the views of the House that on Friday this Motion should be given preference?

The Speaker (Mr. Slade): No. You have a Sessional Committee. You leave it to the Sessional Committee.

Mr. Godig: Mr. Speaker, Sir, I beg to give notice of the following Motions:

#### CHANGES IN LAND SETTLEMENT POLICY

THAT in view of the fact that Kenya has a very large number of honest and hard-working people who unfortunately are unable to get sufficient means of buying any piece of land within the present settlement scheme, this House urges the Government to change its present land settlement policy so that such poor people are

remitted from the settlement costs, and that they be asked to pay for these costs from the produce they get from such land.

#### LAND PRICE NEGOTIATIONS WITH BRITISH GOVERNMENT

THAT in view of the fact that most of the land in Kenya Colony, as it was termed by the imperialists, was acquired compulsorily by the late British Colonial Government, and in view of the fact that thousands of Kenya Africans are workless and without money and so unable to afford to pay for the land at the present price required by the late British settler, this House urges the Government of the Republic of Kenya to enter into immediate negotiations with the present British Labour Government in order to reach some amicable agreement for the provision of compensation for improvements on land and property to be paid for by the new African farmer without charging him for his former land.

Mr. Tuva: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

#### DEVELOPMENT PRIORITIES FOR COAST PROVINCE

THAT in view of the fact that the Coast Province is regarded as one of the backward areas in the country for development purposes, this House urges the Government to accord priorities under the Development Plan in order to enable the said Province to catch up with the other parts of Kenya.

Mr. Omweri: Mr. Speaker, Sir, I beg to give notice of the following Motions:—

#### TEACHER-TRAINING AT HIGH SCHOOL LEVEL

THAT this House, being aware of the great demand for teachers upon whom our development planning depends, urges the Government to overcome this problem by introducing—

- (a) educational syllabus in the final forms of Forms 3 and 4 or 5 and 6;
- (b) one year's training of teachers-to-be who have studied education while in high school.

#### REDUCTION OF TAXATION FOR COFFEE GROWERS

THAT, conscious of the importance of Government taxation, this House views with grave concern the injustice coffee growers are subjected to in the present treble taxation whereby they pay export tax, produce cess, and income or graduated personal tax, and urges the Government to effect immediate justice by a 50 per cent reduction of all these taxes or by eliminating either produce cess or export tax.

Mr. Mate: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

#### MEDICAL SCHOOL FOR NAIROBI

THAT in view of the progressive steps and the stage that Kenya has attained in medical work and experience in the field of clinical, experimental training and pre-medical facilities; and taking into account the experience of medical practitioners available to us within and outside Kenya, this House calls on the Government to double up Kenya's effort to establish a full medical school in Nairobi as part of the University of East Africa.

The Assistant Minister for Economic Planning and Development (Mr. Kibaki): On a point of order, Mr. Speaker, I am just seeking your guidance. In His Excellency's speech to this House, he made a statement to the effect that the Government is committed and is working to set up an institution such as the hon. Member asks for in this Motion. Is the Motion therefore in order or what is the position as regards this Motion?

Mr. Mate: On a point of order—

The Speaker (Mr. Slade): Order! I am dealing with a point of order, Mr. Mate. Will you sit down. Yes, the Notice of Motion is in order.

Mr. Mwangazindi: Mr. Speaker, Sir, I beg to give notice of the following Motions:—

#### INVALIDATION OF COASTAL LAND CLAIMS

In view of the fact that in Kenya there are land claims by Arabs, Asians and Europeans which are not yet adjudicated, this House urges the Government to introduce a Bill for amendment of section 203 (2) of the Constitution of Kenya so as to invalidate such claims and to enable the land to revert to Government for distribution of such land to the poor Africans who have established themselves as squatters on the land.

#### INVESTIGATION INTO NON-AFRICAN OWNERSHIP OF COASTAL LAND

THAT in view of the fact that Africans in the Coast are all described as "squatters", as if the Asian and Arab landowners were more African than the Africans themselves, this House urges the Government to form a special commission to investigate the historical background of how the Arabs and the Asians got these lands and to bring the findings to this House for discussion.

#### CONSIDERED RULING

#### WARNING LIGHT FOR MEMBERS' SPEAKING TIME

The Speaker (Mr. Slade): Before we continue with this debate, I would point out to hon. Members that we are now trying to assist them further, as regards the limitation of their speeches, by providing a light which will be shone into an hon. Member's eyes when he comes to his last five minutes. I do not think he can then avoid knowing he has only five minutes to go, and he must look at the hour-glass to see how those five minutes are going.

#### POINT OF ORDER

#### MISREPORTING OF SPEECHES: ACTION

Mr. Kibuga: On a point of order, Mr. Speaker, I wonder whether I would be in order to point out that one of the local newspapers misreported my speech yesterday and to find out whether I could ask for a correction?

The Speaker (Mr. Slade): The right way of dealing with misreporting in the newspapers is to bring it to the notice of the Clerk at the earliest opportunity, and if the Speaker is satisfied that there has been misreporting he brings it to the notice of the newspaper concerned and asks it to correct the report as soon as possible.

#### MOTION

#### THANKS FOR PRESIDENTIAL ADDRESS

(The Vice-President on 9th November 1965)

(Resumption of Debate interrupted on 9th November 1965)

(Second Day)

Mr. Khasakhala: Mr. Speaker, Sir, I wish to take this opportunity to congratulate our President on his wise leadership which has led this country peacefully up to this time.

I would like to elaborate, Sir, on the duties of civil servants. At present, Mr. Speaker, Civil Service employees working for the Government have lost their morale. This is because promotions in the Civil Service are not given to experienced people. You will find at present that brotherliness and friendliness and other personal feelings are concerned in the promotion of civil servants. As a result of this, the morale of our Civil Service in Kenya has dropped completely. In some areas there are even district commissioners who have not obtained any experience at all; and those with experience have been left out, they have not been promoted. In other areas as well there are

**The Speaker (Mr. Slade).** Order. You will continue, Mr. Ngei.

**The Minister for Co-operatives and Marketing (Mr. Ngei):** Mr. Speaker, I want to show the House that what has been said here is not correct information. Mr. Speaker, I was discussing this letter and I have a copy of it here. It was copied to me and was written by the General Manager of the Maize Marketing Board.

I want to go further, Mr. Speaker. I am fully convinced that there is no dissatisfaction, and the distribution of maize by the Maize Marketing Board has been going on according to the Maize Board Act and the management of the Board has been acting in fairness and in the interest of the country. I have a breakdown here, Mr. Speaker, which

**An Hon. Member.** Tell us about Emma's store.

**The Minister for Co-operatives and Marketing (Mr. Ngei):** I am going to tell you. I do not hide anything.

I have, Mr. Speaker, breakdowns of the facts on maize, the analysis of purchases and sales up to 31st July 1965. I would like to tell you, Mr. Speaker, that the Maize Board has been giving maize according to ability to purchase, to small and large. Mr. Speaker, they can go on shouting, they cannot move me from where I am. I have facts, Mr. Speaker. All the dealers in maize throughout the country are listed here and the amount of maize that has been transacted between the Maize Marketing Board and the K.F.A. It has been— That is nothing, Mr. Speaker, let me just say one thing.

According to the Maize Act, the Board has the right to appoint an agent and the agent appoints a sub-agent. On the condition that the agent has sufficient clean stores in which to put the maize, and these do come under the Maize Act. If you would only be patient, I would be very pleased to give this information.

Therefore, the Board has given the agents, Mr. Speaker. I want to give this information. If I am going to be shouted at like this, then people— I am not, and I repeat not going to be moved by—

**The Speaker (Mr. Slade):** There is not very much point in having a debate on an adjournment if hon. Members do not, at the end of it, want to hear what the Government has to say, whether they like it or not.

**The Minister for Co-operatives and Marketing (Mr. Ngei):** Mr. Speaker, may I say this. I have information here, and I also have another serious

allegation made by Mr. Oduya, asking me whether I am a Government Minister. I would like to hear your ruling on this particular matter, Mr. Speaker.

**The Speaker (Mr. Slade):** What is your question, Mr. Ngei? I do not quite follow your question.

**The Minister for Co-operatives and Marketing (Mr. Ngei):** Mr. Speaker, I have had someone constantly interrupting and he wants to make a very serious allegation against me, but I want to tell the hon. Member that I am taking what he says very seriously. Mr. Speaker, if I may say this. The maize which has been brought to Kenya has been bought by the Maize Board. We have 1,000,800 bags, including— Well, if you say "In Uganda", I would point out we have been trying to stop the maize going from Kenya to Uganda through Busia, but it has been going in spite of the road blocks that we have been putting up.

Therefore, Mr. Speaker, it is wrong to assume that there has been any corruption. If these people are honourable Members and they have dignity, they ought to bring the facts to the

**Mr. Obok:** On a point of order, Mr. Speaker, the hon. Minister in order to refer to honourable Members as "these people" is he not rude in that case?

**The Speaker (Mr. Slade):** Yes.

**The Minister for Co-operatives and Marketing (Mr. Ngei):** I withdraw that, Mr. Speaker. If they have facts, why do hon. Members—

**The Speaker (Mr. Slade):** Order, order. The Minister has withdrawn that remark, if only you would listen to what he is saying. You are making too much noise to hear anything he says.

**The Minister for Co-operatives and Marketing (Mr. Ngei):** Mr. Speaker, Sir, if the hon. Members want to challenge me, it is a different thing. I have facts which I want to give them, but they just want to shout. I can even shout at the hon. Members—

#### ADJOURNMENT

**The Speaker (Mr. Slade):** Order, order. That is the end of your time. The House is now adjourned until tomorrow, Wednesday, 10th—

Order, order, hon. Members, please, at the time for adjournment.

The House is now adjourned until tomorrow, Wednesday, 10th November, at 2.30 p.m.

*The House rose at fifteen minutes past Seven o'clock.*

Wednesday, 10th November 1965

The House met at thirty minutes past Two o'clock.

*[The Speaker (Mr. Slade) in the Chair]*

PRAYERS

#### ADMINISTRATION OF OATH

The Oath of Allegiance was administered to the following Members:

Amr Hasham Jamal  
George Fred Oduya.

**Mr. Araman:** On a point of order, Mr. Speaker?

**The Speaker (Mr. Slade):** We have no point of order while the Oath is being administered.

Now you may raise your point of order, Mr. Araman.

**Mr. Araman:** On a point of order, Mr. Speaker. I think, last time, when we took the Oath here, we said, "so help me God" and then Mr. Fred Oduya did not say that. Is that in order?

**The Speaker (Mr. Slade):** There are alternatives as used to hon. Members: those who believe in God take an Oath, those who do not believe in God are allowed to affirm.

**The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek):** On a point of order, Mr. Speaker, Mr. Oduya was being very active in debates in the House yesterday and he had not been sworn then. Was he entitled to do so yesterday?

**The Speaker (Mr. Slade):** The position with regard to Oaths is that, although hon. Members up to now had only taken an Oath of Allegiance to the Queen, according to our Constitution that held good for the Republic until another Oath was actually taken, and it is more a matter of proper form than legal necessity that this Oath is being taken now.

**Mr. Ngala-Abok:** On a point of order, Mr. Speaker, Sir, the hon. Member for Teso or Elgon West has a name of which he is very proud, George Fred Oduya, and he has not denounced these names to remain holding the names of his inbremen. Now he refuses to use the Bible. Can a Member like this be denounced by the House?

**The Speaker (Mr. Slade):** When it comes to taking the Oath, we are only concerned to identify the hon. Member who is taking the Oath and there is no doubt about Mr. Oduya Opron's identity.

**Mr. Kamau:** On a point of order, Mr. Speaker, Sir, do I understand that to be called George or Peter or anything of that nature is not a matter of Godliness, it is a matter of a name, just a mere name, not relating to any religion?

**The Speaker (Mr. Slade):** Order! Next order.

#### COMMUNICATION FROM THE CHAIR

THANKS FROM THE PRESIDENT FOR HOUSE'S MESSAGE

**The Speaker (Mr. Slade):** Hon. Members will recall that on the eve of Kenyatta Day I wrote, on behalf of hon. Members, a letter of congratulations to His Excellency the President Mzee Jomo Kenyatta which I reported by way of Communication from the Chair. I have now received a reply which I think I should communicate likewise.

"His Excellency the President has asked me to convey to you personally and to Members of the House of Representatives his deep appreciation for your thoughtful message sent to him and Mama Ngina on the occasion of Kenyatta Day. The President is grateful for the prayers you have offered on his behalf and for the good wishes you have sent."

#### NOTICES OF MOTIONS

**Mr. Oduya:** Convinced that the allegations regarding irregularities—

**Mr. Ngala-Abok:** On a point of order, Mr. Speaker, Sir, is it in order for the Member to start reading a Motion without following the proper procedure of this House, because we do not want playing in this House? Instead of saying I wish—

**The Speaker (Mr. Slade):** I think you are wishing to give notice of the following Motion, Mr. Oduya?

**Mr. Oduya:** Mr. Speaker, Sir, I beg to give notice of the following Motion—

#### JUDICIAL COMMISSION OF INQUIRY INTO MAIZE POSITION

Convinced that the allegations regarding irregularities and corruption in the distribution of maize in Kenya are well founded, this House calls upon the Government as a matter of urgency, to set up a Judicial Commission of Inquiry to investigate the entire process of maize transactions in the country from mid-1963 to date and to report its findings to the House immediately.

The Assistant Minister for Education (Mr. Mutiso). Mr. Speaker, Sir, I am going to speak as the Member for Yatta.

The reasons for so doing, Mr. Speaker, are these. First of all, this hunger situation has very much hit my constituency more than other parts of the country, and that is why I am very concerned in this Motion. I feel, Mr. Speaker, that I must air my views on behalf of my constituents.

Mr. Speaker, Sir, the marketing laws, to a great extent, have much humiliated our people, even more than we used to be humiliated during the colonial days. Mr. Speaker, we are told by the Marketing Ministry that a person cannot transport maize from one district to another, and yet the local dealers—even during the colonial times—used to help the citizens by bringing maize or foodstuffs, wherever they could be found, from every corner of the country, to help, and especially during a time like this. They are not accorded this chance due to these laws which I personally think, Mr. Speaker, are made only to benefit those who are within the law. What I mean by this, Mr. Speaker, is that it is so said to find that some of our Ministers are engaged in trade. Mr. Speaker, if so happens that an ordinary person cannot even appear in this House and speak on his behalf, he wants to make a little noise—he wants to help the people from the other corner of the country, but he cannot be given this chance. However, certain Ministers, who by virtue of their position happen to be running some business, are able to be engaged in this trade. As a result, Mr. Speaker, they have humiliated the other business people.

This is why you find, Mr. Speaker, in the countryside there is so much inefficiency in the distribution of this maize. This is not the first time there has been hunger in this country. Even during the colonial times, we were not faced with such a serious situation and I think, Mr. Speaker, there is something wrong somewhere. This is a Government of the people of this country which, Mr. Speaker, in fact, should be very sympathetic about this hunger situation, but what you find, Mr. Speaker, is that in the homes of certain people, they do not even know there is this shortage of food in the country because they are able to manipulate the maize. Even when the country lacks white maize, if you go to the homes of certain people, you find they are adequately fed with white maize and also white *posho*.

Mr. Speaker, Sir, I personally have written some letters to the Maize Marketing Board asking for some concessions to be given, specially to my own constituency, in order to enable the people to buy maize from our neighbouring district, Embu, where there is sufficient maize for the people of

all those areas. Mr. Speaker, Sir, I feel that these laws are made to suit some people; my people in Yatta have suffered a great deal from this maize shortage.

This question of a commission of inquiry is, therefore, something which this House must approve without further discussion, because the allegations which already have been made are adequate to warrant the establishment of such a commission of inquiry. As I said earlier, this country has never been faced with such a serious hunger situation, not even during the time of the Colonial Government. I say this because I am personally convinced that there must be something wrong somewhere.

I do not want to take up the time of the House because I am sure other hon. Members would like to express their views on this important subject.

Sir, I support the Motion.

Mr. Kibuga: On a point of order, Mr. Speaker, Sir, since this is a very important matter and, also, since we are limited only to half an hour, has the House any power to increase the time?

The Speaker (Mr. Slade): Order, order. Mr. Kibuga, I have already sought the leave of the House to continue this debate for another ten minutes, and leave has been granted. I am afraid we cannot go beyond that because of the pressure we will have to place on HANSARD in asking them to cope.

Mr. Ngala-Abok: On a point of order, Mr. Speaker, Sir, since this matter we have here is important and it is obvious to the Ministers and to everybody—

The Speaker (Mr. Slade): Order, Mr. Ngala-Abok. What is your point of order?

Mr. Ngala-Abok: The point of order is this: could we have the Members of this House pass a resolution to force the Government to inquire into this matter?

The Speaker (Mr. Slade): Hon. Members are perfectly aware of the procedure of this House. A substantive Motion for an inquiry can be moved on due notice being given at the right time.

The Minister for Co-operatives and Marketing (Mr. Ngei): Mr. Speaker, I want to reply to various allegations and I want to give up-to-date information about the situation with regard to distribution of maize. I am undertaking this as a responsibility, being aware that the allegations which have been tabled here are false, unfounded, and a political manoeuvre to embarrass the Government.

[The Minister for Co-operatives and Marketing] In the first place, Sir, I want to give information I have been—

Mr. Muirio: On a point of order, Mr. Speaker, Sir, could the Minister substantiate the fact that those of us who have spoken already on this Motion have done so as a political manoeuvre?

The Speaker (Mr. Slade): Yes, it is out of order to impute improper motives. Mr. Ngei, you should withdraw that.

The Minister for Co-operatives and Marketing (Mr. Ngei): I withdraw, Sir.

First of all I want—

The Assistant Minister for Finance (Mr. Okelo-Odongo): On a point of order, Mr. Speaker, I find this very confusing. What I would like to know is, whether the hon. Minister is speaking on behalf of the Government or defending himself?

The Minister for Co-operatives and Marketing (Mr. Ngei): Mr. Speaker, Sir, I am a Cabinet Minister, I belong to the Government and, therefore, I am not speaking for myself.

I would like, first of all, to enlighten this House and the Mover of this Motion in particular, Mr. Makokha, who was invited by the Maize Marketing Board, on the 17th March 1965, to attend a meeting in Bungoma to discuss the fair distribution of maize in his own district. I have a letter.

Mr. Makokha: On a point of order, Mr. Speaker, could the Minister substantiate that I was invited to this meeting, because I have not had any letter and Bungoma is not my district?

The Minister for Co-operatives and Marketing (Mr. Ngei): Mr. Speaker, it may be that I did misquote the district, but a letter was given to the various Members of Parliament in Western Province asking them to attend a particular meeting of which—

The Speaker (Mr. Slade): Will hon. Members please listen.

The Minister for Co-operatives and Marketing (Mr. Ngei): Mr. Speaker, I wonder if the Members want to hear the information. I have been sitting here, listening to wild allegations, and I have been very patient. I only wish, if these hon. Members want information, they would keep quiet and listen to what I am saying.

The Speaker (Mr. Slade): Order. In any case, we are dealing with a point of order now, and that is substantiation, and that will be heard in silence.

If you will just substantiate what you said, Mr. Ngei.

The Minister for Co-operatives and Marketing (Mr. Ngei): Mr. Speaker, Sir, the General Manager of the Maize Marketing Board, when he was drawing up the itinerary of the Chairman of the Maize Marketing Board on his Western tour, did write a letter—of which I have a copy here—to the Members of Western Kenya, to inform them of the intention of the Chairman of the Maize Board to discuss the distribution of maize and also to discuss various aspects connected with maize. This letter was written to the hon. Senator Machio of Busia, the hon. Oduya, Mr. Makokha—who has moved the Motion—and Mr. Osogo. This letter—

Mr. Shikuku: On a point of order, Mr. Speaker, the hon. Minister says the letter was sent to Members of Western Kenya and Kakamega is in Western Kenya—

The Speaker (Mr. Slade): We are not in the least concerned with that. Mr. Shikuku, we are concerned with substantiation of an allegation that a letter was sent to Mr. Makokha.

The Minister for Co-operatives and Marketing (Mr. Ngei): I have a letter of—

Mr. Oduya: On a point of order, Mr. Speaker, I think I must stand to seek your clarification on this issue. We do not want the House to be misunderstood. The question raised here is about maize distribution in Kenya—

The Speaker (Mr. Slade): It is not, at the moment it is substantiation of an allegation, and if hon. Members insist on rising on points of order, you will never hear.

The Minister for Co-operatives and Marketing (Mr. Ngei): Mr. Speaker, Sir, has the hon. Member the right to call me a liar; he has called me a liar, a blunt liar?

The Speaker (Mr. Slade): Mr. Oduya. Did you—

Mr. Oduya: Mr. Speaker, I want to make one point clear.

The Speaker (Mr. Slade): Order. No, I am concerned with the statement that you called Mr. Ngei a liar. I did not hear it. Did you?

Mr. Oduya: That is another thing.

The Speaker (Mr. Slade): No, it is not. Order. I want to know if you did, Mr. Oduya. You know the rules of this House.

Mr. Oduya: All I said was that he is giving wrong information.

The Speaker (Mr. Slade): Mr. Oduya, you will answer me directly. Did you call Mr. Ngei a liar?

Mr. Oduya: No, I withdraw now. I did not say that one, but I said he is—

**Mr. Makokha:** Mr. Speaker, Sir, if need be, I am prepared to bring substantiation in writing here later on.

**The Speaker (Mr. Slade):** No, I am sorry, I warned you before we came to this Motion, that any specific allegations of corruption will have to be substantiated. You cannot do that in such a serious matter. Either you substantiate now or withdraw.

**Mr. Oduya:** On a point of order, Mr. Speaker, Sir, am I right in suggesting that because the Member was just on the way to try and mention about substantiation, the Chair cuts him off? When he was trying to substantiate, he was stopped by the Chair, and yet he was trying to satisfy the Chair's request?

**The Speaker (Mr. Slade):** I was requiring the Member to substantiate what he had said already before he went any further, and I said require that.

**Mr. Kibuga:** On a point of order, Mr. Speaker, Sir, I would like your clarification. Is it possible for an hon. Member after making an allegation to state or be prepared to bring the facts the following day?

**The Speaker (Mr. Slade):** If he had no warning that he was going to be asked to substantiate, and if this was not a very serious issue, as in this case, I have warned Mr. Makokha that if he was going to allege specific practices, he would have to be prepared to substantiate them. He has had his warning, and it is too serious a matter to let rest over for another day.

#### POINT OF ORDER

##### SUBSTANTIATION OF ALLEGATIONS

**Mr. Ngala-Abok:** On a point of order, Mr. Speaker, Sir, it is not in order for this House to allow a Member who has facts in his hands to produce them and clarify them later on, but my point of order is this, Mr. Speaker, you say that if a Member knows something, he might say that this could be referred to a board of inquiry, but we have not instituted a board of inquiry yet. The Member actually wants to reveal certain facts which he himself can verify and he is prepared to do so. Is it not in order for the Chair to allow these facts to be exposed to the public instead of appearing as if the Chair is defending a corrupt practice?

**The Speaker (Mr. Slade):** The answer is no, it is quite unnecessary in asking for a commission of inquiry to anticipate the findings of that inquiry by alleging specific charges. It is a very serious matter to allege specific charges in this

House with all the immunity of speech that hon. Members have. I do not think hon. Members would like it if they were sitting outside the House and heard these charges alleged as rumour against them with no attempt to stop it, and I stand by what I have said. The hon. Member will substantiate now, or withdraw and leave it to a commission of inquiry to find out what corrupt practices, if any, there are.

##### (Resumption of debate)

**Mr. Makokha:** In that case, I do not know if I will be wrong, Mr. Speaker, or right, and you will have to let me know, if I withdraw now so that I may continue with my speech and if later on I can give you this in writing?

**The Speaker (Mr. Slade):** You just withdraw now. You always have an opportunity of saying anything you can substantiate.

You have withdrawn?

**Mr. Makokha:** Yes, Mr. Speaker, Sir.

**Mr. Speaker, Sir,** there is also an allegation that between 1963 and 1965

**The Speaker (Mr. Slade):** I am afraid you have had your time now.

**Mr. Makokha:** On a point of order, Mr. Speaker, I am just about to finish. Since we exceeded the time of sitting

**The Speaker (Mr. Slade):** You may have another minute or two, but order, order, order—it was because of my having to call you in order that the time was lost. You have two minutes more.

**Mr. Makokha:** Mr. Speaker, Sir, because my Seconded will have more to say, I will touch on the last point just before I sit down.

There are also allegations, Mr. Speaker, Sir, which will necessitate an inquiry: that some millers have been getting their maize not through the proper channels, that is, not through the Board or not directly from the Board. There is some documentary evidence. There are even permits with numbers, where an individual signed for certain millers to get maize from some stores. Mr. Speaker, Sir, some of these millers, or one of them, is known as *Uhuru* Millers, also in Ukambani, Mr. Speaker, Sir—

**The Speaker (Mr. Slade):** Again, you must be careful, Mr. Makokha.

**Mr. Makokha:** Mr. Speaker, Sir, for the reasons which I have given, I feel that an inquiry must be set up to tell the people of this country whether these allegations are true or not and, Mr. Speaker, Sir, I suggest that if such an inquiry is going to

**[Mr. Makokha]** It should be back-dated, so that the question of maize is looked into from about December 1963 to the present moment.

With these few words, Mr. Speaker, I beg to move.

**Mr. Muliro:** Mr. Speaker, Sir, this is a very serious issue before the House tonight, and I do not know the reason why hon. Members in this House should be jubilant about it.

The problem of feeding Kenya as a nation is a very serious issue. What the two national papers—both the *Standard* and the *Nation*—have alleged in their editorials, more than twice or thrice, is a very serious issue which the nation, as a nation, cannot ignore. Mr. Speaker, in the *Sunday Nation* of the 7th, it is said in the editorial that details have been published showing obvious irregularities in the system of maize distribution, with particular reference to the period between the last half of 1963 and the first half of 1964. I think, Sir, if there is an inquiry, it should be from the last half of 1963 to the first half of 1964.

**Hon. Members:** Up to date.

**Mr. Muliro:** They now say, "Up to date." This, Sir, is what we want. This country has suffered a very serious setback. Last year, at about this time, we were told publicly that there was no question of being alarmed about the maize shortage in the country, only to discover in the first half of this year that the Chairman of the Maize Marketing Board had to rush to the United States to negotiate maize to come to the country as quickly as he could arrange it. What happened between November and December January, we do not know.

Another point, Sir, is brought out in the editorial of the *Daily Nation* of the 6th: throughout last year, it is estimated that internal black marketeering disposed of more than 300,000 bags of maize within the country and more than 200,000 bags of maize are estimated to have been sold to our neighbouring territories. This, Sir, is a very serious issue. Some of us are large producers of maize. We sell our maize directly to the Maize Marketing Board for the purpose and with the sole intention of distributing the maize equitably and fairly to feed the nation. We do not, in this country, produce the maize for black marketeers, people who want to be rich in the quickest possible manner.

Kenya, as a nation, should be ashamed of an editorial like this and, Sir, I submit that the inquiry, in fact, should have already been ordered by Government without necessitating a Motion in this House.

In the same editorial, Sir: yet there is documented evidence to show that some people between December 1963, and February 1964, were receiving and distributing large quantities of maize illegally. This is an editorial.

**An hon. Member:** Who is the Chairman?

**Mr. Muliro:** The Chairman is well known.

If the producer in this country is being paid a miserable sum of money per bag of maize, when the black marketeers are making a fortune, this is not fair.

Then, Sir, again, it is said, hard facts at our disposal show that one man alone made a minimum of Sh. 90,000 in the process of black marketeering. One single individual, who is not a producer, made Sh. 90,000.

**The Assistant Minister for Finance (Mr. Okelo-Odongo):** On a point of order, Mr. Speaker, Sir, as much as I sympathize with the hon. Member speaking, he has based his allegations on a news-paper report. Mr. Speaker, is it in order to base the whole thing on a newspaper report?

**The Speaker (Mr. Slade):** Order. General rumours or allegations of corruption, whether in newspapers or elsewhere, are good ground for asking for an inquiry.

**Mr. Muliro:** Mr. Speaker, Sir, my submission is this. If there are allegations, the Government should be ashamed of such allegations, and if these allegations are brought forward to the public, the public, rightly, must be alarmed. It took no less a person than the Deputy Chairman of the Kenya National Farmers' Union, Mr. Jack Block, and he argued very well, Sir, that he is well briefed and he is prepared to give evidence to any commission of inquiry. Mr. Speaker, Sir, I say this. These irregularities, these malpractices are the cause of the poor and miserable price which the farmers in Kenya today are getting. Despite a very difficult year like this one, where we have had drought virtually throughout the country, our crop is not what it ought have been in Kenya. We are getting a very poor price, yet the black marketeers are getting a fortune out of our sweat, Sir, I submit that the sooner we have an inquiry into this, the better. I am making no accusations, but the inquiry must date from June 1963, to December 1965.

With this, Sir, I support very, very strongly the Mover of this Motion.

**The Assistant Minister for Education (Mr. Mutiso):** Mr. Speaker, Sir—

**The Speaker (Mr. Slade):** Mr. Mutiso, I think the House will expect you to say whether you are speaking for yourself, your Constituency or the Government.

The Speaker (Mr. Slade): No, he need not do that as long as he assures us that it is not one of those two things.

Mr. Khalif: Mr. Speaker, Sir, surely, although this is a delicate matter to handle, I think Members should not take the privilege of their positions.

Now, Sir, the other thing I wanted to point out is that we see Ministers going abroad and, by so doing, public funds are involved. Public funds are spent and the public are not made aware of where these Ministers go. For example, Mr. Speaker, Sir, the Minister for Internal Security and Defence is out and very few people, if any, know where he is. Public funds are involved. We are not against Ministers going out and seeking help for us, but the public should be made aware from time to time of the whereabouts of some Ministers, especially when they are out of Kenya. I am a taxpayer and my money is involved. A Minister cannot just take a holiday, for that matter, to a small island near Hawaii and spent my money in so doing. We must know if he is going to seek financial help for us, then that is good. Mine was a private trap, no public funds were involved.

Sir, in page 5 of the Presidential address, he says, and I want to congratulate the President, and I quote: "My Government now requires and expects the co-operation of all people in the North-Eastern Province." I, as the Member for that area, will try the best I can to see that my people render co-operation to the Kenya Government, but, Sir, in that same paragraph, perhaps—and if I am wrong I will be corrected. His Excellency the President assumes that such co-operation would not be forthcoming because—and I quote what he says: "And if such co-operation is not forthcoming, then whatever measures are required to subdue or remove the remaining criminal elements will be initiated and enforced." I stand firmly to assure hon. Members that as far as Wajir North is concerned, I am going to try and see that my people render co-operation to the Kenya Government.

But, at the same time, why should a Head of State assume that such co-operation is not forthcoming? That is very unfortunate.

Sir, the other thing I would like to talk about is about roads in the North-Eastern Province. The roads, Sir, Surely if the roads in the North-Eastern Province could have been improved, and I know that the Minister for Works and Communications is here, then it should have been very easy for the security forces. Quite a number of us wonder why the Government has not been able to put a stop to the *Shifita* activities. Give the

security forces the facilities, Mr. Speaker, Sir, and they will eliminate the *Shifita*. The roads are very bad there and the Ministers come here to blame the Somalis. The Somalis are not to blame, it is the *Shifita* and we have a strong security force to eliminate the *Shifita*. But it is up to the Government to provide adequate facilities for the elimination of such enemies as the *Shifita*.

Sir, with those few words, I beg to support the Motion.

#### MOTION FOR THE ADJOURNMENT MAIZE DISTRIBUTION

The Speaker (Mr. Slade): It is now time for the interruption of business. There is a matter to be raised on adjournment and it is a matter of such very wide public interest, and on which I know very many Members will feel strongly and there is much to be said, I think, probably on both sides, that although normally we only, by our Standing Orders, have half an hour for this, we could have another ten minutes with the leave of the House.

Order! Order! We cannot suggest longer for the sake of HASSARD, they cannot carry longer but I have agreed, at the request of the hon. Member who wished to raise this matter, to discuss whether we have the leave of the House to discuss this for another ten minutes. Then we will continue until actually about thirteen minutes past seven.

Would some hon. Minister move the adjournment please?

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, I beg to move that the House do now adjourn.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Murgor) seconded.

(Question proposed)

Mr. Makokha: Mr. Speaker, Sir, in the notice that I gave you asking to raise this matter on adjournment, I said that I would like to raise the following matter on adjournment. The increasing dissatisfaction in Kenya over the distribution of maize and its products, the rampant rumours about corrupt practices by certain people concerned in the maize industry and a call to the Government to set up a commission to ascertain the true position existing in the country today.

Mr. Speaker, Sir, it will be seen that, therefore, my Motion is in three parts. First, I want to record the dissatisfaction all over the country about the distribution of maize. Secondly, I want to show that there are very serious allegations

[Mr. Makokha] about irregularities and corrupt practices involved, and thirdly, I want to call upon the Government to set up a commission of inquiry immediately.

First of all, Mr. Speaker, Sir, I will deal with the first point, that is the dissatisfaction in maize distribution. The first dissatisfaction is of the quantity of the maize supplied. Many areas which are supposed to be getting famine relief or maize for famine relief, are complaining, and any person who has been reading the Press and been taking an interest in this matter will realize that all over Kenya now people feel that there is not enough maize. In fact, Sir, particularly in the Rift Valley, it is said by farmers there—and they have written to the Press to say so—that even their labourers on the farms cannot work because they are not getting enough *posho*.

Another dissatisfaction, Mr. Speaker, Sir, over the distribution of maize, concerns what I might call the giving of incorrect information to the country, both by the Ministry and the Maize Marketing Board. A year ago, Mr. Speaker, Sir, we were assured that there was nothing to worry about, that there was enough maize and we should rest assured that the situation was under control, only to learn a few months afterwards, that this was not true, and it is now common knowledge that this was far from the truth. Recently too, Mr. Speaker, Sir, the Minister for Co-operatives and Marketing issued a statement where he said the reports to the Press were far too exaggerated and that people should be patient. Mr. Speaker, Sir, our people are always patient but to ask a hungry person to be patient, how long will he remain patient? So, Mr. Speaker, Sir, what I am asking in this Motion is for the Minister to say exactly what the position is. Do we have enough maize in the country or do we not have enough maize in the country, so that we are not caught unaware as we were this year?

Mr. Speaker, Sir, another dissatisfaction about the distribution of maize, is about the transportation of maize to the places where it is required. The maize is not reaching places where it is required quickly. Mr. Speaker, Sir, there is evidence to show that several times District Commissioners and even Provincial Commissioners have had to travel to Nairobi to see the Ministry and the Maize Marketing Board about what was happening with regard to the supply of maize to their area. I am told also that the other day a lorry travelled all the way from Marsabit area to Nairobi to get *posho* for that area, but they were told that there was no

*posho* and they wasted a lot of time seeing this man and that man and so on. Mr. Speaker, Sir, now because time is short, I will now go to the second part of my Motion, that is irregularities of corruption and corrupt practices.

Mr. Speaker, Sir, I want to make myself quite clear. I say that these are only allegations and that is why we want an inquiry set up to find out whether these allegations are true or otherwise. Mr. Speaker, Sir, some of these allegations—and I will give an example of two or three only—are very serious and they are particularly serious because some of these allegations are actually levelled against the Minister for Co-operatives and Marketing himself. Mr. Speaker, Sir, it is alleged it may be right or wrong, the Minister will have to tell us that there is a shop in Machakos District by the name of Emma's Store.

The Speaker (Mr. Slade): Order. I must remind hon. Members that when they make allegations of corruption practices, and I think something like that is coming at the moment, it is quite in order for an hon. Member to say that there are rumours of corrupt practices in general which must be investigated by a committee of inquiry. The hon. Member is quite right, but when he starts to describe rumours of a particular act of corruption, he has to be prepared to substantiate it himself or leave it alone, leave the individual alone.

Mr. Makokha: Mr. Speaker, Sir, it is further alleged that, at this Emma's store, the manager or manageress, is actually Mrs. Minister. Mr. Speaker, Sir—

The Speaker (Mr. Slade): You will have to substantiate, Mr. Makokha.

Mr. Makokha: Yes, Mr. Speaker, Sir.

Mr. Speaker, Sir, the substantiation is that it is a common knowledge and I have been informed by Members of Ukambani, that such a store exists and I have also been informed that, in fact, the manageress of this store has once been warned, or has been found selling maize at a black market price, Sh. 100 a bag—

The Minister for Co-operatives and Marketing (Mr. Ngei): On a point of order, Mr. Speaker, Sir, that is a very serious allegation, which I would like the hon. Member to substantiate. This is a very serious allegation, and I am taking it very seriously, Mr. Speaker, Sir, that my wife has been found selling maize at Sh. 100 per bag.

The Speaker (Mr. Slade): We want more substantiation than just vague hearsay, Mr. Makokha, for a thing like that.

**[The Assistant Minister for Home Affairs]**

the senior members of the Civil Service and the Ministers should make sure that for the good running of the Civil Service they should look round and make sure that practically every part of the country has people playing their part in the Government of Kenya. There are those people who are suited to be drivers, others to be caretakers, others to be sweepers, but even in these simple jobs you find that there is favouritism, and it is up to the civil servants to have the responsibility of deciding who to employ, where to be employed, who has to make sure that contentment in this country in the way of employment is looked after carefully.

Mr. Deputy Speaker: The question of the *Mtita* problem is perhaps not very well felt by people who do not live in the areas bordering on the *Mtita* problem. I think we are playing about with a very difficult and dangerous menace. Strict measures have to be taken. *Mtitaism* is a necessary evil, and it is a question of those people living in the areas which are affected, even if it means moving them from their areas. Until law and order is restored something must be done.

Another point Mr. Deputy Speaker, I am talking about *Mtita* in the East African area, not confined to Kenya. It is a problem which is people concerned with. We must be careful, it should be diagnosed.

My final point, Sir, I see my time is running short. Concerns land consolidation and registration. I am particularly worried that land registration will be done in those areas which are considered suitable for registration. I would like to know from the Government who is this person, or who is going to say that such and such an area is suitable for registration. It may be exactly the same thing that happened in Central Province when they were doing land consolidation. I was shouting that this area should be consolidated alongside with the rest of the Central Province, and somebody said that this area is not ready for registration. It was said that registration was being carried out in areas which were worse off than my area, and I would like that statement to be amended to me, that land consolidation and registration will be done in all the districts in the better areas in Kenya, without any discrimination.

With these few remarks, Mr. Deputy Speaker, I support the Presidential Address.

Mr. Khalif: Mr. Deputy Speaker, Sir, His Excellency the President has rightly said that the Members of Parliament do not simply have

another responsibility to their constituencies. I would like, Sir, in this spirit, to say a few things so as to respond—and here I stress—faithfully to the responsibilities my people of Wair North have vested in me.

The first thing I would like to say is in connexion with the Revised Plan. There had been a reference made by His Excellency the President in respect of the Revised Plan. Now, Sir, it should be understood, by those who do not, that the predominantly Somali-occupied Province, namely, the North-Eastern Province, has been excluded from the Five-Year Plan and has been excluded from the Five-year Plan ment Plan, I mean, Sir, completely excluded. This has been done in such a way as to make my people, the Somalis in the North-Eastern Province, doubt their position in Kenya. His Excellency the President has mentioned the revision of the Five-year Plan. I must congratulate him on the fact that this Plan is being revised, because some of us were left in doubt as to whether the Plan was a country-wide Plan or not, because, in so far as the North-Eastern Province was concerned, we were completely out. If you look at the map you will see that part of Kenya is the North-Eastern Province, and yet this large area has been forgotten in the Five-year Plan for Kenya. It has had been brought about by some American in conjunction with certain reactionaries, then the President should say, no. The population of the North-Eastern Province is a big one and this area should not have been left out of the planning. Sir, during the colonial time, surely everyone understood that the Somalis had been badly forgotten, but now it is time that they should be remembered. In early 1963, when the *Mtita* activities started and these people were trembling up here, they were sending pamphlets to the Somalis, promising them schools, money, and other things. Where are these things? Where are these promises? They were empty promises, they were empty pledges, and we shall not tolerate such things.

Sir, this is a betrayal. The Somalis have been betrayed. Everybody should understand this position and should accept the truth. The Somalis have been betrayed by the Kenya Government. Why should we come to this House and try to deny that they have been betrayed? This position should be understood and differentiation should be made between loyal Somalis and *Shifita*.

The Assistant Minister is asking who are the loyal Somalis?

Mr. Anyieni: On a point of order, Mr. Speaker, Sir, is the hon. Assistant Minister in order to ask who are loyal Somalis when the hon. Member speaking has stated that there should be a differentiation between the *Shifita* and the loyal Somalis? The hon. Assistant Minister says, "Question." Is this not implying that the questioner is doubting the loyalty of the hon. Member speaking?

The Deputy Speaker (Dr. De Souza): You are quite right, Mr. Anyieni. No hon. Member can question the loyalty of another. No, we cannot do that.

Mr. Anyieni: On a point of order, Mr. Deputy Speaker, should the debate then continue without our asking the Assistant Minister to withdraw?

The Deputy Speaker (Dr. De Souza): We will raise this question now. Mr. Mutiso understands the position and will not repeat the mistake.

Mr. Khalif: Mr. Deputy Speaker, Sir, they have said so many things about me that I am not coming any more.

Here I do not give priority to the Somalis because I am a tribalist, but because I would like to speak for Wair North first; then I will cover the rest of the country.

Mr. Deputy Speaker, Sir, since Kenya became independent not a single Somali has been recruited into the army, into the police, or into the Prisons Department. Sir, it is time that the Kenya Government should decide what it wants to do, and tell the Somali people point blank whether or not they are part of Kenya. If they are part of Kenya, then the Government should tell them that they will enjoy facilities in the same way as other tribes in Kenya do; if they are not to be considered part of Kenya, then the Kenya Government should say, go away. You cannot tell people they are loyal and yet deny them the facilities other tribes are afforded. Sir, in principle nothing has been done for the Somalis; at the same time, very little has been done for other people. Take for example the people in Sophia Town: these people are no better off because they have had no more development than the Somalis have had. What has been done for them? We are being told by somebody we respect, by somebody whom the Somalis and even the *Shifita*, perhaps, respect, His Excellency the President, that there is one Government and one people. How can we appreciate that there is one Government and one people when the people of the North Eastern Province are deliberately—and I repeat the word, "deliberately"—because they are not being forgotten in the way that the colonial Government

forgot them. How can we concede the fact that there is one Government, one people, when such things are done? We can never.

[The Deputy Speaker (Dr. De Souza) left the Chair]

[The Speaker (Mr. Slade) resumed the Chair]

I turn now to the question of Gardaduma. We raised this matter in this House a long time ago and we were told that the agreement between Ethiopia and Kenya had not been finalized. We want to know whether the agreement has since been finalized, whether the Kenya Government has seen fit to betray the Kenya Somalis by giving away the land to Ethiopia, or whether they have thought again and decided not to give away the Northern Frontier District land to Ethiopia. Sir, I am not taking the privilege of speaking to Parliament, but one thing is clear, and I am going to say it here and now. The moment and I repeat the moment we are told that Gardaduma is handed over to Ethiopia, we shall take a certain course of action. I will assure everyone of that. I am not taking the privilege of being a Member of Parliament and speaking in the Chamber whereby I cannot be prosecuted for what I say, but I can assure the House if it amounts to my being detained in Mombasa or somewhere else—I am not worried.

The Speaker (Mr. Slade): Mr. Khalif, if you are suggesting illegal or unconstitutional action, I cannot allow it. When we have this immunity of speech in this House, it is subject to certain conditions which we impose upon ourselves, and one vital one is that those who make the law never advocate breaking the law.

Mr. Khalif: Sir, I will be the last man in this country to advocate unconstitutional things. I said, Sir, if you did not hear me well, I said certain quarters.

The Speaker (Mr. Slade): I began to see the implication of what you said, when you spoke of possible detention.

Mr. Khalif: I had no ulterior motive, Sir.

The Speaker (Mr. Slade): As long as you make it clear that you were not advocating any illegal or subversive action it is quite all right. You make that clear, do you?

Mr. Khalif: Yes, I have, Sir, by saying this. The other thing, Sir—

The Assistant Minister for Education (Mr. Mutiso): On a point of order, Mr. Speaker, Sir, then—in this case—would the Member explain to the House what other form of action he anticipates if it is not unconstitutional means?

[Mr. Ochwada]

a little of this money in West Kenya where the population is so great and, of course, in the North-Eastern part where there is so much cattle and yet they have no water, also in the Turkana area where they need so much water so that we can also share equally in the fruits of independence. Let us have that money spread all over Kenya, Mr. Speaker, and this country's economy will flourish to the extremes of it. Thank you very much, Mr. Speaker.

**The Assistant Minister for Home Affairs (Mr. Nyagah)** Mr. Speaker, Sir, I rise to welcome the Presidential Address to this House on the 2nd November this year. I am being asked to state the Government policy by a person who does not know that I am going to speak as the Member for Embu South.

Mr. Speaker, I would like to make a few observations on the President's speech made to this House.

The speech is a good one, but like my friend from Embu North, I would like to say it is a skeleton of what we expected from the Government. Being the first one since we became truly independent I would say that it is to be commended. If I may be allowed to go through a few of the points that I made out of the speech, having welcomed the speech, I would like to welcome the statement by the President where he calls on all hon. Members to act and to live and to behave truly as Kenya nationals rather than parochialists. Instead of being a Western Province man or an Eastern Province man or a Central Province man, we should try and remember that we are building a nation known as Kenya and we should set an example to these people whom we represent in this House. That comes from almost the very first page of the President's written speech.

The third point, Mr. Speaker, concerns unity.

[The Speaker (Mr. Makeni) left the Chair.]

[The Deputy Speaker (Mr. De Souza) took the Chair.]

This is portrayed in the fact that the people of this country voluntarily wound up their political parties and formed one party. Now this party having been formed, we have a very big duty to try and consolidate the gang of unity and this can be consolidated only if we Members of this House, Ministers and all were to try and set a good example to these people who look up to us to give political guidance in this country.

Mr. Deputy Speaker, Sir, a further point I noticed from the President's speech deals with the revised Development Plan. I would like to say,

as I said in my speech on the former Development Plan, that I do hope when these revised Development Plans are published that they will be general throughout the country, they will be generous to every part of Kenya and make sure that no part at all of this country is left without sharing in the general development of the money that is going to be spent in this country. We have not seen the general plan, we have not seen the revised plans, but we do hope and sincerely hope, that they will be generally distributed and fairly distributed throughout the country.

I welcome the idea of a medical school here. We who live far away from Nairobi, who experience the difficulties of medical treatment, appreciate how necessary it is to have a school of our own where doctors, or people who are half-way between doctors and the present type of medical man or medical persons we have is necessary. I know the problems that will be involved, but I do not think we should be afraid of producing a doctor who will be useful to Kenya. He may not be an acceptable doctor in Britain or even in Australia, but we can have doctors who will be acceptable and effective in this country without necessarily being acceptable in other countries. The time will come, Mr. Deputy Speaker, when we have fulfilled the imperative needs of our own people in many fields when we can start standing and producing an international person, a doctor that will go and command a market anywhere in the world.

I am reminded, Mr. Deputy Speaker, Sir, of a case of a country known as New Guinea, where they have their own medical school. The medical graduates produced in that University of their Medical School, are not acceptable in Australia, but they are most effective and most liked in New Guinea because they treat and cure all the diseases that trouble the people in that country. They are doctors there, they are not witch-doctors, they are medical doctors properly trained in medical scientific matters, but appropriate for the country they serve.

The next point, Mr. Deputy Speaker, is the Primary School Education Commission which has been promised. I do not want to anticipate a debate here on the work of the Kenya Education Commission, but I welcome a further Committee or Commission. I do not know how they call it to go still further to produce the details of how to go a primary school system. We waste far too many years, Mr. Deputy Speaker, in our school education here. Until recently it took a boy or girl eight years to do the Kenya Preliminary Examination. Today it takes seven years. I still believe we can reduce the years to six and yet produce a person who knows how to read and write.

[The Assistant Minister for Home Affairs]

It is too slow a movement that we have. We can cut out some of the irrelevant stuff in the syllabus that we teach in the primary school. In ten years we can produce a person who has good secondary education relevant to the needs of this country without wasting too much time, and I welcome, Mr. Deputy Speaker, the idea of a further Commission or a further Committee to look particularly into the field of primary education.

I do not have to thank the Government more here by introducing free education for the Form V's and VI's. They say free fees. I do not know whether this means only tuition and boarding or whether it will include the examination fees or not. I do not know. We still hope that when somebody says he will tell us whether free fees for Form V and VI means free tuition, free boarding free examination fees, or free what?

The output of teacher training, as envisaged in the speech is a good one, but the conditions, of course, for the teachers must be put right. We must have a teaching service which is contented, whose interests will be tunnelled from now onward from that of a trade union body to be a professional group of people who will advance the teaching standards of this country, and by the way, Mr. Deputy Speaker, the standards are relative. When I talk of standards, I do not necessarily mean that we should stick to the so-called standards of today, which are sometimes delaying tactics. We are in a hurry, our people cannot wait for the so-called standards which today means our going at a snail's pace to slow the seed towards satisfying the educational needs of our own people.

Mr. Deputy Speaker, I would like to say something about the Kenya students overseas. I have just come back from a trip and I found that our Kenya students are sadly lacking in information from this country. The Government would be well advised to send out a group of people, civil servants as well as politicians, with information as to what Kenya is like after independence, put those students right, keep them informed so that they know what the present 1965 Kenya is like. Furthermore, Mr. Deputy Speaker, there is a need to direct those students as to the needs of this country. Some of them go round looking for study courses that may not be effective or necessary in this country when they come back immediately. We have our manpower survey, we know what we want immediately. We want what we want almost at once and it is the duty of the Government to go and let these students choose and know the needs of this country while they are at the place where they are studying today.

With regard to community development, Mr. Deputy Speaker, I would say that this should be encouraged, it should become a clearing house where all the Ministries can have their policies propagated throughout the country.

Mr. Deputy Speaker, I am not sure whether it is necessary for the Local Government to exist. Instead of having another Government known as Local Government, why do we not have one Central Government, and arrange for it to direct the affairs of the Local Government? Why have what you call a Local Government, a Government that is supposed to be in theory non-political and yet it is very political? Let us have one political Government at all levels, and control the affairs of the district from a Central Government level.

The President did mention something about communications. He talked about roads, from Bungoma to Tororo, and another from Athi River to Namanga to complete the link with Tanzania. But there is a type of communication which has been forgotten. Where people do not live along the Namanga road, the Athi River road, and other such places, they would like to have effective communication, radio communication, post office communication, telephones installed. If, Mr. Deputy Speaker, they want to get to Embu today, a person may have to wait for two or three hours. So, we want that improved. That is also another form of communication which should have appeared in the Presidential address as a part of the Government programme. I do hope that the Minister replying to this will bear that in mind, that it is necessary to have communication other than the road communication.

I would like to support the Member who spoke very much on the question of the Western Province. Like him I do not think that the Mombasa road was absolutely a priority rather than, say, a road from Kibigori to some other place.

Another point, Mr. Deputy Speaker, which I noticed from the President's speech, and which needs attention, is that of the civil servants. I think the civil servants are to be commended for the quickness and the intelligence they have applied in getting down to their jobs. They have done very well, and the Civil Service is now solid and firm. The skeleton is good, but I would still appeal to the Government, as I have done before, that the padding of this Civil Service skeleton should be padded with material from all over the country, all over Kenya. If we want to have a stable Civil Service, and this, like my friend from Embu North said, is the responsibility of the Civil Service Commission, then,

[Mr. Ochwada]

My next point, Sir, is unemployment. It is true that some eighteen or twenty months ago we had the Tripartite Agreement between the three parties, the Government, the employers and the workers, and I am sure that the fruits of this Agreement were quite helpful to the then problem of unemployment. But what has the Government in mind right now? Apart from the statement that they would like to see everybody going back to the land? And I do not know how the Government is going to encourage people to go back to the land when, in fact, I understand that the land itself does not exist. I wonder how this is going to help? And, in fact, those people who are being asked to go back to the land are being encouraged to stay here by the nice buildings that are being put up in Karokor and in many other areas. I understand also that Punwani is to be demolished and a new estate is to be put up there. This housing development is being concentrated only in urban areas. How about encouraging these people by giving them a small loan to build their own houses, develop their small farms at home and then ask them to go back to the land? I am not quite sure, Sir, whether we are going to encourage the small holders to go back to the land. We should not just put the horse and cart together and ask the horse to pull the cart. This remains to be seen.

I suggest, Sir, that the hon. Ministers, my constituents, should look very carefully into this and make sure that if they ask people to go back to the land they should ask them to go back to do something to it and not just go there and do nothing. These people should at least be provided with a shelter over their heads under which they can rest after working very hard during daytime.

In his statement, His Excellency the President said that as the House is aware the three Governments have set up a working party to look into the existing common market problems and recommend ways of strengthening the East African co-operation. This, Mr. Speaker, I hope will not go the way the East African Federation working party went, because as people who live on the border are getting very much worried about our future, the future of our children and of our relatives on the other side of the border. I hope that at least this Government will pursue the working of the committee which has been set up to examine the co-operation and also the possibility of a united East African common market not on a divided East African common

market but a united East African common market, because we feel very strongly that if Uganda is going to have its own currency, Kenya its own currency, Tanzania its own currency, then where is the common market, Mr. Speaker. One wonders whether that is a common market of an uncommon market. What we would like to see is a united common market which will eventually lead us to political unity. We admit that perhaps East African Federation is going towards failure but why can we not use this East African common market to bring about a federation at a later stage? Mr. Speaker, I wish that the Ministers present and those who are away will take that into very special consideration which, I hope, will help us to move in the right direction.

The Civil Service. Mr. Speaker, we have a very decent Civil Service. Of course they make mistakes at times but I think they ought to be commended for what they have done since they took over, but I must also warn my constituents and those who are not here now, that they are responsible for the confusion if there is any confusion at all among the civil servants. There has been a tremendous amount of interference by my constituents into the work of the civil servants, in that there has been so much feeling and unless I have my tribe there, that job is not being properly done, unless I have my own tribe as a Provincial Commissioner of my province, that job is not being properly done, but this is untrue, they are doing their best and they have done a lot for us and we must also work very hard to ensure that whatever they do if they make a mistake, we try to advise them to correct their mistakes and not to threaten them or to quarrel with them just because of a very small thing.

My fifth point, Mr. Speaker, is security of our country. It is true that we are not all that secure and it is true that in the North-Eastern Province, particularly the whole of the former Northern Province, there is trouble. But we took this matter lightly from the beginning. We could have overcome the *Shifita* problem in a matter of months. Mr. Speaker, but someone somewhere gave us very wrong advice and gave the Government wrong advice, namely, that to let us negotiate with the Somalia Government when, in fact, the Somalia Government had broken off diplomatic relations with us, we still went to Mogadishu and tried to negotiate. What for, Mr. Speaker? If a person does not want to negotiate with me, why should I negotiate with him? After all, we were strong enough to penetrate Somalia as much as they did penetrate Kenya. Perhaps what we need now is another Colonel Young in this country.

[Mr. Ochwada]

Colonel Young can come from these constituents of mine. We have them here now who know and can tackle these fellows, and finish the *Shifita* activities. Mr. Speaker, these are my views and I am putting these views to our Government, that it is time the Government looked around to find a suitable person to eliminate the characters up in the Northern Province. We are wasting a lot of money in that area, money which could otherwise have been used on economic development. We have seen and read in the Press about the security forces activities day after day and yet *Shifita* activities are still published in the newspapers, you hear them on the radio, that they have killed so many. Mr. Speaker, why do we not just take a firm stand. The Government should take a firm stand and tell these people, so far and no further, and if it is a question of villages, after all the innocents have got to suffer when the worst comes to the worst. The innocents have to suffer at times. Mr. Speaker, the hon. Member for Wajir wants me to tell him what I think, then I would suggest, Sir, I would like them also to take the responsibility of lighting the *Shifita*.

Mr. Speaker, Sir, industrial and commercial development. We are told, Mr. Speaker, Sir, and the President did reveal that in the private sector some twenty imported industries are expected to come into production in the coming year. Mr. Speaker, I hope that these twenty will not be in the Central and Nairobi areas only. I hope that some other areas will also be considered, as many other hon. Members did mention here, we have been promised several industries here and there but these industries have not been forthcoming and out of these twenty industries I would like to see the Government spread them all over the country. It is true that the industrialists have the right to choose where to put their factories, but the time has come when we must also take a very firm stand and tell them, "gents, thank you very much for the help you want to give us, but we feel this factory should be put in such and such a province." The market for the products will be spread all over the country, whether the factory is situated in Nairobi or somewhere near Busia, or somewhere near Tana River, the goods that are produced by that factory will be brought to Nairobi and many other parts of the country and I feel, Mr. Speaker, Sir, that the Government should take a firm stand and I am glad the Minister for Tourism is here and the Assistant Minister for money is here, so that they will convey these messages to the appropriate Ministries.

Mr. Speaker, Sir, coming to the question of roads, it is a shame that a province like the Western Province has only twenty-five miles of

tarmac road in the whole province and this is between Kisumu and Kakamega just because some four Ministers come from Nyanza Province, and because they want to move freely between Kakamega and Kisumu, so that they can have an easy time to travel between Kakamega and Kisumu. Take the population of the Province and the economic potential in the Province. That alone, apart from anything else, justifies more tarmac roads in that area. Mr. Speaker, Sir, as I mentioned before, I do not know what the Government wants first, whether it is the chicken or the egg. Whether it is the egg or the chicken that should come first. We are asked, Mr. Speaker, that we plant more, weed more, do this more, but how are we going to transport these goods to the appropriate market places? Are we going to carry them on our backs? We cannot keep mules in the area because Tsetse fly will bite them and they will die from sleeping sickness. We had better have more roads in that province and in Nyanza Province too, Mr. Speaker. We want more roads because that is the area where about two-thirds of the whole population of this country comes from and the economic potential of that area is so great that if development was afforded us in that area, believe you me, Mr. Speaker, we would not import maize from America. It is true that most of the maize that is consumed in Kenya comes from Western Province and that we have decided to sell several thousand bags. We are sitting on them and if the worst comes to the worst, we will continue selling them to Uganda because if we are going to be ignored as we have been in the past, we will have to find our own avenues of existence. This is the only way we can exist, if development cannot be given to us, we will have to find it in our own way. We do not have to say that we are going to secede to Uganda, we will stay here in Kenya but we will stay with our own methods of existence if the Government does not want to give us the necessary facilities.

Mr. Speaker, why could we not first of all tarmac the road between Kisumu and Busia via Yala, before we even think of the one between Mombasa and Nairobi and yet we have a very decent railway line from Mombasa to Nairobi. Why cannot we spend a little money in that area to improve the roads so that we can improve maize production and avoid so much money being sent to America where money is not needed. Mr. Speaker, these are some of the points I wanted to draw the attention of the Government to and the last one is water supply.

Some few months ago we heard there was a million and a half pounds to be spent in Kiambu on water supply and yet Kiambu has plenty of water, there is plenty of rain. Why do we not get



[Mr. Mbogoh]

believe that if the Government can control that and try to put the development on the proper lines, that is those who were ignored by the imperialists, be given the first priority, and then those who have started development could wait and start developing themselves, because they are already developed and they are already rich, so they can follow this spirit of Harambee by themselves while the Government is trying to uplift the backward areas.

Mr. Speaker, Sir, another point which I want to raise with regard to this Statement is a very burning one, and this is about the party workers in this country. In other countries, Mr. Speaker, Sir, when people attain independence I never heard party workers complaining that they had been neglected by that Government, but in Kenya those people who have been fighting with the imperialists from A to Z are the poorest people now on the streets, and this Government does not remember them. Mr. Speaker, Sir, I expected our very own President to give them something on that day and say that because this is our first anniversary of independence and we are opening our Parliament, I would like him to give them this as he has done before to the prisoners, but those people who were the promoters who have gained nothing and they will still be the trouble makers in this country until they have been assured of their future, because when other people were making money these people were running about during the night doing all sorts of things for the party, and today they are just quiet but we do not know when they will start shouting. Mr. Speaker, Sir, when the President addresses this House, people ask how important this House is and how respectful this House should be. Mr. Speaker, Sir, I very much regret the fact that this House has not been taken by the Government as seriously as the President said. There are very many Motions which come to this House and they are passed, but the Government never acts on these. They are just left like that and they say, "Well those hon. Members who passed those Motions were mad or something was wrong with them."

But, Mr. Speaker, Sir, if the Member for Embu North, the Member for Laikipia and the Member for Kisumu agree on something here, they do not come from the same place and they have not even sat down to discuss this thing—it is something sensible for our people; and it is very necessary that when we pass such a thing, the Government should take heed and, if they disagree with it, should go back to the country, speak to the people, and then they will hear that

we are not receiving these ideas from this building, we get them from our own homes where we were elected.

Mr. Speaker, Sir, another point considering our National Youth Service as a part of our youth development in this country. This Service, Mr. Speaker, Sir, has failed absolutely to attain the purpose it was intended to attain. Mr. Speaker, Sir, instead of this Youth Service being a service which would serve the country with a proper spirit and with all the intentions of Harambee, as it was intended, Mr. Speaker, Sir, it has been used as a field of tribalism and all sorts of bad things, which the country will not tolerate. Mr. Speaker, Sir, in that case, I would very much ask the Government either to disband the service absolutely and take these young youths into the army, or improve it much more than it is at the present. Otherwise, Sir, it will be a very bad thing for the country in the future.

Mr. Speaker, Sir, when we come to the employment in this country, you find that most of the jobs are given to people not because they qualify but because there is something in common between them and the people in the Civil Service. This is not on the Civil Service case alone. Mr. Speaker, Sir, because if we take the Civil Service, I have never seen because I have never dealt with the Civil Service, but I know exactly that when you come for the jobs in the Labour Department, you find that there is the machinery of employment, and this machinery is never followed. What happens is that when somebody passes through the back and then somebody is holding papers claiming that this is the proper bureau for employment. But, Mr. Speaker, Sir, this House has also fallen a victim to tribalism and every sort of hypocrisy that anybody can have in this country; and unless the Government improves this state of affairs, I believe that it will not be very long before every Ministry is full of malingers and all sorts of funny fellows who will do anything. This is a very big drawback to our own Africanization because it is no use Africanizing somebody simply because he belongs to such and such a tribe or Africanizing somebody and giving him a big job simply because he passes through the back door and "because you're a big man, you'll get there." It's well said, it will certainly not be easy.

Mr. Speaker, the other point which I feel I should raise just now is that Kenya today has boards which are running different kinds of services. Kenya at present should be called a country of boards. In every case, you find that when people want to go to Nairobi from, let us say, Thika, the Government forms a board to

[Mr. Mbogoh]

find out whether these people are going to Nairobi or not. When you look into these boards, you find that a supporter of So-and-so is put in as chairman so that he can run this board efficiently exactly the way the big man wants.

However, Sir, some of these boards are so useless that they can be put together; if you look ten boards together, you could amalgamate them so that one did the work of all ten. There is the policy of having the so-called marketing boards; so that we get a Western Kenya Marketing Board, for instance, and another board running the whole of Kenya. These two parallel boards could work together as one board for the whole country instead of dividing this into two and going the work to two boards.

Then you come to the Maize Marketing Board, you come to all sorts of boards, the Sial Board, for example, which could all come under one very little Ministry. In fact, I fail to understand what the Minister is doing with all these boards; it seems he does not control them and he does not know what is going on in the boards. These boards are absolutely inefficient.

Another thing, Sir, is that if the Ministers are to run this country and run it effectively, they must also remember that our foreign policy is confused. Our foreign policy seems to be in the hands of individuals and not in the hands of the Government. You find that when each Minister goes out of this country, he goes and states his own policy and not that of the Government; and when he comes back he has his own people to take to some places where he thinks that is where the Government is going. After all, one day a parliamentary group sat down somewhere and chose some people to go and visit a certain outside country; and now I understand that because these people were not chosen by individual Ministers, picked from the ones they like, these people have not gone and they are not sure whether they will go anywhere.

The Speaker (Mr. Slade): That is the end of your time, Mr. Mbogoh.

Mr. Mbogoh: So, Mr. Speaker, to end my sentence here, it is that the Government should be able to do it.

The Speaker (Mr. Slade): No, you are starting another sentence. Will you sit down, please.

Mr. Ochwada: Mr. Speaker, Sir, I am delighted that you have afforded me this opportunity to address my very own constituency and, in particular, in our new premises. First of all, I must express my sincere gratitude to His

Excellency, our beloved President, for the very elaborate and clear policy statement he made to this House on the second of this month, while opening the new premises. But I have a few remarks which I want to make on this policy statement.

First of all, I will start with the land question, which appears, I think, on the last page of the speech. It seems as if we are being told that the land settlement will continue, but one wonders whether the Government has gone back to check on the blessings that we have already acquired as a result of land settlement because it was only the day before yesterday that I was travelling round the country, visiting some of my constituencies and I was very much surprised to see that most of the land which has been settled has not even been scratched. Now I am wondering what benefit rather than utilizing the money to develop the land which has already been settled, what we are going to achieve by settling more and more people, and yet the land on which these are being settled is not even being scratched and is yielding no reward. I would like the Government to check on this and make sure that the land that has been settled is utilized properly.

Sir, my second point is livestock development. It is most likely that in areas where livestock had not been developed before the Colonial Government left this country is not being considered for any livestock development at all. There are several areas, and particularly areas like Western Kenya, especially the Western Province, which were set aside by the colonial powers to supply a labour force to work on their farms. These have been completely ignored, yet such an area is quite fit or a large part of it is quite fit for livestock development. I would like, Sir, to draw the attention of Government to this particular issue and ask them to make sure in future that this area will also be considered for livestock development.

My third point, Sir, is that of cash crops. Cash crops also in that particular area were never considered before, and up to now, if you look around, you will see that the only areas that are being encouraged to develop cash crops are areas which were developed by the colonialists before they left. Now how about making use of this very thickly populated area, which is very fertile and which has all the manpower necessary? Why not give them a little more money in order that they can develop whatever they can develop in the area?

**[The Assistant Minister for Works, Communications and Power]**

these Boran cattle, if we look after them properly, are even better than British cattle which are popular in this country. These cattle which I should say the Boran cattle, are very big, huge for meat and very nice, and they are wonderful colours and they give enough milk. Oh, yes, wonderful things.

Mr. Speaker, I should also remind hon. Members of this House to tell the people to buy these cattle also, to prove not only by bringing British cattle to Kenya, there are also good cattle, that is, Boran cattle. These cattle from Marsabit. The Government should take Marsabit grazing schemes for the stock improvement.

Mr. Speaker, with regard to sheep, because His Excellency talked about sheep, there is some sheep production in our area, we have very nice sheep. They are fat, fatter than any other sheep in the world, I should say, and they are very beautiful sheep in my area, and they improve the condition of living for these sheep and goats in Marsabit District. I am sure we will get more export even people outside Kenya will buy these sheep. I have not heard of any where else in the world, nor have I heard any other sheep in the world, to have a better sheep than in my area. So, Mr. Speaker, let me remark that these sheep and cattle should have more schemes and improvement, so that Kenya will be proud of having better cattle and better sheep and better goats.

The hon. Member for Wajir North has said that I should also speak for the North-Eastern Province. Mr. Speaker, when I say that there is no difference between the cattle from my area and the cattle from his constituency, we have the same type of cattle and sheep. So, once Government has agreed to improve the marketing for these sheep, cattle and goats, that would include Wajir also.

Mr. Speaker, I have one more point to make. This is about free medical treatment, and free education. People must not take this too seriously, because although our policy is to try to make everything free for our people, we must not forget, when we say free, it is not free from their tax. When we make a free hospital, we increase taxes on medicine else. When we say free hospitalization, we increase other taxes somewhere else, and so, Mr. Speaker, I should say that although the Government have promised that the Government must take also the laws including that, because the more there is free, the more the taxes will be raised. We cannot, Sir,

depend on foreign currency, we should depend on Kenya producing what we have, and that is whatever we make free, so unless we get more industry in Kenya, then when we see our country widely industrialized, then everything would be free. But at the moment, although our President has promised and is doing his level best to do so, I should say that the people should not take this too seriously and that it is better to give the Government a chance. Let us give the Government time and then do it according to the standard which they managed to do it, otherwise if the Government does it overnight, that means that they are going to increase the taxes.

Mr. Speaker, Sir, instead of taking more time, I would like to say that I am supporting the President's speech and therefore I beg to support.

Mr. Mbogoh: Mr. Speaker, Sir, although I congratulate the President on his speech, given by him as the Father of the Nation, I would remark that it is only a skeleton and it needs some good flesh, so that it can work as something sensible in this country.

Mr. Speaker, Sir, my reason for doing this is, although we accept the policy of the Government, there are very many things which the Government should at least listen to when hon. Members in this House are speaking and act, not to just sit and listen and then we go away, shove it or put it into cold storage and just forget that there are people who exist.

Mr. Speaker, Sir, with regards to the Development Plan, as the President said, there will be a new version of this. Now, I am going to speak on a few things about this, and I feel that if this will be taken as sincere, things will be much better than they are expected to be.

Mr. Speaker, Sir, for example, in Embu we have found that there have been tea roads which have been developed in such a way that they are not acceptable, because when you take a tea road and decide that you are building a tea road, it must be a good, weather-proof road you also find that the county council is to run this road, it is not the right procedure adopted by the Kenya Tea Development Authority which takes the money to a private individual in Nairobi, who then comes to Embu and takes a load of murrum and drops it on the road and then goes back and he then expects the county council to do the rest. But if this money was given to the county council itself to carry the murrum and to spread on the road, then this money would be absolutely enough and there would be no trouble with these tea roads.

**[Mr. Mbogoh]**

Mr. Speaker, Sir, another point which I would like to raise here is the motto of this House. I always pass there and read those words, "For the Welfare of Society, and the Just Government of Men", but it is evident that it seems that there are individuals in Kenya who have decided that this welfare of society is not exactly for them, but it is for the welfare of the Ministers and their own unjust Government. Mr. Speaker, Sir, at least I can elaborate on this. There is something very interesting in finding out that a Minister thinks the Government is his own, and he cannot share it with anybody else. To elaborate on this more, Mr. Speaker, Sir, we find that a Minister is driving a big car with a flag at the front, he comes to this part near the Parliament Buildings and parks his car. The hon. Member of Parliament cannot park in the Minister's Car Park, because it is reserved for the Ministers only. Now, Mr. Speaker, Sir, on coming to the seats, they are asked so that they cannot sit together with Members who are so dirty and—

The Speaker (Mr. Slade): Order, Order. I am going to have to intervene, but as regards the parking, I must make it clear that it is not the privilege of Ministers, that decision I think that all hon. Members are aware that they had a circular by order of the Speakers to that effect, so please do not blame the Ministers. Whether you like it or not, the argument is elsewhere.

Now as regards the seating, I have asked the House to determine, in due course, whether or not they like this and I do not think they ought to blame the Ministers for that either meanwhile.

Mr. Anyieni: On a point of order, Mr. Speaker, Sir, I hope you will give the hon. Member his minute after I have made my point. Mr. Speaker, Sir, we are free to express our displeasure at the order of the Speaker to make a special case for Ministers, in which case, Mr. Speaker, it would be very dangerous, next time when I become a Minister, for a man who was a Back-bencher to have to go the other way?

The Speaker (Mr. Slade): Hon. Members are entitled, of course, to tell the Speaker if they do not like orders that have been made for the management of the precincts of the National Assembly, but the usual way to do it is not in the Chamber, it is outside the House.

Mr. Ngala-Abok: Mr. Speaker, Sir, on a point of order, I do not wish any other point of order to be raised on this issue, but if any

hon. Member required to do so you will rule him out of order. But, Sir, my point of order here is that we want wisdom to prevail in everything done and we want also to put political debating points down as much as possible. I think that we have only a handful of Ministers and these Ministers could be marked accordingly as there are marked places for parking.

The Speaker (Mr. Slade): Order! I am afraid we are not going to discuss this any more at this moment. We will have time to discuss elsewhere, and we will do so at the right time.

Mr. Mbogoh: I do not need to labour, Mr. Speaker, on this point, but the point here is that I am not trying to blame the Minister for nothing. If they were sensible enough and they knew that they were working for the people, they could even have refused to use that car park alone and instead of leaving it empty most of the day while some cars are being burnt by the sun on the other side, they could have decided to be more sensible.

Mr. Speaker, Sir, what happens here is that when people get too many privileges, they get fat and forget to think, and as a result you may find that there is a lot of corruption later on if people cannot think. So, Mr. Speaker, Sir, my remedy for this would be that a few bicycles be bought for the Ministers as a measure of slimming.

Mr. Speaker, Sir, in the Development Plan we have found that some of the districts have been ignored absolutely and, because of this error, you find us unable to speak frankly about the Government, You find that deliberately some districts are having so many industries and the people are almost satisfied, and the people who ask them about the Government, they will say, "Oh, yes, the Government is doing a lot for us". "Oh, yes, the Government is doing a lot for us". "If you go to some other district you hear, "No, this Government is doing nothing". Mr. Speaker, Sir, you find that there are some places where health centres have been started by the Harambee spirit to only come to a certain stage where you cannot move any further, because of famine, because of drought and also the schools where you cannot move any further, but when you were started in the Harambee spirit, but when you try to get help from the Government for anything, you find that everybody who has money runs to his own home. For instances, let us say Ministers go and announce in their constituencies and say, "Well the Government is going to do this for you", but when they go to other places you find that they are absolutely quiet and they would not say anything about development in that area. Mr. Speaker, Sir, I

[Mr. Kibuga]

Now I come to the question of tourism. I see the Minister for Tourism is here. The proposal to improve roads throughout the country is a very healthy move, but so far all we have had is talk. We hope that things will be done soon. All roads throughout the country should be improved, not only the roads which pass through areas from where the Ministers come. I can see that there is a danger of this thing happening here.

And what about hotel facilities? Mr. Speaker, there are places where there are no hotels and such areas should be provided with hotel facilities. Recently we passed a Bill here which would deal with hotels and so on, and I repeat once again that there should be hotels provided in all areas of Kenya. According to the terms of the Bill there is to be a board and a corporation for this purpose and I hope that this board will take care of this item. We do not want to see that all the hotels are concentrated only in places like Nairobi, Nakuru or Mombasa, places which already have these facilities. We must remember other areas.

On the question of Africanization I am pleased to see that the Government is in line with Africanization. However, I would like to say one thing on this question of Africanization. Some of our brothers who are holding good posts in our Government tend to forget that they are working for the welfare of the common man. The very fact that somebody is an African, is earning a good salary, does not mean that independence came from him alone. He must not forget his brothers, people of his country, who are in need of help. So, although we would like more Africanization we must tell our brothers, especially the ones who are holding good posts, to realize that they are serving the country and we would like them to be fair. There are some Ministers where you find that the Africans employed there, work only to see that good is done to their areas, why should this be so? I would request the Ministers to see that when it is a case of Africanization, they should not favour their areas or their friends only. They should help the whole country; they should look at Kenya as one nation.

The idea of the Land Bank of helping the farmer with fertilizers and seeds is a good one. I would like to thank the Ministers of Agriculture because their officers brought us some good seeds and fertilizers. We were told to pay for this after the farmers had sold their crops. This was done because the country lacked rains and there was

a shortage of maize. I hope this system will continue. This is the only way in which the poor peasant can be helped. We would like to say that although the Government is going to help farmers as a whole throughout the country, it is not the big farms but the small ones which are in greater need of help. By giving a smallholder some facilities the Government would find that it was doing quite a lot.

So I suggest, besides giving this poor farmer some seeds and fertilizer, services or plans should be given to him by way of a loan. All that is needed by the end of the season, the farmer would be ready, the crops would be ready, and he would repay the loan he has had. This has happened and by doing this I am sure the farmer would know that the Government is working on them.

On settlement schemes, Mr. Speaker, Sir, it has been said that pressure is sometimes forced on allowing some people to have farms, whereas others do not get the farms. If people want to buy farms, whether the party buying farms are known to the Minister or to one of the Africans holding a high post, this should not affect who should buy this. There are allegations that normally some individuals go to some Ministers and get a letter of introduction to the Minister for Agriculture and then, if the hon. Member is not certain, I would direct him to his constituency and he will discover. I would rather want to keep it general, but such cases are happening. We hope they will not continue. We do not want favouritism.

Mr. Speaker, Sir, the question of Rhodesia was mentioned the other day when we were talking. We need a clear statement from our Government on its policy on Rhodesia. Our neighbours and most of the Organization for African Unity supporters have made their policy clear. What steps is our Government going to take if Rhodesia and this confused fellow, Ian Smith, declares unilateral independence? We need to hear from our Government where they stand and we want the Government to take strict measures and strong measures, but we need to know them quite clearly.

Sudan affairs, again, I will say that although Sudan is a sister country, recently we have heard of cases of people being forced to go naked by law. Some laws curfew and so many other atrocities. I can see one of the hon. Ministers belonging to this Government saying that to order people to go naked is not bad. This is a shocking thing to be said by a Minister of the Government, a Minister for Information. Perhaps we need to know from our

[Mr. Kibuga] although they should not interfere with the affairs of the Sudan—what their opinion is, do they support these atrocities which are happening there, or what is their idea? The hon. Member from Somalia area in the Northern Frontier District talks something about the Northern Frontier District. I would say that the Government and the people of this country are already tired of the leniency employed by our Government.

Mr. Khalif: On a point of order, Mr. Speaker, I am not an hon. Member from Somalia.

The Speaker (Mr. Slade): Yes, please get your title right for hon. Members.

Mr. Kibuga: The hon. Member from Wajir, if he misunderstood this, I meant a Somali from Wajir, an hon. Member—who is a Somali—from Wajir, in Kenya.

The Speaker (Mr. Slade): Rather different.

Mr. Kibuga: Mr. Speaker, the idea and the move by the Government to say that they will take stricter measures on the Northern Frontier District is welcome, and we hope it will not end with words, we want action.

Thank you, Mr. Speaker.

The Assistant Minister for Works, Communications and Power (Mr. G. Godana): Mr. Speaker, I would like to thank His Excellency Mzee Jomo Kenyatta, for giving this clear policy. I would like to say more, Mr. Speaker. This policy must not be miscarried in this country.

Mr. Speaker, may I say that this House was built for Kenya affairs, not for affairs from anywhere else, and we are the Members of the National Assembly of Kenya, and I would like to make this statement, Sir, that among us, there are allegations that some Members of this House are aligned to the West and some to the East.

Mr. Ngala-Abok: On a point of order, Mr. Speaker, Sir, for some time there has been something which appears to me very unclear, because here in Parliament we have Ministers and Assistant Ministers and now we are talking on the Government policy. Do we have any Standing Order that asks Ministers or Assistant Ministers they are originally constituency Members to declare whether their speech will be split into two parts, one would be speaking as an Assistant Minister or as a Minister? And then he could express some views as a Member of Parliament, so that he could never be misunderstood at any time?

The Speaker (Mr. Slade): We have no Standing Orders which covers this, but I think it is desirable, when Ministers speak, that they make it clear whether they are speaking for Government or for themselves as Constituency Members. They are, of course, entitled to speak for their own Constituencies, but sometimes it is confusing for the House, and I think it is a good point.

The Assistant Minister for Works, Communications and Power (Mr. G. Godana): Thank you, Mr. Speaker, and I do thank the hon. Member. I should make it clear that I am speaking as the Member for Marsabit-Moyale, not as Assistant Minister for Works, Communications and Power.

Mr. Speaker, I think you have counted that minute which went on the point of order?

Mr. Speaker, before the hon. Member rose on this point of order, I was speaking about the feeling of this House inside the building. What I said, Sir, was that this House is for Kenya, and I would like to know, also, whether I am in order, in mentioning the fact that the allegations regarding West and East should be stopped, because this House is not for either West nor East, and we have *Ujamaa*, that is what we call the policy of Kenya, and this policy will be debated by people. Unless people acting on the law—the law itself—the necessary legislation to bring our policy about cannot go through. We are here as Members of Parliament to support our policy in Kenya clearly to the public, and if we use language which is confusing the public outside, then we—as the leaders of this country—will be blamed. The language—one hon. Member asked which language is the language of West or East, and that is what I do not like to hear in this House. I would like to hear of the development of Kenya in this House, and not West or East.

Having said that, Mr. Speaker, let me now go back to one point which His Excellency made, that about livestock. We, who live in my area, like livestock and I would like to make this clear. I congratulate His Excellency and I would fully support him, and I think the Minister for Agriculture, together with the Minister for Lands and Settlement, will take this properly; that in Marsabit also we should have this benefit. I am not doubting that the Minister is taking note. I am sure he is going to, but—as the Member for Marsabit-Moyale—I should briefly give what should be done in my area.

Mr. Speaker, in Marsabit-Moyale we have wonderful cattle, sheep and goats and people in Kenya usually say "Sell the Boran cattle," and

[Mr. Oduya]

hear that the Germans perhaps are not interested, also the Canadians are perhaps not interested, but the Russians were willing to come, but because perhaps well, let me leave it that way.

Mr. Deputy Speaker, if because the Ministry has some differences with the Russians, it does not allow the Russians to come and establish a paper industry in Busia, then it is a very wrong thing that the Ministry of Commerce and Industry is doing. I hear a rumour, I do not want to be misunderstood. The rumour is that the paper industry which was to have been in Western Kenya, is now going to be built somewhere in Central Province. This is a rumour, but if there is any truth in it, then it reflects what kind of Government we have today, and the people of Western Province are capable of seeing what is going on and capable of answering to whoever is in power. We are no longer going to sit down and cheat our people about this and that. Mr. Deputy Speaker, Sir, we only want to consider facts. The President has emphasized very strongly about having the Government one people of Kenya. The Government is a single people, one Government and one people. We must mean it. It is not a slogan of the Government. It is a slogan of the people. We go to the House you are faced with a different kind of talk. This is not going to help.

On the question of the sugar factory I remember that the President, when he was in Kakamega early this year, said, on a public platform and this was repeated over the radio several times—that this factory was going to be started within a month. Several months have elapsed since this promise was made but nothing has been done. Now there was that promise by the President there has not been a single word by the Head of State, from the Head of Government, a big man like that, the President? If the President's word cannot materialize, then whose word can materialize? That is what we are questioning.

Therefore, we would like to see that what has been said, either by the Head of State or by any other Minister, must materialize.

Our people are eagerly waiting to see when the machinery is going to be installed in Mamasira. Mr. Deputy Speaker, I hope very sincerely that the Government will be honest about this because this has been promised to us by the President himself. We would not like to embarrass our own President. Once he has made a ruling, we want to see that ruling carried out.

I would like to see something done in connexion with the three industries I have mentioned.

Also, Mr. Deputy Speaker, we would like to say that although the President said here that the Government's Revised Plan is going to be announced soon, the plan which will set things out in detail, it would be better for us to have been told what is going to be done for the Turkana people. I am very much concerned about the Turkana question. That area has definitely been left out, it has been cut off from the rest of Kenya, and we would like to see something done for Turkana. One Member says I am a champion, but it is not a question of being a champion, but the Ieso have no differences at all and this is just like talking about a man from Fort Hill and another from Kiambu; there are no differences at all here. This should be understood fully. Here, also, in my capacity as a Member of the National Assembly, I have to speak for the Turkana people. So, when the Government replies I would like to know what is in mind for the Turkana people. In the past the Turkana were just forgotten by those who were in power.

The Deputy Speaker (Dr. De Souza): Your link is up, Mr. Oduya.

Mr. Oduya: With these few remarks, Mr. Deputy Speaker, I hope the Government will take these things seriously.

Mr. Anyieni: On a point of order, Mr. Deputy Speaker, in the other Chamber we used to have a red light to indicate when our time was up. Here—

The Deputy Speaker (Dr. De Souza): Yes, Mr. Anyieni, you were out when the Speaker explained to the House about the light. I think it will be installed very soon.

Mr. Anyieni: On a point of order, Mr. Deputy Speaker, can you assure us that it will be installed by tomorrow?

The Deputy Speaker (Dr. De Souza): I cannot do that because I am not the contractor. But it will not be long before the light is installed.

Mr. Kibuga: Mr. Deputy Speaker, I welcome the speech by the President because this is the first time when the Head of State has addressed us on Government policy. There are a few things I would like to mention in connexion with this.

I very much welcome the housing board but I think we need to know a little more about this board. When this board is set up, will it cater for only certain areas? Recently, we have noticed that although the Ministers are appointed

[Mr. Kibuga]

to serve the country as a whole, there is a certain amount of concentration in their areas. I hope that when this board is set up it will cover the whole country and will not concentrate on certain areas only. We would not like to see that because So-and-so is a friend of a certain Minister he is on this board I am sure we have capable people to carry out this work.

Then I come to health service. The introduction of free medical treatment for out-patients is very welcome. We hope that this will be put into operation everywhere as soon as possible. However, there is one thing which needs to be pointed out. Although we have free medical treatment throughout the country, the medical centres are not as well spread out throughout the country as they should be. In some places they are much better than others. For example, I would point out that in my district it is surprising to see that here there is very little being done. This district has been overlooked. There is a district which is very close to us, Muranga, and here there are four doctors; in Kiambu, there are three doctors; in Thika, which is a tiny district, you will find three doctors; in Embu you will find three doctors, while in Kerugoya you will find one! This is terrible.

The Deputy Speaker (Dr. De Souza) left the Chair.

[The Speaker (Mr. Slade) resumed the Chair]

This is most unfair. The fact that there is no Minister who comes from Kirinyaga does not mean that we do not want medical treatment.

Mr. Speaker, Sir, our county council came forward and set out different schemes in order to build health centres and dispensaries, but the proposals were not entertained. The county council put the proposals forward, put up the money, but the Ministry of Local Government stopped this. I think this is terrible indeed. We hope that when the estimates are sent by the Kirinyaga County Council, they will be approved quickly and we will receive as much care and attention as any other district.

Now, on the question of medical treatment, I do not know whether it is the whole country where such things are happening, but I have heard that in the mortuary you will find that the dead bodies are left naked. Mr. Speaker, our customs do not allow relatives to find the bodies of the dead lying in a naked state. This is very bad and something should be done. So, we hope that this will be taken care of quickly. We hope that no further cases of this nature will be found in the future.

I would like to say something on the question of Harambee schools. Quite a number of districts have set up Harambee schools. The people of different areas were encouraged by the Government to build secondary schools to suit their purposes, but now we find that some of them are likely to be closed because of lack of funds. It should be necessary to see that these Harambee schools are helped. Even if all of them are not taken over at once, then there should be proper distribution of educational services. There are complaints and allegations that some officials in the Ministry of Education, because they have friends in certain districts, you find that all the schools and services are concentrated there. Aid should be given equally throughout the country. If it is a question of pupils, then it should be possible for students to go to different districts to complete their education. It was suggested that the people in every district should be made to feel that the Government is theirs. There should be no differences. Although schools in certain areas cater for the children of those areas, it should be possible for students from other areas to attend these schools. In this way a good understanding and relationship will be established among the people of this country.

Mr. Speaker, Sir, to plan a co-operative movement is good because most of the people of this country are small farmers and traders. Therefore, this co-operative movement can do a lot of good. It is good to see that the Government intends to set up six centres and one central training centre in order to improve co-operative movement. However, I would request the Government to concentrate on all the areas. The co-operative societies are supposed to be set up to cater for the farmers in the case of farming and traders in the case of business; this also applies to the transport business. We need proper checking of the accounts of the societies. There is a danger that the employees of the societies will benefit from the societies but not the individual members. So, the Government is responsible for the training of these people and, at the same time, the Government should see that there are uniform salaries within the societies. If all the salaries in all the societies are uniform, then this will avoid a lot of unpleasantness that would arise out of the differences. Most of our people are uneducated and they may not know what is going on within the societies. We hope Government will send a co-operative officer to see that things are run properly for the welfare of the people.

[Mr. Nyuberi]

say that even Kericho is really a highly potential area and I think they should have a railway running from Kericho, Kisii and Homa Bay. At the present we have a railway to Kisumu, but Kisii should be taken into account. Mr. Deputy Speaker, Sir.

Coming to the question of passion fruit, Mr. Deputy Speaker, Sir, the President mentions that agriculture will be developed so highly. Mr. Deputy Speaker, Sir, Kisii at the moment is an area which does plant a lot of passion fruit and I should think, Sir, that we have a passion fruit factory to process the fruit that the Kisii men are growing. Among the roads I would suggest to the Government to construct in Kisii is a road from Kisii to Sotik and also a road from Kisii to Fcoanga, to Kericho. Yes, Mr. Deputy Speaker, Sir, I see the hon. Member is supporting me highly in that matter. Another road is from Kisii to Nyangosia and another one from Kisii to Kamagamba, to Kuria where Kenya borders Tanzania. Mr. Deputy Speaker, Sir, those are some of the best roads in Kisii that should be taken into consideration.

Mr. Deputy Speaker, Sir, coming to the point about security again. His Excellency the President declared that the security and safety of our people is uppermost in the minds of our Government. In this country we have many people in fact who are really fined heavily when caught drinking some dangerous liquor. Mr. Deputy Speaker, Sir, it is termed *Bururi*. This is something very serious and I think that the Government should have a committee of inquiry and then we could see how to cure this matter.

**The Deputy Speaker** (Dr. De Souza): Mr. Nyuberi, your time is up.

**Mr. Oduya**: Thank you very much, Mr. Deputy Speaker. I also want to make a few points.

Mr. Deputy Speaker, Sir, following exactly what His Excellency the President of Kenya outlined in this document, the other day when he performed the opening of this new Session, he did tell the House and the nation that Parliament is the executive authority.

Mr. Deputy Speaker, Sir, it is true that the President of the Republic, according to our Constitution recognizes that the House here is the executive authority, then I must therefore say that this is the executive instrument where all the Government business is finally sanctioned. So in this case I would like to say that Members of this House have taken up a lot of their time, right from the beginning, to emphasize and to direct the Government machinery, but at certain

stages Members have also been blamed by Government circles that the Members of this House are interfering very much with the work of the Government, that certain debates raised in this House have made the Government work very impossible, and in this we agree with the President that the Parliament is now recognized to be the executive and this therefore means whatever the Members of this House will decide will always be binding, because I remember so many Motions have been passed through this House, which I know are of very vital importance to the Nation, but you will find that the Government circles have never, up to this day, recognized the Motions passed in this House and I think all the Members today will agree with me that we do not, as from today, as per the President's speech, therefore have to bear the blame for whatever is happening today. An example is the question of maize. This also has been passed in this House when the Members wanted an immediate solution to be found to alleviate the famine problem throughout the country and after passing the Motion the Government only came and told the House again that this Parliament is merely for advising Government or requesting Government what to do. But I do not see the final authority and this is where I therefore challenge the President that he should instruct all his Ministers to recognize the decisions taken by the House. If he cannot do that, there is no point in telling the Nation and the House that the Parliament is the executive instrument.

Apart from that, many other issues have been tackled here by Members which I appreciate very much and I appreciate the work that we as Members here, have done, but nothing has come out to be implemented so that the Nation outside is convinced that we are doing something for them.

The President also referred, Mr. Deputy Speaker, Sir, to the fact that the Republic is the people. If we are here speaking for the people of Kenya, then we actually have to mean the true sense of the President's speech, that the Republic of Kenya is the people of Kenya, and in most cases, Mr. Deputy Speaker, Sir, we have said that we are speaking for the people of Kenya, but then you will find that within Government circles, some circles have come out to say that all of us speak for the people and that the Government is the Republic, and that is the argument of some of the individuals within Government circles, and I therefore now take it that if the Republic is the people, then who are these people? The people who go hungry, the

[Mr. Oduya]

people who are frustrated, they never even have bread, a cup of tea, let alone somewhere to spend the night.

Mr. Deputy Speaker, because of this I must therefore say that there is meaning in what the President said when he referred to the people in the Republic of Kenya and in this case this is now a direct challenge to this House, and this House here has therefore to institute the proper machinery whereby the Government circles have got to be brought to their proper senses and made to recognize the problems of our people in the country today.

Mr. Deputy Speaker, Sir, today you will find in the country that in Nairobi the population, for example, which is actually considered to be unemployed, is over 20,000. These people have no houses, they have no places to get food and in fact if you went around the Nairobi area, some of the constituencies like the hon. Kali's, the hon. Deputy Speaker's himself, the hon. Waiyaki's you will find people living in what I call the most filthy places.

The Minister for Economic Planning himself also who plans actually for the economy of this country, when he went to his constituency, Mr. Deputy Speaker, you will be surprised that already people in these particular areas have been assured that the Government is making plans to reorganize the building machinery of the country by trying to assist the Majengo housing scheme, that is Pumwani, but learning from what we have already seen as a result of the housing scheme in Kariakor, I do not think the Government is actually realistic on this issue. Already houses have been put up in Kariakor with a promise that once those houses are put up, those people who owned houses there before would be allowed to take rooms, but Mr. Deputy Speaker, the houses put up are for Sh. 200 and over per month and the men who lived there before were only paying about Sh. 15 to Sh. 20 a month. Therefore, I am left wondering how a man who lives on Sh. 90 a month is going to secure a house in the Kariakor housing scheme although the plot was actually his. Those people who were kicked out of that area, some of them today have no place to put up. Some have gone to the constituencies of the Members I mentioned to disturb them and all the Government finds it fitting to do is to send their police to patrol the area and see that these people do not break into people's houses. If you consider the whole machinery you will find that the fault does not lie with the people, the fault

merely lies with the Government way of conducting things and this is what the Government has to correct as soon as possible.

Mr. Deputy Speaker, coming to the actual machinery of the Government's conduct, I also want to mention something about the President's speech on industrialization. The President mentioned a few industries but he never, at any point even in this document, mentioned anything about the Western Province's industry. Mr. Deputy Speaker, Sir, we have industries which have been promised now and then by the President himself and his Ministers, that is Mumias Sugar Factory, the paper factory in Broderick Falls and the textile industry in Busia. The President never even indicated that these industries are going to be built. He merely talked about how much Government has done and this Paper merely talks of a few other places where the industries are going to be established, but, Mr. Deputy Speaker, we would like an assurance when the Vice-President answers, or whoever is going to answer for the Government, to explain what has happened to the paper factory which has been talked of for all these years, since we came into this House and even before we came to this House that that industry was established by the colonial regime. It was actually up to this Government to implement and see that something is done. But today our Government keeps on talking, talking, talking, but it has just reached the stage whereby the Government is now trying to deviate from the whole issue and possibly thinking that the people will forget. But I must assure the Vice-President that the people of the Western Province are looking forward to seeing these industries established, before 1968 if possible, because we are fed up. We are told that Busia is going to have a textile industry. Now I hear that the Germans are no longer coming and we are not even told who is coming next if the Germans are not coming. When we approach the Chinese to come and build, certain interested bodies in Government circles came and said, "These are Communists." Our interest is not what China is, our interest is to see an industry, people may think what they like of China, that is up to them. If he wants to quarrel with Mao Tse Tung in China let him go there, but our concern, Mr. Deputy Speaker, is to have an industry in Busia district established a textile industry, whether Satan or God comes to establish it, it is none of our business, all we want is to see our people working.

Another point on the paper industry, that I have heard, Mr. Deputy Speaker, is that some other interested bodies which were to invest money are already withdrawing. For example, I

[Mr. ole Tipis]

happening? Nobody cares, *Uhuru* has come. This is very bad. We ought to be more vigorous because we cannot just sit idle like that.

To quote an example, Sir, I remember that this has been worrying the Narok County Council in particular. We said, "We are going to do something about this." The county council decided to pass a by-law to this effect, that each location would send a given number of boys and girls to the primary schools every year, and this number was to be increased year by year as the number of school-going children increased. Now we drafted the by-law, Sir, and then we said, "All right, we'll take it to the Ministry of Local Government for approval and to the Ministry of Education, for that matter, for approval." Then what answer did we get from these two Ministries? The answer was this, "This is interfering with the individual's liberties and freedoms." What sort of an answer is this? They said that this was interfering with the liberties and freedoms of the individual, something which is deeply entrenched in the Constitution.

Surely, Sir, it need be we ought to interfere to advance our people? We cannot just let them go without education, through sheer ignorance. They do not know what is going on in front of their noses, and it is our duty to help them.

Having said that, I see the Assistant Minister is taking a keen interest in this.

Now, Sir, with regard to this interference with freedom and liberty and the rest of it, if somebody I am not a lawyer, just a simple bush lawyer, mind you if somebody attempts to commit suicide and he fails, it is a criminal offence, and he will be charged and punished by the courts. He has not that freedom to take his life. Equally, we cannot allow the people in the backward areas that freedom to sit idle, not sending their children to school, where they will advance. We must use a bit of discretion in some cases these people must be brought to their senses.

This is another example with regard to this question of education. Now, what a pity, when we had our educationists ready to take pen and pencil and be taught to read and write, they were told, "Oh, just sit down up. What happened? They do not want to go to school, where they will advance." This is a very big mistake. People's little brains are not so stupid. It is not only detrimental to the economic progress of this country but also a great setback to the livestock industry of this country, which we are all hoping great things for. Such people should be given something to do to remove them from this dangerous game of playing with people's property.

The Speaker (Mr. Slade): That is the end of your time, Mr. ole Tipis.

Mr. ole Tipis: Thank you, Mr. Speaker, I am sorry, I had quite a lot still to say, another of my subjects still has not been touched.

Anyway, I support.

Mr. Nyaberi: Mr. Speaker, Sir, I stand to thank His Excellency the President for the speech given by him, and I would like to speak briefly on a few points. On the question of the *Shifta* and security in the country at the moment, Sir, the President referred to the fact that in the North-Eastern Region we have continuous *Shifta* activity which is really detrimental to the country. I think, Sir, that our Government should take action against the *Shifta* so that none of our regions are in a state of siege. I would like to see the Government taking sterner measures to stop this question of the *Shifta* in the North-Eastern Region of Kenya.

Mr. Speaker, Sir, coming to the question of free medical treatment, I would like to thank the President very much for having introduced this and we now look forward to legislation which will give us a really comprehensive hospital insurance scheme.

Health is one of the most important things in the Nation and we should see that we have free medical treatment and we have this hospital insurance scheme for all in-patients. Mr. Speaker, Sir, as I said, I am just touching very shortly on a few points.

Coming to the question of Settlement Schemes.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Dr. De Souza) took the Chair]

Mr. Deputy Speaker, Sir, Kenya is an agricultural country and Kenya primarily depends on agriculture. More than three-quarters of our people work on the land, and our agricultural economy is one of the important foundations. You know, Mr. Deputy Speaker, Sir, the principal crops grown in our country by the masses of our people, it is very important that we have the Minister for Settlement to see into it that we are provided with schools near the newly settled areas. We should also have some hospitals and dispensaries to help the new settlers. To my surprise, Mr. Deputy Speaker, Sir, the Minister for Settlement actually at the moment is doing very little about it and I should think that we have the Ministry to look into the settlement scheme, form a committee of inquiry,

[Mr. Nyaberi]

before some of the settlement schemes collapse. I fear, Mr. Deputy Speaker, that unless the Government really take a keen interest in the settlement scheme, some of them may perish.

Mr. Deputy Speaker, Sir, I should think that the maximum land ownership should be defined not to the members of the public, so that they know exactly what they are doing, because at the moment there is this cry of people saying that some fellows or some persons occupy more or larger areas of land than the others and I should think, Mr. Deputy Speaker, Sir, the Government should see to it that land ownership allowed to a person in any part of this country should be defined in the face of the

Mr. Deputy Speaker, Sir, coming to the question of Africanization, I am glad to know that Government will continue to pursue Africanization of the whole Administration structure. Mr. Deputy Speaker, Sir, I should think a reshuffle, not necessarily should be made and the Government should see that the Public Service Commission recruiting persons takes into account tribal feelings. This is very strong, Mr. Deputy Speaker, Sir, the Public Service Commission at the moment is criticized for taking people probably from one district or from one tribe, and, in fact, when we are here to discourage tribalism, in that way we encourage it, Mr. Deputy Speaker, Sir, so I say that the Government should see what the Public Service Commission is doing and in that case, if necessary, we should have a registration index number showing men who occupy or were recruited in the Senior Civil Service from what part they come from, from which district or from which province. Mr. Deputy Speaker, Sir, the public is not satisfied with the way in which the Public Service Commission is recruiting the people for the senior posts of the Government. In connection with that, Mr. Deputy Speaker, Sir, we have a Public Service Commission whereby a politician or a Member of Parliament is debarred from influencing it but in that case, it is all well and good, but we should also trust this Public Service Commission. If the Public Service Commission was to base its consideration on qualification, then let us have a basing its consideration on qualification and some other merits, but, Mr. Deputy Speaker, Sir, at the moment, if you went to one of the districts in Kenya, you might find the big men, the big officers, they might be men from one district or men even from one location. Mr. Deputy Speaker, Sir, this is something which is really serious. The public is complaining and

I should think, Mr. Deputy Speaker, Sir, that recruitment of the Public Service Commission should be revised, and this would satisfy the public opinion.

Coming to the roads, Mr. Deputy Speaker, Sir, I learn that within the present development period, Kenya will have a full tarmac road from Nairobi to Mombasa, and from Leseru to Tororo as stated in the President's speech, and Athi River. Mr. Deputy Speaker, Sir, coming to my own district, Kisii, Kisii has no tarmac road and I wonder probably what to say. The roads which were constructed during the colonial régime still exist. I should say the Government has done very little to improve any road at Kisii. Kisii is just a small town without light, no tarmac road, we have only one road, ungravelled, linking Sotik and Kisii town, and this is a very serious matter. I should think that within the present development period, the Government should see that in Kisii district with a big population, more than a million people, more than half a million people, Mr. Deputy Speaker, Sir,— I see an hon. Member correcting me. It is alright, Mr. Deputy Speaker, Sir, but even 600,000 is coming to a million and, Mr. Deputy Speaker, Sir, a million is not very far from 600,000 people and I should say Kisii, with such a big population, it is a potential area and many of us, those of us in Kisii are very serious and they are busy and they are doing really what we call making a contribution to our national income and it is such a big district. We would not just have no tarmac road.

At the moment, Mr. Deputy Speaker, Sir, we have a tea factory which will process the tea grown by Africans in Kisii District, and I should think, Mr. Deputy Speaker, Sir, among the roads within the present development period, which Kenya will have, they should see that in Kisii we have one or two tarmac roads and link up with the new district of South Nyanza, Homa Bay. We have no railway, Mr. Deputy Speaker, Sir, the railway which was constructed in 1895—if you read your history, you find the railway during the period, this is a railway of the colonial régime—and it still exists and it comes and terminates at Kisumu. Mr. Deputy Speaker, Sir, a large area with large masses of people and many areas, I should say, Mr. Deputy Speaker, Sir, remain without means of communication.

Mr. Deputy Speaker, Sir, in this connexion the Government should see that it links Kisii and Homa Bay with the railway from Kedowa, and I see my friend here who also wants to support me on it, to pass through Kericho District and I think, Mr. Deputy Speaker, Sir, the hon. Member here will support me when I

[Mr. Godia]

Education will seriously consider accepting and putting into action 100 per cent of the recommendations in so far as they affect Harambee secondary schools.

Mr. Speaker, Sir, we hope in these schools that the community will be given the advice and direction and supervision necessary for their schools in order that the schools might be proper institutions for the children.

Mr. Speaker, Sir, I also hope that the Ministry of Education will find it necessary to institute the Kenya African Secondary Examination, to help in certain cases, because we do not have a sufficient number of teachers and some of the students could, after doing two years of secondary education, write general examination, after which some of them could go to Form III and Form IV and the rest could easily find some kind of employment.

Mr. Speaker, Sir, regarding the co-operatives I would like to say that my people are being exploited so far as tomato growing is concerned, because we grow most of the tomatoes in Hamisi and also other locations and these tomatoes are brought to Nakuru, but the people are not given regular service, some of the tomatoes go rotten and, therefore, Sir, I hope that the Ministry of Co-operatives and Marketing will see to it that a factory is established nearby for the growers to take their tomatoes there instead of bringing them to Nakuru where many of them do not get the proper market.

Now, Mr. Speaker, Sir, with regards to tourism I would like to ask the Minister for Tourism that we demand in Kakamega a State House and also a State Hotel, where His Excellency the President or any other Government officials could come and stay while touring the province, because at the present moment Kakamega has not changed from what it was when it was a small district and we want the Government to realize that Kakamega has a very large number of people and it needs to be recognized just like any other provincial headquarters in the country. Mr. Speaker, Sir, if you compare Kakamega and Nakuru or Kakamega and Kisumu, Kakamega looks like a small village therefore, Mr. Speaker, Sir, I hope the Government will see to it that the Kakamega headquarters of the Western Province is brought up to the standard of other provinces.

Mr. Speaker, regarding roads, we need a tarmac road between Kakamega and Bungoma. We also need one between Kisumu and Busia. I hope the Minister for Works, Communications and Power will see to that. We also need roads in the

area, Mr. Speaker, Sir, particularly in Hamisi to connect Kinii and Banja in Nyangori location, also to connect Kisumu to Banja, through Kapiti location, Lusui, Jeptulu, all in Hamisi, Chapiti and Gaguruchu in Tiriki. These roads, Mr. Speaker, Sir, should be developed by the authorities to help tea growers transport their tea to the factory.

Mr. Speaker, Sir, now with regards to Africanization. I would like to ask the Government to consider transferring some of the Abaluhya senior civil servants into the Administration Department, Mr. Speaker, Sir, because we do not have a sufficient number of Abaluhya in the Administration. Some of them who are there were transferred to other departmental posts away from the Administration, and now we are too short of civil servants to serve in the Administration. I hope, Mr. Speaker, Sir, that the President's Office will consider recommending a number of Abaluhya who are within the Government to be promoted into Administration.

The Speaker (Mr. Slade): That is the end of your time, Mr. Godia.

Mr. Godia: Mr. Speaker, Sir, I am sorry I have not finished what I wanted to say, but with these few words, I beg to support.

Mr. ole Tipis: Mr. Speaker, Sir, I would like first of all to thank His Excellency the President for his wise words which, I am sure, will be a very good guide to the whole nation, which came at the right time when we actually needed some words of wisdom and I think, Sir, the House and the nation owe him a very great debt for all that he has done, not only in the past, but he still continues to do so without any hesitation whatsoever. He has sacrificed a lot and, of course, his history will be written with golden letters.

Now, Sir, I would like to mention a major point here, which is concerning the Members of this House and this, Sir, is the question of relationship between the House here, the Floor of this Chamber, and the executive arm of the Government.

Sir, I submit that there is a big missing link here and I am glad that our Vice-President is present here so that he can convey this to his colleagues in the Cabinet, His Excellency the President included. It is time that our Cabinet took stock on various resolutions which have been passed in this House and so far no action regarding their implementation has been taken. This, Sir, will spoil the relationship or the supremacy of this Parliament with that of the executive, that is the Cabinet as well as the officers in the field. We are not coming here to

[Mr. ole Tipis]

be used as a sort of small debating club. We are here as legislators and we are here to put our views and the views of those who elected us, and it is up to the Government to implement the resolutions of this honourable Parliament. If they do not do that, then of course I think they are making a very great mistake which I hope is not deliberate.

Having said that, Sir, I want to touch on another point which was touched on by the President in his address. He went on to mention that we are not here to copy some alien ideas or foreign ideologies, for that matter.

Mr. Speaker, it appears that there is a tendency these days, not only among the Members in this House but also among members of the public, to mean something quite different from what they utter from their mouth and what is at the bottom of their hearts. We have been told time and time again, Mr. Speaker, by very prominent and leading figures in our Cabinet, that the policy of this Republic is that of non-alignment. If we follow the trend of things, the actions by some of these Ministers, then they make a complete mockery, Sir, of the interpretation of non-alignment. I should have thought, Sir, that we here in Kenya have a great task to perform in order to uplift the standard of living of our people, instead of going around preaching some foreign ideologies which are meaningless to our people. We should be proud of our culture, we should be proud of an ideology of our own creation, not copy it so blindly from some people, who were imposed upon by the imperialist powers—that be.

Sir, I think if I may remind Members, that these fourteen of us who used to form what we called the African Elected Members when we were fighting for our independence, of which the Vice-President here was the Chairman, were doing our job. Although we had a few differences here and there, we shelved those differences for the sake of our people, to achieve the golden aim for which we were struggling. In this case, if somebody is supported or financed by the East, that is his own affair, but do not mix it with the welfare of our people. Or, on the other hand, if he is financed by the West, that is his own affair. Let him go and support them in their country. He should not come here and mess about and confuse our people and make them lose the sense of direction. Who are our people looking to for direction if we, the Members of this House, including the Ministers, are the ones who are confusing them further? This is very bad, Mr. Speaker, I submit.

Now, if I may touch on a few points, Mr. Speaker, Sir, I would like to touch, for instance, on the question of health. Health is very essential and, in passing, I would remind the Minister for Health and Housing that in these vast areas where the population is very sparse indeed, where the people are pastoral and move from one end to another, there is not very much in the way of dispensaries. We want some mobile health units fully equipped with all the medicines and qualified personnel to treat our sick in the bush and help them throughout their diseases. There is the same thing, Mr. Speaker; there is something wrong somewhere as far as the medical services are concerned. For instance, we are told time and time again, even by Ministers answering questions in this House, that, "Oh, the dispensaries, the health centres, are the responsibility of the local authorities or the county councils, for that matter." Surely, a Government worth its name cannot sit idle and see its citizens suffering from disease just because a local council or a county council, for that matter, is financially bankrupt? The Government should step in and help these people.

Now, Sir, I come to a very important question, and that is the question of education. You will recall the President's opening remarks, when he mentioned the question of education; he said that education is perhaps the greatest single foundation of effective nation-building. How right he is. Now, Sir, this question of education, especially to our people—I think we ought to do something, especially for people like the Masai. I am very much worried, Sir, at this stage, if I may say so, because the number of the intake, the beginners, say, Standard I, every year, since our country achieved Independence, has decreased in Masailand, both in Kajiado and Narok Districts. What are the reasons?

I hear a gentleman who knows very little about this questioning me.

Now, Sir, what are the reasons? Firstly, Sir, our people, unlike our brothers in other, more advanced areas, do not know the value of education, and because of this the Government should at least devise some ways and means of compelling at least a given quota of school-going children to attend schools. This used to happen, Sir, even during the colonial times, we used to see some imperialistic district commissioners in places like Narok calling all the chiefs together and saying, "I want twenty or thirty children, fill Form I from your own location," and so on. And this was carried out. But now, these days, what is

**[The Vice-President]**

local government authority. There will be schemes to assist the local government authority to house its own staff; there will also be schemes which will help the people in towns and villages.

Now, Sir, when it comes to the question of health schemes you find that development programmes in this line have not been minimized. The President laid great emphasis on the lives and health of our people. We know that a lot can be done whereby the people will help themselves in the self-help schemes but still it is the Government's intention to help the people by introducing several training schemes. Also, it will be made possible for the people to take advantage of the training schemes.

Without labouring these points very much, Sir, I would like to move on the next important point made by the President. He spoke on the question of economic development. This is where our greatest duty lies, he said, whether we are educated or uneducated, this is where there is something for each one of us to do in order to bring about a great economic development for Kenya. He said that the basis for our own economic development lies in the co-operative spirit whether it be in the agricultural field, in the business world, in small industries, among those who are working in the civil service, or among people engaged in any other programme. The President stressed this point very strongly, and I am sure that as a developing people and as a people who are just emerging from another system of economic struggle we will endeavour to build our own social economy. The President said that the best system our people understood was the co-operative system and this has been understood by them from time immemorial. If you go to Masailand and you tell the people to have a communal grazing ground they will understand that better than if you try to tell them about modern methods of grazing.

**The Speaker (Mr. Slade):** I am afraid your time is up, Mr. Odinga.

**The Vice-President (Mr. Odinga):** That is what I would like to emphasize, Sir. I am sure I will have more time at the end. I hope what I have said will give hon. Members a basis on the matters for discussion in connection with the President's speech.

**The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onyok):** On a point of order, Mr. Speaker, do we have another method to signify the end of the time, because that thing over there is probably not noticeable?

**The Speaker (Mr. Slade):** I think if hon. Members get used to the idea of looking at it, it is quite conspicuous and visible. We shall install as soon as possible, a light system, such as we had in the other Chamber. This is all we can offer at the moment. As I said, it is only a matter of hon. Members remembering their time is limited and looking at the glass every now and then to see whether the sand has started to run and, if so, how far it has run.

**Mr. Arman:** On a point of order, Mr. Speaker, when last time we used to have in the other House two or three lights, the yellow and red one, and green, something of the sort. How many do we have at the present in this House?

**The Speaker (Mr. Slade):** We have none yet, but we will have the same as before as soon as we can.

Who seconds this Motion?

**The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onyok)** seconded.

**Mr. Kall:** Mr. Speaker, I wonder whether it would be convenient to have a small bell to be rung twice to give somebody warning?

**The Speaker (Mr. Slade):** Order, I think we need only ask hon. Members to use their intelligence and their eyes.

**(Question proposed)**

**Mr. Godia:** Mr. Speaker, Sir, may I take this opportunity of congratulating the Right hon. His Excellency, the first President of Kenya, our beloved Mzee Dr. Jomo Kenyatta. He gave a very lengthy address which has been encouraging, and which has impressed most of the people in the country with some of the benefits which he raised in the speech.

**Mr. Speaker, Sir,** I wish to make a few observations on the speech.

The first one, Sir, is regarding the National Housing Authority. This is welcome. I hope that the Government will see to it that this Authority is brought to life, possibly before the end of the year, and I hope, Sir, that the Minister for Health and Housing will give priority in housing at the *Harambee* schools where the community have come together and have put up schools for their children, but it is difficult for them to put up houses. I hope that the Minister for Health and Housing will see it right to try and assist the communities in putting up teachers' houses and hostels for students at such places. In saying so, Mr. Speaker, I would like to urge the Ministry of Housing to consider seriously, since I come

**[Mr. Godia]**

from Harmsi where we have established five *Harambee* secondary schools, I hope that the Minister will see to it that the communities are assisted in putting up the houses for the teachers.

I also hope, Mr. Speaker, that the Minister for Housing will see that more rural areas also benefit in that some of our Kanu party officials are assisted in putting up better houses, so that they may also enjoy the fruits of our *Uhuru*. Mr. Speaker, some of these people who have played a very important part in forming the present Government should be able to enjoy the fruits of *Uhuru*. We do not want these houses to be put up in towns, in Nairobi, Mombasa and Nakuru only, but also for people in the reserves, particularly Kanu officials in the reserves should be assisted within this scheme.

Mr. Speaker, Sir, His Excellency the President did not stress very much that Kanu as a party must be respected by everybody in this country, because without Kanu this Government would not be here, this building would not be here, and this country's Government would not be in existence. Kanu has done a lot for the country and, therefore, Sir, I hope that all the civil servants in the country will give much respect to Kanu, not only as a party but also as a Government. Mr. Speaker, somebody is asking me why the civil servants should give respect to Kanu as a party. It is because, without Kanu, those civil servants would not be doing their job. I hope that within a very short time it will be possible for the Government to see that Kanu branch district organizing secretaries and secretaries have a full-time job because there is a lot of work which they can do and we in the Government should give them the support and assistance necessary.

Mr. Speaker, the abolition of in-patient fees as announced by the President is very welcome. It is hoped, Sir, that since most of our patients, about 80 per cent of the people who go to attend for medical services, go to private or mission hospitals, I hope, Sir, the Minister for Health and Housing will bring to the House some legislation making provision for most of these private institutions to be given some medicines, so that they can also dish them out freely, just as in Government hospitals, because most of our people who ask for this treatment cannot all be treated by Government hospitals.

Mr. Speaker, Sir, His Excellency the President announced the abolition of fees for Form V and Form VI. This, Mr. Speaker, Sir, is welcome, but the country thought it would have been better for Standard I and Standard II to get free education,

rather than Form V and Form VI, because Forms V and VI have some sort of education, they are a bit better off, but Standard I and Standard II have nothing. So, the country, Sir, thought it would have been better for the Government to consider Standard I and Standard II very seriously, because when a child in Standard I is assisted, the number that will get assistance throughout the country will be so many, whereas in Form V and Form VI there might have been about a hundred or so students, and the country does not feel so much. So, Mr. Speaker, I hope, as this has been a start, the Ministry of Education will work out a system whereby some kind of free tuition will be provided to Standard I by 1966, and this means intensive investigation and discussions with local authorities to find out the figure in the country. I am sure, Mr. Speaker, most of the people in Kenya are prepared even to pay their taxes four times over provided that their children will get free education, starting with Standard I.

It is known, Mr. Speaker, Sir, throughout the country, that in the Kanu manifesto we told the country that we would work out a system whereby primary education will be free, but since the time when we formed the Government, the officers within the Ministry of Education seem to have done very little with regard to educating the country, as to what the cost will be, because then it is this House that will determine whether the country is prepared to embark on this or to wait. Mr. Speaker, Sir, the Ministry of Education appears to have done little in educating this country; what the cost will be and whether the country will be prepared to meet the cost, I hope, Mr. Speaker, Sir, that the Government will see it fit to consider seriously Standard I and II education.

Now, Mr. Speaker, Sir, I must also congratulate the Professor, Mr. Ominde, on his fine work. He has now produced the second part of his book on the Education Commission and, Mr. Speaker, Sir, in paragraph 558 the Minister for Finance may be required to discover means of raising money to meet the cost of primary education. This, Mr. Speaker, Sir, I hope, should be brought into effect as soon as possible. The Professor Ominde Commission has called upon the Government to take over the control and maintenance of *Harambee* schools and I hope also, Mr. Speaker, Sir, this idea will be accepted by the Government without questioning it, because this is exactly what the country needs. The more the Government acts in this direction, the more confidence the country has in the Government. Therefore, Mr. Speaker, Sir, I hope that the Ministry of



[The Assistant Minister for Lands and Settlement] any one settlement scheme, but funds are available for lending to co-operatives to improve or initiate water schemes.

**Mr. arap Soli:** Mr. Speaker, would the Assistant Minister state why completion of bridges and culverts has taken so long when the scheme was started in June, 1964?

**Mr. Gachago:** Mr. Speaker, Sir, I do not think one year is very long. But the reason was that the Soil Conservation Service machinery unit, which we were using on this particular scheme, after completing soil conservation and road-works on Kipsonoi, had to be removed to Gesima in order to complete that scheme so that settlers could plant their 1965 tea in time. It is anticipated that the unit will be back on Kipsonoi next month to construct dams and complete culverts. It is only because it had to be moved in order to help with the planting of tea in good time for the rains.

**Mr. arap Soli:** Mr. Speaker, Sir, is the Assistant Minister aware that the delay in the completion of the bridges and roads has postponed the handing over of the roads to the county council, and because of this the roads have deteriorated as they are reported?

**Mr. Gachago:** Mr. Speaker, Sir, I do not know if roads could turn into girls or whatever the hon. Member said. I would say that the delay in the completion of these bridges and culverts is highly regretted, but the situation would have been much worse if the planting of tea at Solih had been delayed.

**Mr. Aremam:** Mr. Speaker, Sir, may we ask the Government if they know that the local people outside and the Members inside this House are tired of the words, "as soon as possible"? They say, "Oh yes, as soon as possible", but they do not say to us, "We shall finish the dams or whatever it may be in such and such a period or in such and such a time."

**The Speaker (Mr. Slade):** All right, Mr. Aremam, your question is quite clear!

**Mr. Gachago:** Mr. Speaker, Sir, in my reply I did not only use the words, "as soon as possible", which the hon. Member thinks are getting a little outdated or are being used in this House rather extravagantly. I went further and gave a date, which is next month. I said that it is anticipated that the unit will be back on Kipsonoi next month to construct the dam and complete the culverts. Next month is also "as soon as possible", Mr. Speaker.

## NOTICE OF MOTION FOR THE ADJOURNMENT

### MAIZE DISTRIBUTION

**The Speaker (Mr. Slade):** I would remind hon. Members that on the interruption or earlier close of business today, Mr. Makoha is to raise on the adjournment the matter of dissatisfaction with the distribution of maize in the country. Knowing the great importance that hon. Members attach to this question, and in view of the considerable amount that may have to be said on both sides, I think we will make an exception, with the leave of the House—and if the House gives this leave—and continue for an extra ten minutes or a quarter of an hour. I will, however, propose that to the House at the time when the adjournment of the House is moved.

## NOTICE OF MOTION FOR THE ADJOURNMENT

### UNSATISFACTORY REPLY TO QUESTION NO. 22: BRIDGES AND DAMS ON KIPSONOI SETTLEMENT SCHEME

**Mr. Makonde:** Mr. Speaker, Sir, in view of the fact that the Ministry of Settlement is asking the Kipsonoi farmers to repay loan payments before it has pushed the actual work on this scheme, I wish to raise this matter on adjournment.

## MOTION

### THANKS FOR THE PRESIDENTIAL ADDRESS

**The Speaker (Mr. Slade):** Before calling on Mr. Odinga to move his Motion, I would remind hon. Members that every speaker is limited to fifteen minutes, except for the Mover in reply; and with regard to the limitation of time, hon. Members will see that we have not yet had installed the system of lighting which warns hon. Members when their time is running out. We will have to reply on the hour glass, which is a five-minute one. So if hon. Members will watch the hour glass, they will see it turned over when they still have five minutes to go, and they will know, as it starts running, that it will do so for five minutes.

**The Vice-President (Mr. Odinga):** Mr. Speaker, Sir, I beg to move:

THAT the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on the 2nd November 1965.

**Mr. Speaker, Sir,** I am sure that only after a week the House will recall to mind that great speech which is contained in this Motion. I am sure that nearly all hon. Members have copied

## [The Vice-President]

of this speech in their possession and must have scrutinized this as far as possible. Mr. Speaker, I should say that this speech marks the beginning of a very important history in our own development in Kenya. It is only a year since we managed to overcome a lot of constitutional hurdles and to get ourselves set on the proper road to development. It is, therefore, fitting that His Excellency the President should have opened this new Parliament with this very suitable speech.

All hon. Members will see that the President, at an early stage in his speech, said in no uncertain terms: "We can both learn and benefit from our own approaches to this matter, and our own achievements. Kenya has no need to copy some alien ideas. We have our own concept of Kenyan sprang from our own culture here, our whole constitutional structure is rooted in our African traditions. These give our people the right to select and to strengthen our Council of Elders, that is today called the Kenya Parliament." This is what we use. The President reminded us that the House where we are sitting today, used to be called the Council of Elders in our traditional society. We had our Council of Elders and that is where we are today. The President reminded us that while we sit here we are not mere simple people. We are the elders, representing our own respective people from all over Kenya. This is very important indeed and this fact should be mentioned very clearly to all our people.

One very important thing which the President brought forward in his outspoken speech was the fact that our whole constitutional structure was rooted in our African traditions. Here I must emphasize, Mr. Speaker and hon. Members, that it is unfortunate that many of us are born at a time when our traditions are waning away from us, when many of us are quite ignorant of the African traditions and customs. Therefore, it would be best for us to begin now, before it is too late, to learn some of these traditions, and we should do this while many of our elders are still alive. It is good that each one of us associates himself with these elders in order to draw from them what we should know so that we can continue with the old traditions. We must take this seriously, we must learn from them now. Mr. Speaker, we all know that there was a time when we had brushed aside the elders saying they were primitive and not very learned. We must think differently now, we must go back to them and take very seriously what they have to say about

our traditions. We should learn from them how we used to live, what we used to do so that in this modern society we can incorporate those traditions in order to work in conformity with the President's ideas.

Mr. Speaker, Sir, the President went on to remind us of the grave task which lies in front of us, and that is the task of tackling education. As we are aware, in our Kanyu manifesto we promised the people that soon there would be free primary education, free education up till Standard VIII. The President was bold enough to say that a commission would shortly be set up to examine matters relating to the whole primary education structure. When this commission has completed its work, a report will be set before the House in order that it can be debated here. This commission will put forward some suggestions with regard to the best methods that can be used to solve the difficulties of primary education. I know that most of the Members were not very happy when the President announced free education only for primary schools. However, they must realize that when the ground is wet it means that there is water just underneath. So, I must say that the Government is always vigilant and will snatch at every possible opportunity to help our people in the line of education. This is our aim.

Now, when it comes to the question of secondary education, you will readily see that the President has laid greater emphasis on this. He has shown how the Government is already moving in this right direction here. He commended those people who had accepted the spirit of *Harambee* and built self-help secondary schools in that spirit. He said that this was very useful work in the development programme of the country. He went on to say that the Government, with the meagre means at its disposal, was doing all it could to help and encourage the people who worked in such a spirit of *Harambee*. After all, Sir, education is the key to progress and development.

The President also touched on various training schemes to be started in regard to health programmes and industrial programmes. He mentioned that we should show the people that the Government is out to train our people in order to prepare them to tackle the multi-development programmes which will have to be faced in our national development.

When we come to the subject of health and housing, you will see that the President made it quite clear in his speech what would be the Government's action in order to hasten the introduction and completion of a housing scheme for the people of Kenya. This goes right down to the

Mr. Muliro: Mr. Speaker, Sir, would the Minister not agree with me that there have been various Government promises, and possibly this school is one of the unfulfilled promises of the Government?

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, may I ask the hon Member to repeat his question?

Mr. Muliro: Mr. Speaker, Sir, would the Minister not agree with me that there have been several unfulfilled promises of the Government, and possibly this school is one of the unfulfilled promises?

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, I cannot agree with him.

Mr. Mate: Mr. Speaker, Sir, will the Assistant Minister agree with me that the same community of this constituency would have been served by the decision of the Educational Council by the Central Government, and that they are the same people and they should be provided for?

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, I am in a bit of difficulty in following the question, because I do not understand exactly what the hon Member means, that this constituency would be better served by the Regional Government rather than the Central Government?

The Speaker (Mr. Slade): I think the hon Member means that the Central Government should fulfil the commitments of the Regions, in these matters. That is what he was suggesting.

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, the question of service to any particular constituency or part of the country, as laid down by the Government policy, is quite uniform and, as far as development of school in any particular given area, it depends on the order of priority and the recommendation given through the Provincial Education Officer of that particular area. If this particular constituency was to be given top priority, this should have been through the recommendations of the Provincial Education Officer which we do not have in our offices.

Mr. Mbooghi: Mr. Speaker, Sir, does the Assistant Minister agree that if the Members of Winam Constituency decide to open Oubuolo Intermediate School as an unaided secondary school in 1966, the Minister will recommend it and take it up like any other self-help secondary school?

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, if they did, this would be considered.

#### Question No. 25

#### GOVERNMENT HELP FOR PAYMENT OF SCHOOL FEES

Mr. Oselu-Nyalick asked the Minister for Education if he could say what plans the Ministry had in order to help the children from being deprived of their primary education in those areas where drought or floods had disabled the local authorities from providing such education, and the parents from paying rates, poll tax or school fees.

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, I beg to reply. At the present time, the functions with respect to primary education are entrusted to the local authorities under the Education (Enactment of Functions to Local Authorities) Order, 1965. Local authorities receive their funds for financing primary education from the graduated personal tax, school fees and a general grant from the Ministry of Local Government, following approval by the Ministry of Education that the estimated expenditure on primary education by each local authority is in order.

However, if occasion should arise whereby children were to be deprived of primary education for reasons as stated in the question, it would be necessary for the Ministry of Local Government to see if the necessary funds could be found to enable primary education to be provided in such distressed areas.

Fortunately, during the present year, and despite the period of drought, there is no evidence that children have been deprived of primary education for the reasons stated. In the past, the Minister for Education has usually managed to find adequate funds to meet such emergencies, whenever local authorities have experienced difficulty in financing primary education, through a short-fall, either in the payment of poll tax or school fees.

Mr. Oselu-Nyalick: Mr. Speaker, Sir, arising from the Assistant Minister's reply, could he take it from me that because of the floods which affected some parts of Central Nyanza, there are children whose schools were submerged and, at present, they are not at school, while staying with their parents in Kibigori Camp? What facilities is he going to arrange so that these children can go back to school?

Mr. Mutiso: Mr. Speaker, Sir, if the hon Member was serving his constituents properly, this particular question should have been raised during the flood period. Our experience is that we do not have any reports of children who have been deprived of education because of floods, since the period of floods was about two years ago.

Mr. ole Tipis: Mr. Speaker, Sir, arising from one of the Assistant Minister's replies, is he aware that in some areas, due to animal diseases which caused cattle to be placed in quarantine for long periods, thus resulting in no cattle sales so that the parents could not get the money to pay the school fees, some children are being chased away from school for non-payment of fees? If so, can the Assistant Minister use his influence to send directives to his officers in the field to stop this until the quarantines are lifted?

Mr. Mutiso: Mr. Speaker, Sir, if there are cases in some areas, as the hon Member has mentioned, where children have been chased away from schools for non-payment of their school fees because of cattle not being able to be sold, I am sure similar cases would have applied to any other government services, not only the schools alone. I would be prepared, if the hon Member would bring a substantiated case, to have this looked into.

Mr. Mbooghi: Mr. Speaker, Sir, arising from an earlier reply by the Assistant Minister, that he did not know of any children who have been deprived of education due to drought or floods, because they could not pay the fees, has the Ministry taken any steps to find out whether there are cases like that? And if it has not, would the Assistant Minister assure this House now that he will find out what numbers are affected by drought and floods?

Mr. Mutiso: Mr. Speaker, Sir, in the first place, we cannot take the trouble to investigate something we do not actually know exists. If there are some cases which indicate that there are some pupils who are being deprived of their education because of drought or floods, we can only investigate these cases when they are, first of all, brought to our notice. Again, Mr. Speaker, I cannot agree with the hon Member that we can institute enquiries and be required to find out whether these cases do exist unless we are informed by our officers in the field or these complaints are raised through the proper channels, complaints saying that there is a/deserving case for pupils who have been laid off because of non-payment of fees.

Mr. Oselu-Nyalick: Mr. Speaker, Sir, would the Assistant Minister agree with me that, having heard from me that there are cases where children have been deprived of their primary education because of these natural calamities, it is necessary for him to find out that there are people, children, today at Kibigori Camp who are not attending school because their parents cannot pay taxes, cannot pay fees, because of the natural calamities, flooding and drought? Is he going to take steps now?

Mr. Mutiso: Mr. Speaker, Sir, I cannot take any steps now. All I am willing to do is to promise that this matter will be looked into by the proper Government machinery if the hon Member will bring a tangible case, showing the number of children and showing why their parents are unable to pay the taxes.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

#### UNSATISFACTORY REPLY TO QUESTION NO. 25 GOVERNMENT HELP IN PAYMENT OF SCHOOL FEES

Mr. Khasakhala: On a point of order, Mr. Speaker, in view of the fact that the Assistant Minister has not been able to answer this question satisfactorily, I wish to raise this on adjournment.

#### ORAL ANSWERS TO QUESTIONS

##### Question No. 22

#### BRIDGES AND DAMS—ON KIPSONOI SETTLEMENT SCHEME

Mr. Arap Soi asked the Minister for Lands and Settlement if he could tell the House if the bridges, dams and culverts that were to be built by his Ministry on the Kipsonoi Settlement Scheme had been completed.

The Assistant Minister for Lands and Settlement (Mr. Gachago): Mr. Speaker, Sir I beg to reply. Under grant funds made available by the British Government, it is possible for the Department of Settlement to put in the minimum requirements of culverts and bridges. In the case of the Kipsonoi Settlement Scheme, these will be completed in the near future.

Regarding dams, again a limited amount of finance is available for this purpose and it is intended that a number are to be constructed on the Kipsonoi Scheme at some future date. The date of construction is dependent upon the completion of the settlement programme in the Sotik area.

It is appreciated that the money available for the construction of dams and water holes is insufficient to give full coverage in respect of water to

**[The Minister for Economic Planning and Development]**

and it has nothing to do with working parties. Section 27, Mr. Speaker, which refers to a working party and on which the House and the Government are committed, reads as follows: "A working party will be established immediately to consider and recommend on forms of land tenure throughout the country". My answer is that the Government is doing everything possible to establish, with speed, such a working party.

The hon. Member for Butere has asked why it has not been done after three months, the answer is that it is not the only job which the Government has been dealing with. A lot of other things have been done in the meantime.

Now, Mr. Speaker, when I refer specifically to section 106 of the Sessional Paper, it is the hon. Member's contention that his interpretation of property here is the narrow limited term of Land Government interpretation. We are not, Sir, writing a Sessional Paper for African property but for the property of every person in Kenya. What I have said is that in this section 106, the Government has stated the probability, the words are "might be established", of considering a ceiling on individual ownership of property and to advise on the machinery for making these effective, and I have said that as soon as Government can do it, this working party will be set up for the purposes expressed in section 106.

**Mr. Jahazi:** Mr. Speaker, Sir, will the Minister tell the House what degree of importance and urgency, and in which form of priority the Government is intending to set up this committee?

**The Minister for Economic Planning and Development (Mr. Mboya):** Mr. Speaker, Sir, frankly, I do not understand the question. I have said we will do it as soon as possible.

**NOTICE OF MOTION FOR THE ADJOURNMENT**

**UNSATISFACTORY REPLY TO QUESTION NO. 7: CHILING OF INDIVIDUAL LAND OWNERSHIP**

**Mr. Kagia:** On a point of order, Mr. Speaker, in view of the fact that the Minister is not replying and is trying to confuse us, I beg to raise this question on adjournment.

**Question No. 20**

**FOREIGNERS DEPORTED BY THE KENYA GOVERNMENT**

**Mr. Lorema** asked the Minister for Internal Security and Defence whether he would inform the House:—

(a) How many foreigners had been deported from Kenya since Independence up to now; and

(b) what their respective countries of origin were.

**The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek):** Mr. Speaker, Sir, I beg to reply. Since 12th December 1963 until October 1965, twelve persons have been deported from Kenya and their nationalities are as follows:—

British	10	
Ugandan	1	(still in Kenya in prison)
Chinese	1	
<b>Total</b>	<b>12</b>	

During the same period 179 persons have been ordered out of Kenya on Removal Order and their nationalities are as follows.

Somalis	123	
Ethiopians	23	
Indians	13	
British	6	
Germans	3	
Pakistanis	1	
Israelis	1	
Americans	1	
Congolese	1	
South Africans	1	
Arabs	5	Nationalities not yet ascertained.
Goans	1	
<b>Total</b>	<b>179</b>	

In the same period, 2,625 persons were made prohibited immigrants at the immigration control points either in the country or because they did not comply with the Kenya Immigration Act and they left Kenya by the same ship or aircraft on which they had arrived. The total number of persons who were made prohibited immigrants at our control points, including deportees, is 2,816.

**Mr. Lorema:** Mr. Speaker, Sir, would the Assistant Minister give the breakdown of these people by sex?

**The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek):** I have given the breakdown of the deportees by numbers, countries of origin, and everything.

**The Speaker (Mr. Slade):** Mr. Lorema is asking "male or female"? It is a different question, so I do not know whether you can answer it.

**The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek):** Well, Mr. Speaker, if Mr. Lorema thinks that we will resist

**[The Assistant Minister for Internal Security and Defence]**

the deportation of a person because of his or her sex, he is on a wrong horse.

**Mr. Lorema:** On a point of order, Mr. Speaker, Sir, is it in order for the Assistant Minister to ignore my supplementary question, when it is relevant?

**The Speaker (Mr. Slade):** Order. As I have explained so many times, it rests with the Minister to decide how much he answers a question if at all. He should not be offensive, of course, in refusing to answer, but I think there was no harm in Mr. Kodhek's mild pleasantries on this occasion.

**Mr. Khalif:** Mr. Speaker, Sir, does the fact that 123 Somalis in comparison with one South African deported from this country indicate that the Somalia Republic is more of an enemy to Kenya than South Africa?

**The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek):** Mr. Speaker, Sir, this is a serious matter, and I would not like to go into it and I would not like to quote the speech of Mzee, the President, here a week ago, when I was away. The Kenya Government, like any other Government, knows what enemies it has. The people who kill them is the immediate enemy, and not far away, but apart from the Somalis who have been deported from Kenya or prohibited from Kenya, there are plenty of ordinary good, law abiding citizens. These are good Somalis, they come here to Nairobi on matters of business and medical care. We do not mind giving them the medical care, and having business dealings with them, except on the other matters we do not want to have those deals. But a lot of them do walk into Nairobi, but we do not know what they are carrying in their pockets and they sometimes have irregular papers. People who arrive in Kenya with irregular papers, no proper documentation, no certificates of their particular nationalities, we get rid of these people, and the Somalis are chief offenders at the moment, not because they are fighting us and killing our boys up here, but because they arrive here so irregularly, so often. If they come freely, we are ready, willing and quite able to welcome good Somalis in Kenya.

**Mr. Omar:** Mr. Speaker, Sir, will the Assistant Minister agree with me that the majority of the deported persons who were deported, were deported during the time when the Vice-President, Mr. Oginga Odinga, was the Minister for Home Affairs, and that he had power to deport whoever he thought was not suitable in this country?

**The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek):** Mr.

Speaker, Sir, I do not know exactly what the ex-Kadu Member is referring to, but the deportation of any person is certainly not a matter for the Luo Union and it is certainly not, Mr. Speaker, Sir, a matter for one person. My friend and colleague, Mr. Odinga, deported on the instructions of the Government. Whoever is deported, is deported on the instructions of the Government and the Cabinet decides on it, it is not the decision of one person.

**Question No. 23**

**OBUOLO INTERMEDIATE SCHOOL**

**Mr. Osele-Nyalick** asked the Minister for Education if he could tell the House what resources his Ministry had at his disposal to fulfil the promise given to Kapulu in the Winam Constituency by the then Nyanza Regional Education Authority, that by 1966, Obuolo Intermediate School would become a Government Secondary School to cater for the whole of Winam Constituency.

**The Assistant Minister for Education (Mr. Mutiso):** Mr. Speaker, Sir, I beg to reply. No resources are available to the Ministry of Education from which to develop Obuolo Intermediate School to Secondary School status in 1966, as all anticipated funds are required for the completion of developing streams and for the expansion of selected existing schools towards three-stream status.

**Mr. Osele-Nyalick:** Mr. Speaker, Sir, arising from the Assistant Minister's reply, would he agree with me and tell the House that if I could, in due course, produce the evidence that there were some promises made to the community about Obuolo Intermediate School, the Government would then carry out and develop the school into secondary status next year?

**The Assistant Minister for Education (Mr. Mutiso):** Mr. Speaker, Sir, all that I know is that during the time of Regional Government certain recommendations were made by the Regional Assemblies, and immediately, when the Central Government took over the power of running the schools, these policies were to be reviewed and, again, I would like to state here, Sir, that the question of this school was not even given in the Regional Assembly allocations as a priority project. That, Sir, is why the Central Government, when it took over the responsibility of running these schools, could not consider it, because it was not placed in either the first or second place on the priority list.

Mr. Shikuku: Mr. Speaker, Sir, arising from the reply by the Assistant Minister, where he says that the post is to be filled but it is not supposed to be advertised, could he now explain to the House how any other Kenya citizen is likely to know that such a post exists so that he can offer his services to the President in State House?

**The Assistant Minister for Internal Security and Defence (Mr. Argyings-Kodhek):** The Constitution, as passed in this House, Mr. Speaker, gives certain latitude to the President, as it should do, and it is up to the President to make a choice, at least of certain persons, the people who would understand his private and personal matters, the people he wants around him, the people who would do a job for him day and night without looking at the watches on their wrists. That is the type of person we should have around the President. In fact, Ministers have them, the Speaker has such a privilege, so why not the President?

**The Speaker (Mr. Slade):** I think we have about exhausted that question. We will now take the next one.

#### Question No. 7

##### CEILING ON INDIVIDUAL LAND OWNERSHIP

Mr. Kaggia: asked the Minister for Lands and Settlement whether, in pursuance of the Government Sessional Paper No. 10, section 106, he would tell the House when the "working party" would be established to consider the need and practicability of establishing ceilings on individual ownership of land.

**The Minister for Economic Planning and Development (Mr. Mboya):** Mr. Speaker, Sir, I beg to reply. Perhaps I should first refresh the memory of the hon. Members. Section 106 of the Sessional Paper reads as follows, and I quote:

"There is also urgent need for a land tenure policy to ensure that projected agricultural development is not concentrated in the hands of the few. Having regard to some of the problems of transition, a working party might be established to consider the need and practicability of establishing ceilings on individual ownership of property, and to advise on the machinery for making these effective. Here it must be pointed out that any ceilings decided upon must apply throughout the country. In order to put an end to the buying of land for speculative purposes by non-citizens, there should be a ban on future purchase of agricultural land by non-citizens unless approved by Government."

That is section 106 of the Sessional Paper and, as will be seen, the terms are slightly different from what the question purports.

I should also like to refer to recommendation 27 which reads as follows, and again I quote:—

"To be consistent with the conditions specified, African socialism must be politically democratic, socially responsible, adaptable and independent. The system itself is based on the further idea that the nation's productive assets must be used in the interest of society and its members."

The Government will pursue this recommendation and also take appropriate action in relation to matters mentioned in section 106. The subject is much wider than the hon. Member suggests in his question. Several of the recommendations in the Sessional Paper are being acted upon. The Government will continue its efforts to implement all the recommendations contained in the Sessional Paper.

Mr. Kaggia: Mr. Speaker, Sir, arising from the Minister's reply, will he answer my question as to what he is doing about the promise here about the "working party"?

**The Minister for Economic Planning and Development (Mr. Mboya):** Mr. Speaker, Sir, I thought I had answered this when I said that efforts are being made to implement all the various decisions and recommendations of the Sessional Paper. Most of these recommendations have already been implemented, but if I may again point out to the hon. gentleman, his question is not consistent with the terms of the Sessional Paper. This is entirely his own interpretation of the Sessional Paper and we are not bound to implement his question, we are bound to implement the Sessional Paper.

Mr. Kaggia: Mr. Speaker, Sir, if the Minister is trying to hide behind the word "might", may I ask him, in view of the fact that most of the farms which formerly belonged to the European settlers are now being bought by Asian businessmen, who are not farmers, does he not consider it essential to establish this committee in order to stop this?

**The Minister for Economic Planning and Development (Mr. Mboya):** Mr. Speaker, Sir, I would like to beg the indulgence of the House in that I find one of the sections I quoted is not really the correct one, and I would like to read the correct section now. I referred to recommendation No. 27 and this really reads as follows. The House should overlook the section I read a few minutes ago.

**[The Minister for Economic Planning and Development]**

Recommendation No. 27, which specifically refers to the working party, reads as follows: "A working party will be established immediately to consider and recommend on forms of land tenure throughout the country." The Government intends to appoint a working party on those terms.

Mr. Anyien: In view of the fact that land settlement, land buying and land selling started much before Sessional Paper No. 10 was established, and in view of the fact that settlement schemes are continuing, could the Minister assure the House that this working committee will be set up immediately so that by the time they reach the field they will not be too late to implement what has been set out?

**The Minister for Economic Planning and Development (Mr. Mboya):** As far as settlement schemes are concerned, the programme must be taken as a whole and these units have been considered in their economic contexts. There is a programme or a formula of budgeting, and whether it is high or low density settlement schemes, all these factors are taken into consideration. I do not think myself that the fact that we are continuing with settlement schemes today will affect the purpose for which the working party is to be established. I believe, further, that when it is established, there will be nothing in the present settlement scheme programmes which will be inconsistent with the ideas expressed in section 106 of the Sessional Paper, and in recommendation No. 27 in particular.

Mr. Shikuku: Arising from the Minister's previous reply, where he quoted from one of the sections to the effect that the working party will be established to look into this problem immediately—it was some time back that we passed Sessional Paper No. 10 in this House, if I am not mistaken, it was about three months ago—could we be told why this party was not formed immediately, as quoted by the Minister himself?

**The Minister for Economic Planning and Development (Mr. Mboya):** If the hon. gentleman from Butere was listening, Mr. Speaker, Sir, he would realize that the word "immediately" only appears in his speech and not in what I quoted. In fact, Mr. Speaker, the words were that a working party might be established to consider—

Hon. Members: No, no.

**The Speaker (Mr. Slade):** Order, order. Some interruption is justified, I think, because hon. Members were referring to the reference to the immediate appointment of a working party in another passage that Mr. Mboya read.

**The Minister for Economic Planning and Development (Mr. Mboya):** Mr. Speaker, there are two sections, let me make the point clear to the House. The question before the House refers to the establishment of ceilings on land. The Sessional Paper did not refer to ceilings on land ownership, the Sessional Paper, section 106, to which the question refers, only deals with the probability of establishing a working party that might consider the establishment of a ceiling on property—

Mr. Kaggia: On a point of order, Mr. Speaker, is the Minister in order to misinterpret the Sessional Paper in view of the fact that this whole portion from section 101 to section 109 deals with agriculture and land tenure, and here the word property means land?

**The Speaker (Mr. Slade):** I think an hon. Member is entitled, when reference is made to a document, to point out that there are other matters in the context which show a certain meaning, as Mr. Kaggia has done.

Mr. Kall: On a point of order, Mr. Speaker, since the Minister confessed that he read the wrong section, then he read another section, when I heard the word "immediately", can that section be read, Sir?

**The Minister for Economic Planning and Development (Mr. Mboya):** Mr. Speaker, Sir, I hope the hon. gentleman who was saying that I am trying to fool them will bear with me because I am not doing anything of the sort. I think it would be most unfortunate if, in the discussions in this House, we were to leave the public in any confusion and to mislead them as to what the Sessional Paper said. If I may restate the position, because I do not wish it to be misunderstood, and I do not wish the hon. Member for Kandara to think that I am trying to remove the strength of his argument. All I am saying is this. There are two sections in the Sessional Paper to which reference might be made in respect of the question before the House.

The question before the House specifically refers to section 106. There is no reference in the question to an actual recommendation. Any Member who has read the Sessional Paper knows that, first, the Sessional Paper dealt with the number of discussions on matters of principle and other relevant issues. At the end of the Sessional Paper, on page 50, there were recommendations which deal with the specific recommendation which the Government is to carry out, arising from the Sessional Paper. The only recommendation in the Sessional Paper which refers to a working party is to be found in recommendation No. 27. This is the one which used the word "immediately".

[Mr. Khalif]

area who have undergone training in the National Youth Service, this House urges the Government as a matter of urgency, to appoint a Selection Committee comprised of twelve people, including eight Members of Parliament, each from the Provinces, in addition to four officials of the National Youth Service, to carry out the selection of youths for postings to permanent Government employment.

**Mr. Kamau:** Mr. Speaker, Sir, I beg to give notice of the following Motions.

**GOVERNMENT ASSISTANCE FOR EDUCATION OF ORPHANS**

THAT in view of the fact that many people in this country died during the war of Independence from 1952-1960 and left many children without parents, this House urges the Government to take responsibility and educate these unfortunate children free of charge and assist the widows financially.

**AFRICAN AGENCIES FOR PURCHASE AND SALE OF STAPLE FOODS**

THAT in view of the fact that the foreign traders are exploiting the Africans in most of the local products during the shortage of food in the country, this House urges the Government to give all the agencies for purchase and sale of our foodstuffs such as maize, beans, rice and peas to the African traders because they are the consumers of these commodities.

**Mr. Gichoya:** Mr. Speaker, Sir, I beg to give notice of the following Motion

**PERFUME MANUFACTURING FACTORY FOR KENYA**

THAT this House urges the Government to establish a perfume manufacturing factory in Kenya so that the existing geranium in Kirinyaga District and any other parts of Kenya may not be wasted.

**ORAL ANSWERS TO QUESTIONS**

*Question No. 26*

**SECRETARIAL POSTS AT STATE HOUSE**

**Mr. Obok** asked the President if he would, firstly, tell the House how many secretarial posts had been established at State House, and, of these, how many had already been Africanized and, secondly, what was the tribal composition of those already holding these posts, and what requirements fitted them for the posts. Had these people just to qualify through interview with the Public Service Commission; if so, would he say when these posts had been advertised and when were the interviews held in each case.

**The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek):** Mr. Speaker, Sir, on behalf of the President's Office, I beg to reply. There are two established secretarial posts in the State House comprising a Personal Secretary Grade II, and a copy-typist.

Clerical vacancies in the Public Service do not have to be advertised as the Public Service Commission has delegated to the authorized officers the powers to make appointments to posts below the salary scale of £450 per annum, provided the candidates have the requisite qualifications which are laid down by the Government. In the case of the Personal Secretary post, the incumbent was appointed by the Public Service Commission in June 1962 in the normal way.

**Mr. Obok:** Arising, Sir, from the reply of my hon. friend, the Assistant Minister, is he telling me or telling the House that there are, amongst those holding senior posts at State House, some Kisu, Taita, Luo and Abaluhya, rather than a few friends from Kiambu?

**Mr. Argwings-Kodhek:** Mr. Speaker, Sir, the established posts to which I referred really do not have any connexion with a few friends from Kiambu or Gem or anywhere else. There is, as a matter of fact, a European lady there; she is a very nice woman. This post will be Africanized as soon as we get an African lady, shadowing one or other of these posts.

**Mr. Somo:** Mr. Speaker, Sir, could the Assistant Minister tell this House whether this post, which is being occupied by an English lady, has been advertised so that the proper African women could apply for it?

**Mr. Argwings-Kodhek:** You see, Sir, you have to have the qualifications. I have said that the Personal Secretary post was advertised through the Public Service Commission in June 1962 in the normal way. But as soon as possible, when we get a properly qualified African lady, these posts will be advertised and anyone who is qualified enough to take them will take them, male or female.

As the House knows, Sir, according to our regulations, certain posts below a certain salary level are usually the responsibility of authorized officers.

**Mr. Anyieni:** Mr. Speaker, Sir, would the Assistant Minister give this House an assurance that when it is a matter concerning people working in houses, whether it be State House or private houses, individuals will be given the right to determine who is going to work in their own houses and not be given to just anyone whom they do not even know?

**Mr. Argwings-Kodhek:** Mr. Speaker, I must congratulate my hon. friend, the Member for Majeje-Bassi, on implying that the President, as like anybody else or just like the Governor-General before him, should be given the right to choose the people to work near him.

**Mr. Mate:** Mr. Speaker, Sir, would the Assistant Minister assure the House that whenever there are jobs to be given to people in Kenya, there is nobody who belongs to any tribe and that such a man is not a Luo or a Kikuyu or a Meru; and that when we talk of tribes in this House, we are only hiding our heads like striches and refusing to admit facts?

**Mr. Argwings-Kodhek:** I certainly do not, Sir, approve of the word used by my friend, the hon. Mr. Bernard Mate, "given"; the Government does not give posts, they are taken on qualifications. Anyone who is qualified will get the post, but it will not be given to him or her. There must be the right qualifications. Once the qualifications are appropriate, it will not be a matter of being a member of a particular tribe or being a sister-in-law or a brother-in-law of a particular person.

*Question No. 27*

**MR. E. W. MATHU'S POST**

**Mr. Obok** asked the President if it was correct that Mr. E. W. Mathu, a former prominent Member of the House during Colonial days, was holding an important Government post at State House. If so, what was the post and when was it advertised.

**The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek):** Mr. Speaker, Sir, on behalf of the President's Office, I beg to reply. Yes, Sir, Mr. Eliud Mathu is holding the post of Private Secretary/Comptroller at State House. The appointment of Mr. Mathu was made by the Public Service Commission, in accordance with the procedure laid down in the Constitution of this Republic for appointment of the personal staff of the President, which permits appointment of such staff without advertising the vacancy.

**Mr. Khalif:** Mr. Speaker, Sir, is it not a fact that Mr. Mathu was given preference because he was a Kikuyu?

**The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek):** Well, Mr. Speaker, that post, in fact, was due to be given, I think, to my friend, the Member for Wajir North, but he did not qualify! Unfortunately, the thing which the hon. Member for

Wajir North does not know is that he in this House helped us to pass the new Constitution which, at section 188, subsection (11), says—"The proper title at the beginning of section 188 says, "Appointment", etc., etc., and so on". . . of Public Officers". Subsection (11) says, "No person shall be appointed"—

**Mr. Shikuku:** On a point of order, Mr. Speaker, the hon. Assistant Minister is quoting from a section and then, instead of reading the section, he says "Etc., etc.". Is it not in order, Sir, when you quote from a section, to read the whole section to the House?

**The Speaker (Mr. Slade):** Order! It depends how long it is, and how much of the section is really relevant to the particular question. You must allow Ministers the credit for trying to spare the time of the House. If it appears to hon. Members, after hearing the Minister, that he has quoted something out of context, they can, of course, ask for the context.

**The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek):** Thank you, Mr. Speaker. As a matter of fact, this particular section also used the word "etc." on page 135, as the hon. Member for Butere if he is doing his job well, before I take it away from him—should know.

Subsection (11) on page 137 of the Kenya Constitution, passed by this House, says: "No person shall be appointed under this section to or to act in any office on the personal staff of the President except with the concurrence of the President."

**Mr. Obok:** Mr. Speaker, Sir, arising from the Assistant Minister's reply, may I once more know from him how much this gentleman is earning in salary?

**The Speaker (Mr. Slade):** No, that is not the question.

**Mr. Jahazi:** Mr. Speaker, Sir, would the Assistant Minister agree with me that Mr. Mathu is the most capable person to fill this job?

**The Assistant Minister for Internal Security and Defence (Mr. Argwings-Kodhek):** Mr. Speaker, Sir, I think Mr. Jahazi is merely turning into a good, fast boat away from China.

**The Speaker (Mr. Slade):** I would remind hon. Members that we have a Standing Order which says that questions shall not be asked which seek an expression of opinion, and I think we have just had an example of why it is desirable to have that Standing Order.

## WRITTEN REPLY TO QUESTION

Question No. 2463

## DEVELOPMENT PROGRAMMES IN SOUTH NYANZA

(Note.—this Question was pending since close of Second Session, but since the answer was in preparation at Opening of Third Session, it has not been renumbered and is shown with its old number).

Mr. Ngala-Abok asked the Minister for Economic Planning and Development if he would tell the House how many dispensaries, health centres, adult literacy) and nursery centres, secondary schools, community development projects, factories and agricultural development schemes were planned, and which should be encouraged by politicians and civil servants alike, for each of the South Nyanza Constituencies.

## REPLY

The Minister for Economic Planning and Development (Mr. Mboya): The work of revising our Development Plan is still going on and it is not therefore possible to give a list of all projects we intend to undertake in each district. However, in South Nyanza, as is the case in all districts, the Government is undertaking various projects (for example cotton growing) and assisting the people to undertake many projects. In the financial year, which ended on the 30th June, 1965, a total of thirty-three of Community Development projects were assisted with funds provided by the Central Government totalling £1,750. On the education side it is planned to complete streams which opened in 1963, 1964 and 1965 by taking them forward from Form I, to Form IV, or from Form V to Form VI, and also to establish new streams in 1966 and 1967, starting with both Forms I and Forms V. A break down of these projects some of which have by now been completed is as follows:—

*Lambwe Constituency.*—Ten Community Development projects which include four health centres, one women club, one Youth Club, three primary schools and one nursery centre.

*Homa Bay Constituency.*—Seven projects comprising of one women club, one co-operative store and five primary schools. In addition there are five industrial projects consisting of

concrete blocks and slabs, garment repair and vegetable oil factory) to be situated in Homa Bay township. Homa Bay Secondary School will have Form V (Arts) and Form VI (Science) in 1966, 1967 and 1969 respectively.

*Karachuonyo Constituency.*—Nine projects comprising of one health centre, four women clubs, one youth centre, one co-operative store, one primary school and one pier.

*Kapul'Kabondo Constituency.*—One health centre.

*Migori Constituency.*—Five Community Development projects involving one each of a health centre, a co-operative store, and adult literacy building, a primary school and a home industry. Migori Secondary School will have Form IV in 1966. A sisal industry is also planned for Migori town.

*Buria Constituency.*—One health centre was included in this year's plan. Agoro Sar Secondary School is expected to have Form IV next year.

It should be realized that the Government's support to these projects was preceded by local initiative and positive contribution through self-help.

The greatest drawback to the extension of Community Development activities in South Nyanza District is the inability of the county council to employ an adequate number of suitably trained Community Development Assistants. The county council recently found it necessary to dismiss two of their community development assistance for financial reasons. At the same time, Government has increased its own community development staff stationed at Homa Bay and Kabondo, whereas formerly community development work in the district was administered from Kisii. To complete the proposed programme, a great deal of self-help will be required in the district as well as the province.

Finally, I should like to remind the hon. Members that development is not just new and spectacular projects. The hon. Members can do a great deal to accelerate development by encouraging people to work harder and to use more effective methods of production. The Government is now establishing development advisory committees in all districts, and the hon. Members will be expected to play a prominent role in these committees.

1971/11/11

Tuesday, 9th November 1965

The House met at thirty minutes past Two o'clock.

[The Speaker (Mr. Slade) in the Chair]

## PRAYERS

## ADMINISTRATION OF OATH

The Oath of Allegiance was administered to the following Members:—

Thomas Joseph Mboya.  
Chiedo More Gem Argwings-Kodhek.  
Ukuto Bala.  
Frederick Polwarth Kibuthu Kubai.  
Leonard Walter Oselu-Nyalick.  
Abraham Owori Mulama.  
Stanley Shapashina ole Oloititipui.  
Abu Sombo

## NOTICES OF MOTIONS

Mr. Nditi: Mr. Speaker, Sir, I beg to give notice of the following Motions:—

## WATER DEVELOPMENT: MACHAKOS DISTRICT

THAT in view of the fact that development in Machakos district cannot be effected without water, this House urges the Government to put forward specific water development plans for the district as soon as possible.

## SETTLEMENT OF SQUATTERS: MACHAKOS DISTRICT

THAT in view of the fact that there exists a squatter problem in Machakos District, this House urges the Government to set aside land which belongs to the Central Government in the district for settlement of such squatters.

Mr. Godia: Mr. Speaker, Sir, I beg to give notice of the following Motions:—

## COMPULSORY FREE PRIMARY EDUCATION

THAT in view of the last Kanu election manifesto policy regarding compulsory free primary education to the people of the Republic of Kenya; this House urges the Government to introduce legislation for the introduction of compulsory free primary education to Standard I in 1966, and thereafter progressing with Standard I and II in 1967, Standards I, II, and III in 1968 and Standards I, II, III and IV in 1969 so that by 1973, primary education up to Standard VIII would be entirely free and compulsory.

## OVERHAUL OF MINISTRY OF EDUCATION

THAT in view of the fact that the present Minister and his senior officials within the Ministry of Education appear to have deliberately ignored the public pressure for the demand by the people of the Republic of Kenya to take up all of the established Harambee Secondary Schools opened in the self-help initiative spirit by the people of the Republic of Kenya; this House calls upon His Excellency the President of Kenya to use his most effective influence in overhauling and reshuffling the Ministry of Education completely by the appointment of a new Minister and his senior officials who are prepared to make drastic changes in the educational policies of Kenya, so that, among other changes, the present Harambee Secondary Schools are included within the 1966/67 Educational Development Plan of the Republic of Kenya.

Mr. Mate: Mr. Speaker, Sir, I beg to give notice of the following Motions:—

## ASSISTANCE FOR WELFARE FOR CARE OF WIDOWS AND CHILDREN

THAT in view of the fact that in the pre-independence constitutional alignment of provinces, the former Central Province was badly affected by the Emergency, and as a result there are many orphans and widows, this House urges the Government to grant assistance to welfare bodies in that area so as to care for the welfare of those destitute children and widows.

## ABSORPTION OF MERU LANDLESS AND UNEMPLOYED PEOPLE

THAT in view of the fact that as the process of land consolidation is effected in an area, landlessness and unemployment emerge and become acute and due to the rising increase of population in Meru, this House urges the Government within the Five-Year Development Programme, to plan ways and methods of absorbing the landless and unemployed in Meru through the encouragement of settlement schemes and greater industrialization.

Mr. Khalif: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

## SELECTION COMMITTEE FOR NATIONAL YOUTH SERVICE: GOVERNMENT APPOINTMENTS

THAT noting that there have already occurred irregularities and discrimination in the selection for posting to permanent Government employment of youths from certain

[Mr. Omar]

Therefore, Mr. Speaker, with these few words, I support the amended Motion as put forward by the hon. Mr. Kariuki.

#### QUORUM

Mr. ole Tipb: On a point of order, Mr. Speaker, Sir, do we have a quorum?

The Speaker (Mr. Slade): No, we do not have a quorum. Ring the Division Bell.

*(The Division Bell was rung)*

Mr. Gichoya: On a point of order, Mr. Speaker, is it possible now for whoever has spoken to speak again?

The Speaker (Mr. Slade): Yes, always so far as an amendment raises something new, any Member who has spoken can speak on that new matter—that is, if he catches the Speaker's eye.

The Speaker (Mr. Slade): We now have a quorum. You may speak now, Mr. Kamau.

Mr. Kamau: Mr. Speaker, Sir, I am very grateful to see that this Motion is so important because it has taken up the whole morning. This is where I come to realize that the hon. Members understand their positions in their own constituencies.

The Speaker (Mr. Slade): No, Mr. Kamau, now you must only speak on whether or not you are prepared to allow the amendment. You will have a right to reply to the debate, of course, later on.

Mr. Kamau: Mr. Speaker, I have listened to debates very carefully. I want to be very reasonable and, at the same time, I want the Government to understand that my intention in bringing this Motion was in no way meant to undermine the good work that has been done in the past but to try and rectify the mistakes which have been made, as has been expressed by hon. Members.

However, in order to save time, and before commencing the amendment to the House, I would like to say that even if we accept the amendment that will not be the hole in which anybody can hide. If the work is not properly done we shall bring another Motion back to this House so that the people will be in a position again to air their grievances.

The Speaker (Mr. Slade): That is all right, Mr. Kamau, but right now you must keep to the subject matter of the amendment.

Mr. Kamau: Yes, Mr. Speaker, but this question of land is a touchy subject.

I accept the amendment and I hope the hon. Members who have spoken in favour of the Motion would like the Government to know that

they are not against the policy of the Government. We only want the policy on this question of land to come out as soon as possible.

I would like to inform the Government that when it sets out to find some possibility of amending the Act, it will bear in mind that this Land Registration (Special Areas) Act (No. 283) is very serious.

The Speaker (Mr. Slade): No, Mr. Kamau, you must keep that for your reply. Now you may say what you like about the amendment.

Mr. Kamau: Without wasting time of the House, Mr. Speaker, since I will be replying later on, I support the amendment.

Mr. Gichoya: Mr. Speaker, Sir, on a point of order, I beg you to guide me here, and the House as well. As the Motion stands in its original form, does it tell the Government that within so many hours it must amend that Act, or does it not give the Government any latitude?

The Speaker (Mr. Slade): That is not a point of order. Hon. Members are at liberty to place whatever construction they please on the interpretation of a Motion. If it happens to be a procedural Motion, then I say how I intend to continue it, if carried. Otherwise you must put your own interpretation on it.

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, this Motion has almost brought us back to the place where we were when the Assistant Minister for Lands and Settlement was asking for time in order to find suitable material with which to deal with this Motion. I think the amendment will fit in with the wishes of the Government. Even so the Government must be given time to study the problems which will evolve as a result of the amendment of the Act.

Without taking up much time of the House, I think I will say that it will be quite fitting for hon. Members to have realized that this Motion has taken up so much time, we have been debating it since morning. I doubt very much whether the continuation of this debate will bring in any further material which has not already been expressed by or other of the hon. Members who have spoken. It appears as though the hon. Members who have expressed their views have covered a very wide field. This makes it obvious to all of us that the Motion has met the wishes of the Government. The only thing that the Assistant Minister for Lands was asking for was for a little more time in which to enable the Government to study the implications of the Motion. The amendment to the Motion is asking the Government to look into the possibility of amending the

[The Assistant Minister for Education]  
Lands Registration (Special Areas) Act (No. 283), and, having looked into this possibility, obviously the Government will report back to the Members.

I am sure hon. Members have full confidence in the Government; this is their Government, and they should not look with suspicious eyes at the Government when it says certain things. They should not think that the Government will not implement the decisions taken by this House.

Another thing is this: the Members who have contributed to this debate, those who have spoken, have expressed what is in their minds, what is in the minds of their constituents, and in the minds of the country as a whole. As one Member put it, Mr. Speaker, the Republic is the people and, therefore, the Government is the executive body of the Republic. So, when the wishes of the Republic are expressed through this House, I am sure the Government will take them seriously and look into them together with the recommendations and suggestions of the hon. Members.

Therefore, without taking up much time of the House, I would like to say that the Members should be satisfied that the Government will very carefully consider the best possible way of amending the Land Registration (Special Areas) Act as recommended by this hon. House. For this reason we should not continue to debate this Motion.

With these words, I think the Government accepts the terms of the Motion as it now stands.

Mr. Mbogoh: On a point of order, Mr. Speaker, Sir, I beg to move that the question be now put.

The Speaker (Mr. Slade): We have certainly had a long run; in fact, we have had three hours on this debate, and I think some Members might like to conclude the debate today. We have only five minutes left before the time for interruption of business. So I will put the question.

*(Question, that the question of the first part of the Amendment be now put, put and agreed to)*  
*(Question of the first part of the amendment, that the word to be left out be left out, put and agreed to)*

I now have to propose the second part of the amendment, and I think I will put it straightaway: it is all part of the same amendment.

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

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

*(Question of the Motion as amended proposed)*

The Speaker (Mr. Slade): I do not know whether any hon. Member would like to move the closure.

Mr. Mbogoh: Mr. Speaker, Sir, I beg to move that the Mover be called upon to reply.

*(Question put and agreed to)*

Mr. Kamau: Mr. Speaker, Sir, as I know time is very short, I do not want to labour the point.

First of all, I must congratulate my colleagues for accepting this Motion, although slightly amended. I want to point out that the idea of this Motion is not, in any circumstances, to try and override the good work of land consolidation, and I want also to make it clear, especially to one hon. Member, Mr. Makokha, that I have not brought this Motion because of my own interest. I have brought this because I was urged to do so by my own constituency and the people in Kenya at large. To this end, Mr. Speaker, Sir, I am glad that the Assistant Minister, on behalf of the Government, has accepted this Motion as it is amended. It is also my intention to thank the Government and assure it that the Members of this House are prepared to assist the Government in every possible way. I hope through the Assistant Minister who is here that the Government is going to act as quickly as possible to let people know their position at the moment.

With these few remarks, Mr. Speaker, Sir, I beg to move.

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

*Resolved accordingly:*

THAT in view of the fact that during the period dealing with the Emergency years up to 1960, when many people were in detention and prisons, land consolidation was carried out in their absence and their lands were misappropriated, this House urges the Government to look into the possibility of amending the Land Registration (Special Areas) Act (No. 283) so as to enable these people and any other person deprived of his or her land in their absence to put their case properly in order to regain their land, or to be compensated by Government for the loss of their land.

#### ADJOURNMENT

The Speaker (Mr. Slade): It is now time for the interruption of business. The House is adjourned until Tuesday, 9th November, at 2.30 p.m.

*The House rose at thirty minutes past Twelve o'clock.*

[Mr. J. M. Kariuki]

Now, Sir, the Motion itself is self-explanatory: the way it is put shows that it urges the Government to amend the Land Registration (Special Areas) Act (No. 283). Sir, with your permission, I would like to amend that particular line, the fifth line, so that the Motion would read as follows:—

THAT in view of the fact that during the period dealing with the Emergency years up to 1960, when many people were in detention and prisons, land consolidation was carried out in their absence and their lands were misappropriated, this House urges the Government to look into the possibilities of amending the Land Registration (Special Areas) Act (No. 283) so as to enable these people to put their case properly in order to regain their land, or to be compensated by Government for the loss of their land.

The reason why I want to amend that line is that previously we discussed in this House the possibility of adjourning this Motion in order for it to be considered by the Government; and since we are anxious to pass this Motion in this House in order that the Government can go ahead with its plan, it is always very important to ask the Government to look into the possibilities of amending such an Act as this one. That will give the Government more time.

I think, Mr. Speaker, the hon. Members must be told and must understand that keeping silent is as important as speaking, and that it is sometimes more important.

Now, Sir, I would like to give the reason why I have suggested that amendment. When the Assistant Minister for Lands and Settlement was speaking, he asked this House to adjourn the debate in order to give the Government more time to go and discuss this Motion and discuss the possibilities of accepting the whole Motion. But we thought it was very important that this Motion should be passed in this House. Therefore, the only way we can make sure that the Government goes and discusses this Motion thoroughly is to give it a chance to do so. Members in this House should understand that this Government is their own Government, and they should give the Government Ministers and the Cabinet more time to enable the Cabinet itself and the Government in general to discuss the possibilities of amending the Registration (Special Areas) Act.

It must also be understood, Sir, that even some of the Ministers in the Government were hit hard during the Emergency; Members of this House

should not think that only they and the people at large were the only ones to be hurt by land consolidation during the Emergency. I may say that even the President himself, even the other Cabinet Ministers, are in the same position. We should not feel that it is only the general public and the Members of this House who were hurt during the Emergency. They are also thinking very seriously about this Motion and we should give them time. I would ask the House to accept this amendment and give the Government more time to look into the possibilities of amending this Land Registration Act.

If they look into the possibilities and agree to amend the law, these amendments will be brought to this House and the House will discuss the amendments so devised by the Government. Members will thus be in a position to discuss the amendments again in this House.

So, Sir, I would like to propose this amendment.

The Speaker (Mr. Slade): Is anyone seconding the amendment?

Mr. ole Tipis: Mr. Speaker, Sir, I rise to second this amendment, and, in so doing, I would like to remind hon. Members that it is always very easy to become emotional; this is a natural thing when debating a Motion of this kind which involves the land question which, in turn, has been so phony in the whole political history of our country. In seconding, Sir, I would like to ask my colleagues in this House if we cannot try to be a little more reasonable, a little more realistic and take things as they stand.

Now, Sir, having said that, it is my considered conviction that it is not actually asking too much, having heard what the Assistant Minister for Lands and Settlement said when he tried to move the adjournment of the debate on this Motion. This, of course, was rejected by the House and I think it is only fair, if we are to achieve anything, to give the Government time to consider all the aspects of this Motion and how best it can help to alleviate the difficulties suffered by those brothers and sisters of ours due to the state of Emergency which began in 1952.

Now, Sir, it should be borne in mind—I would like to remind hon. Members of this—that during those dark days most people, all over the country, suffered. The question of land, Sir, cannot—and I repeat, cannot—wholly be reopened; and, of course, if you try to play about with the question of land, then you are straying into very dangerous waters.

[Mr. ole Tipis]

There are some people like my own people. Mr. Speaker, Sir, who suffered gross and naked injustice in the eyes of the British exploiters. All our land was taken, and we are not reopening it. Our people, black Africans, are being settled in this land, and we are not reopening that and therefore people must be careful when they talk on such things. I heard, Mr. Speaker, Sir, when I was seated there, some Members trying to shout, "no," "no," "no". Are we, in our heart of hearts, trying to suggest that the present Government of Kenya is an alien Government? Definitely not. If this is a popularly elected Government, I submit, in my own humble submission, that this Government is capable of looking into the affairs, looking into the evils and suffering of our people, and, as such, they should be given that golden opportunity. If this Government fails, within a reasonable amount of time, to implement the resolution of this House then we Members of this House have every right to come and bring it back and check the Government and if necessary move a Motion of no confidence to keep them on their toes.

Mr. Speaker, Sir, I think we have ventilated a lot on this Motion and I think it is time at least to be a little realistic and not to try to suspect the Government of any move. As such, let us accept the amendment and carry the Motion as now amended. Then we shall be on stronger ground to challenge the Government if the Government fails in implementing the Motion so passed by this honourable House.

Mr. Speaker, Sir, it was not my intention to intervene in this debate at all, but I commend the adoption of the amendment to the hon. Members of the House. I beg to second.

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

The Speaker (Mr. Slade): I think we had better limit the debate to the actual point of the amendment, and Members will only speak on whether they prefer the word "amend" or the words "look into the possibility of amending". We will dispose of that before we discuss the main question any further.

Mr. Omar: Mr. Speaker, I rise to support the amendment of this Motion.

My reason for doing this, Mr. Speaker, Sir, is that I believe the Government should be given ample time to look into this matter: the possibility of amending the Land Registration Act (No. 283). It is true, Mr. Speaker, Sir, that land consolidation in these areas took place

when some of the land owners were in detention camps, but it is also true, Mr. Speaker, that the present owners of these areas might have developed this land; they might have planted permanent cash crops and have built houses in these areas, and done a lot of things to improve them, which has involved a lot of money. If we accept this Motion in its original form, the Government will not have enough time to look into the matter, to know how much money was spent on improving these areas. Therefore, it will be difficult to decide how much money the Government will spend in compensation, if it finds it necessary to compensate the present land owners. If it was a question of getting back the land to the original owners who, unfortunately, were detained during the time when land consolidation was taking place, the Government would also not be able to know how much it should pay as compensation to the present owners.

Therefore, it is very important, Mr. Speaker, that the Government should be given ample time to look into the possibility of amending this Act in a way that will please the present owners of this land as well as those people whose land was consolidated during their absence, because it is not a problem of only those people whose land was consolidated during the colonial time, when they were in detention camps. If this is done without taking into account the interest of the present owners, we shall not get a solution to this problem. Pressure will come from those people who have developed the land; they will say that they have spent a lot of money to develop it and now it is being taken back again to those people who were detained.

So my aim here, Mr. Speaker, in supporting this amended Motion, is that the Government should be given an opportunity to find a solution which will please both sides—those who were detained and those who took part in land consolidation when other people were detained—because if we only please those who were detained during the Emergency and forget those who have developed this land, in this House one day some Member will come and move a Motion that the compensation paid or the way that the Act was amended was not in the interests of those people who had developed this land.

So it is very important, Mr. Speaker, that the Government should be given ample time to go into the matter and find out the possibility of amending this Act, in order to suit the interests of all people who were involved in land consolidation.



Mr. Oduya: Mr. Speaker, I also rise to oppose the adjournment of the Motion because the Government is not a Government of yesterday. The Government has been in power now for nearly three years and, we should all know how exactly what the problems of Kenya are, and I know that many questions have been asked about land consolidation in the Central Province, etc. There, land was taken over during the Emergency, and so on. This has been there, but I remember the blame even went to one of the hon. Members here—Mr. Kaggial was blamed, it was said that he was trying to incite people to go against the Government—but now the Motion has been moved by a very independent man, who has never been in the district with anybody in Government circles, so I think, Sir, it should not be misunderstood anymore. All that we are asking here is that the Motion should be passed. Once the Motion is passed, the Government will go to look into the legal books. We are not asking to be told about the legal implications first, before the Motion goes through. It is not for this House to draft the legal books, it is for the Attorney-General's Chambers to draft the legal books. All our duty here is to examine the legal draft and see whether it is suitable to serve the purpose and that is all, that is the duty of this House and I think most of the hon. Members realize that.

So, Mr. Speaker, I do not see why the Assistant Minister has asked for the leave of the House to adjourn the Motion. I think he has given reasons, saying that he did not have time to study the books, also, the Government was not given the Motion, but here is the Motion and this House is for the Kenya Government and for the people of Kenya. He has seen the Motion here. He has spoken about the Motion and I think he knows what the Motion wants. So, all that we need now is just to support the Mover of the Motion, Mr. Kamau, and we should pass the Motion and then, later on, we allow the Government a period to look into other legal implications and then find a solution. Once a solution is found, whether it is going to be brought to this House or not, all that we want is to see that the Members from that end are satisfied. They would like to see justice done to the people. The people who are actually the electors of the Government, the people who are supposed to be the Government are the people who are advocating today to be given their rights.

Mr. Speaker, if I could remind the Assistant Minister, he knows very well that when he talks of legal documents being studied, he must know

that some people succeeded, who were also in detention camps, in getting their land back before these documents, to which he is referring us, were changed.

The Speaker (Mr. Slade): That is not relevant to the question of adjournment of the debate.

Mr. Oduya: I am opposed to the adjournment, so I am trying to give him the reasons.

The Speaker (Mr. Slade): I think you are getting on to the merits of the Motion now, which we must not do.

Mr. Oduya: All right, Mr. Speaker. But I should think the Minister has noted what I was going to say, but, Mr. Speaker, I personally request the Members now that I should not allow this practice to start, because I know—if I allow this practice to start—even tomorrow, any Member bringing a Motion here, the Government will still come and say that it was not aware, is not prepared, but just give the Government a week or so. But I do not even think, Mr. Speaker, Sir, it is going to be an easy practice for the Assistant Minister to go, and because now it is a week-end, he will start consultations with the Attorney-General's Chambers on Monday, then by Friday he is required to come here and give us the facts about this which, I think, is impossible. So, all that we want here is that the Members should realize that if we allow the Government to start this practice, we are going to defeat our own objectives, we are going to defeat our aim, we are going to defeat the power of debate of this House, because we are going to spoil the machinery. The Government has inherited legislation which was passed by the colonial régime. We do not want to blame a Government which has gone.

We want to know how we are going to solve this problem. Now, the Ministers who are there are no longer the Ministers who were there during the colonial time, because the Minister was arguing that this was colonial and so on, and that is what I was trying to remind him of and I should tell him that the people we have in power today are our own people and we want to see something done to the nation of Kenya.

With these few remarks, I oppose the adjournment. I support that the Motion be passed without any opposition and those who oppose will display themselves for what they are.

Mr. ole Tipsi: On a point of order, Mr. Speaker, in view of the fact that hon. Members have had enough time to ventilate their views on the Motion before the House, will I be in order to ask that the question be now put?

The Speaker (Mr. Slade): Yes, if you have not spoken yourself.

(Question, that the question be now put, put and agreed to)

(Question put and negatived)

#### MOTION

#### AMENDMENT OF THE LAND REGISTRATION (SPECIAL AREAS) ACT

(Resumption of Debate on Motion as amended interrupted by Motion for Adjournment of Debate)

Mr. Gichoya: Mr. Speaker, Sir, I am very happy that the House has rejected what perhaps one could term a stupid suggestion of adjourning the debate until another day, when the Assistant Minister should have come here after campaigning—

The Speaker (Mr. Slade): Mr. Gichoya, we are not discussing the adjournment of the debate any more, we have finished with that; we are discussing the main Motion now. I should leave the adjournment alone, if I were you.

Mr. Gichoya: Mr. Speaker, Sir, it is very unfortunate that we are given the impression that a Minister does not know the Acts which relate to his Ministry, and the question of land consolidation being under the Minister for Lands and Settlement, the Acts which come under land consolidation ought to have been the bible of that particular Minister. It is in that respect, Mr. Speaker, Sir, that our President gave each person an assignment and told him, "Look after this Ministry only and be ready at any time, whether during the night or during the day, whether Parliament is in session or not; be ready to answer any question. Be able to see the problems which are faced by the citizens." This is the meaning of Ministerial responsibility and demarcation of spheres of each Ministry.

Mr. Speaker, Sir, the Mover of the Motion did put it very clearly that a man who was in a detention camp could not have a chance of appearing before the committee or, for that matter, before a magistrate because he was a restricted person. It means, therefore, that even the Colonial Government of that day ought to have had a bit of common sense and said that anyone who is detained or is a prisoner should not be affected by this Act and should be given latitude to come later when he leaves the detention camp or prison, to say, "Well, my land was here, and not having been here when it was awarded to someone else, I want to see justice being done." Mr. Speaker, Sir, we have accepted and inscribed on the walls of this House—

The Assistant Minister for Lands and Settlement (Mr. Gachago): On a point of order, Mr. Speaker, Sir, would I be in order to request you to outline the procedure followed in processing notices of Motions from the National Assembly to the Ministry, which was not done in the case of this Motion.

The Speaker (Mr. Slade): I think it is a pity to interrupt the debate for this. I will deal with that point of order as soon as we have concluded the debate, I think, Mr. Gachago.

Mr. Gichoya: Mr. Speaker, I was saying that we have accepted a very good motto to guide us, which is a part of our Prayer: "For the welfare of society and the just government of men."

#### QUORUM

Mr. Ogle: On a point of order, Mr. Speaker, do we have a quorum?

The Speaker (Mr. Slade): No, ring the Division Bell.

(The Division Bell was rung)

#### CONSIDERED RULING

#### STANDING ORDERS ON INFORMATION TO GOVERNMENT ON MOTIONS FOR DEBATE

The Speaker (Mr. Slade): I think while we are waiting I might deal with the point Mr. Gachago raised, since we are interrupted anyhow.

There is nothing in our Standing Orders which requires the Ministry to receive from the Clerk of the House special notice of a Motion before it can be debated. As far as our Standing Orders go, once notice has been given, a Motion is fit for debate, whether it is a Motion which Government has to answer or any other Motion. It is a matter of courtesy and assistance to the Government that the Clerk passes on to a Ministry, as soon as possible, warning of a notice which has in any event been given in the House, but the Ministry cannot claim the fact that the notice has been short, or the fact that no special notice has been given from Parliament to the Ministry, as a ground for not allowing the Motion to be on the Order Paper. I do not think I can add anything to that, except of course that it is in the best interest of Members as a rule that Motions should not appear on the Order Paper until Government is fully prepared to answer. You get a more satisfactory debate, I think, that way; it just happened otherwise this time.

We now have a quorum. You may continue, Mr. Gichoya.

[Mr. Oduya]

Parliamentary procedure whereby Members are patient. But is it in order for the duplicate Ministers to bark like mad dogs when the Members are speaking?

The Deputy Speaker (Dr. De Souza): Mr. Oduya, I want you to withdraw that statement; it is completely out of order to say things like this, to say that Ministers who are duplicates are barking like mad dogs. It is completely out of order.

I am asking you to withdraw the whole statement and apologize to the House. I have been sitting here, I heard nobody making any undue noise, and it is up to me to decide.

Mr. Oduya: I apologize to the hon. Members and withdraw it.

The Assistant Minister for Lands and Settlement (Mr. Gachago): On a point of order. Mr. Deputy Speaker, Sir, is it in order for the noisiest Member of this House—

The Deputy Speaker (Dr. De Souza): We do not want any more of this. Mr. Oduya, please sit down. You asked for it, I am afraid, by starting in the first instance. I certainly do not want points of order which merely reduce the dignity of the House. Let us not treat this matter in any way except with the highest respect. It is not right for you to stand up on a point of order, Mr. Gachago, once this point has been settled.

Mr. Malinda: On a point of order, Mr. Deputy Speaker, seeing that you have ruled the hon. Mr. Oduya out of order, would it not be in order that you direct that what he said should be struck off the record?

The Deputy Speaker (Dr. De Souza): I do not think I can direct that anything be struck off the record, but I think that what will happen is this. Mr. Oduya has withdrawn and his apology to the House will, of course, be noted in HANSARD, and the House will have that much respect for his words in future when they realize that he did make a statement which he had to withdraw and for which he immediately had to apologize.

No more points of order on this point. We do not want to discuss this any more.

Mr. Kamuren: Mr. Deputy Speaker, Sir, it is always a habit in this House for Members to go on moving points of order, wasting time, whereas I only sit and listen most of the time to the Members. It is important that even Ministers and Assistant Ministers should show that they are dignified and not go out uttering a lot of nonsense.

Mr. Deputy Speaker, Sir, I feel that this Motion should not be adjourned because we still have a certain length of time to speak in this House; and, if possible, we can even extend the time so that we have Members giving their views on this particular Motion. When we were given our Independence in 1963, it was thought that people were going to be considered. They have been waiting and waiting and now this question has been brought to the House, by the hon. Mr. Kamau. It is very fortunate that the Motion should be debated now, because there are Members who come to this House and wait for material to be brought from the Ministries. We want to bring these things in time.

Mr. Deputy Speaker, with these few remarks, I oppose the adjournment.

Mr. J. M. Kariuki: Thank you, Mr. Deputy Speaker.

Sir, I am also opposing the adjournment of the Motion. I am opposing this with facts. There was another Motion of a similar type when the hon. Vice-President asked the House to adjourn and discuss that Motion in the Parliamentary Group meeting. That was in connexion with the land repayment, but what happened, Sir, is that this Parliamentary Group were not asked to go and discuss this Motion at length. What happened was that the same Motion was sent to the Sessional Committee and then the Sessional Committee brought the same Motion to the House, and that Motion was passed during the absence of many Members. So, I am opposing this adjournment, Sir, with another reason. That is that it is always very important for the Government to take into consideration a Motion before it comes to the House. Therefore, I feel that the Assistant Minister in the Ministry of Lands and Settlement should have had a brief this morning, and if he did not have a brief, what he ought to do is to go outside the Chamber here and telephone his own Minister and get the facts. So, that is the most important thing.

We should not be told in this House that the facts are not ready. There will come a time when we will be tabling a Motion in this House the previous day and debating the Motion the following morning. The Government should wake up now and realize that the Members in this House would like to discuss things. It is the Government which is telling us that we want to go and do a lot of work in the countryside. How is it that the Government will keep on telling this House that we should adjourn the House, adjourn the Motion, so as to go and get the facts?—You go and get

[69 Motion—

[Mr. J. M. Kariuki]

we will continue debating this the facts now, we will continue debating this Motion and get the answer. Therefore, I am opposing this adjournment with this other fact.

The other fact is this. There is always a tendency in every Ministry that whenever a Motion is brought to the House, when the Minister concerned fails to come himself to the House, he leaves the whole responsibility in the hands of his Assistant Minister. What I want to say here, Sir, is this. It may be that most of the Ministers would like this House to believe that the Assistant Ministers are unable to do their work properly when they fail to give us the facts which we want, and this is something that the Ministers themselves should take into account; and if the Minister himself had informed his Assistant Minister to come and adjourn this Motion, it is high time that the Minister himself should be called to the House to give the facts and the policy of the Government in connexion with this particular Motion.

We cannot continue, Mr. Deputy Speaker, telling the public that the Government is going to take into consideration the matter of the land consolidation, the land which was taken by some of the Home Guards during the Emergency when most of us were in detention and that there was no proper consideration given to those people who were in prison and detention. The country is really waiting to see what the Government is intending to do with this Motion. Therefore, it is very important for the country to know it today, rather than that it should be adjourned for the sake of adjournment to give the Government more material to go and bring some materials which are not facts, which are not true, which were written in the past years. So, we want you to give the answer now and the country should be informed now what the Government is intending to do with this Motion.

Mr. Malinda: Mr. Deputy Speaker, Sir, I stand to support the adjournment of this Motion for the simple reason that it is a reasonable request.

My view of the Motion in this House is that, as far as possible and as far as practicable, we should get into agreement, we should get the concurrence of the Government with what we have brought up in this House. If, by any chance, the Government rejects a Motion, then the Members—through the feelings of the Members—could force the issue. But, in this case, Mr. Deputy Speaker, we have not had the Government's views, the Government does not know whether to reject this Motion or to accept the Motion, because notice of this Motion was given only yesterday and with all the possibilities and all the

expectations within the Government circles, as I can see, and even this morning, it was thought that we would not discuss Members' Motions. I thought maybe Order No. 6 would be accepted and, therefore, we would get on to discussing the Presidential Address which caused the Government not to come prepared to reply to this Motion.

Mr. Deputy Speaker, if we force this issue, as some Members here seem to want, it would be sort of condemning the Government without first of all putting them on trial. By this, Sir, I mean we are condemning the Government, we are forcing the Government to act on something which we have not yet had the Government's views on.

Mr. Deputy Speaker, if the Assistant Minister who has been delegated the powers to come and reply to this Motion, who is the representative of his Ministry in this House at present, if he has no material or facts with which to reply to this Motion, the only reasonable thing is for the Assistant Minister to be given a chance to go and study the implications and, as the Seconder of this Motion indicated, there is quite a lot that has to be taken into account. It is the whole Act, and that Act needs a complete overhaul. It needs some technical and specialized knowledge as to what section should be eliminated, what section should be amended and what section should be added, so as to bring into effect the requirements of this Motion.

Mr. Deputy Speaker, I consider it is necessary that when a Motion like this is brought—which does not necessarily touch only on a particular Member's constituency, a Motion like this which is of national importance, which is going to touch a lot of people—it is only fair that the person who is supposed to reply should be given enough time, be given a chance to give a proper and justified reply.

Mr. Deputy Speaker, with those few remarks I beg to support and propose that the question be now put.

[The Deputy Speaker (Dr. De Souza) left the Chair]

[The Speaker (Mr. Slade) resumed the Chair]  
Mr. Oduya: Thank you very much, Mr. Speaker.

Mr. Malinda: On a point of order, Mr. Speaker, I proposed that the question be now put.

The Speaker (Mr. Slade): I do not usually allow the closure to be moved by a Member after he has had his own chance. I think, if somebody wants to move the closure, he should be somebody who has not spoken.

[Mr. Wamuthenya]

to suffer and other to do very well out of it and they had a very good standing on land tenure.

This request of the Assistant Minister should be very well supported by the House because there will not be a loss of hours; both sides will have a chance to bring more material and they will also get more advice from other people who are concerned in this case. There is an acute need for discussion of this Motion throughout the country because many people are complaining of their land which was taken and even sold to other people by the land consolidation committees. There are some people who had not even one piece of land and now they have many acres of land. Where did they get them from? That is the question. Another man, who had a very small piece of land, now has a very large piece of land. Where does this land come from? Yet another man who had a lot of land now has none. Another man appeared in the registration of land and he has not even one piece of land.

Now when we are speaking on Friday, we will have very good grounds on which to explain to the Government the situation behind our worries in the country because the people are very bitter about this. The policy on land which was carried out during the Emergency. I think the man who did this did it purposely because he wanted the people of Kikuyu to be fighting each other when he had gone away. He knew he would be beaten and he has gone away and left the Kikuyu in this confusion so that they will be quarrelling between brother and sister and between clan and clan and will go on fighting and fighting; that is why he carried out this land consolidation in some people's absence.

If there is any land consolidation going on in a particular part of the country, a man who is affected is able to go to that part, he can bring his case before the committee or anyone who is in charge of consolidation and there will be no betrayal but because this land consolidation took place when many of us were in detention—some were in prison, some were hanged, some ran away from the country because they could not resist a bullet—of course, this caused a lot of pain and is causing it even now. We do not want the consolidation to be abandoned completely but we want the major issue to be considered, the major issue only. Those people who lost many acres of land. There are now many people who have land, while these others do not. They should show us absolutely where they obtained this land. Who gave them this? Did they import the land from another place and bring it to the country?

That is what the question is, whether there is material being brought by the Government. I am glad that some of the gentlemen who are speaking here, such as the previous speaker, the hon. Mr. Nyagah, were in the country; probably his speech can show us more clearly on how land was imported in some cases. We know that there is a lot of development which has been carried out in the country. Well, we do not want all that development to be spoiled because it will cost the Government a lot of money, so we must realize this important point.

The Deputy Speaker (Dr. De Souza): I am afraid you are getting on to the main debate. You only want to discuss the adjournment.

Mr. Wamuthenya: So, Mr. Deputy Speaker, I support the adjournment. With those few remarks, Sir, I beg to support.

The Assistant Minister for Education (Mr. Mutiso): Mr. Deputy Speaker, I too rise to support the adjournment of this Motion, and I personally feel that I do not have much to say about this Motion because I am already convinced by the atmosphere in the House that this adjournment would receive the House's approval. Also, Sir, although a few hon. Members are saying, "No", I am sure they will agree with me that this issue of land is one of those touchy issues which must not be discussed with emotion and which must really be thoroughly considered and investigated; all that the Mover of the Motion for adjournment is asking, Sir, is to be given an opportunity to study all the issues and the implications of the Motion.

You are, Sir, aware that notice of this Motion was only given yesterday. According to normal procedure in this House, when a notice of Motion is given and it requires a reply from a Ministry, it must go through all the channels which are necessary to investigate it; more material must be gathered in order that the Motion may receive an adequate reply. Such a time was not afforded for this Motion. So I think the Assistant Minister for Lands and Settlement is justified in the case he has made in asking that he should be given adequate time to gather the necessary material. I am sure this is what the hon. Members want to hear. They would not like either to force the issue when it would not be effective in the long run or to receive a vague reply from the Minister. So I am sure the House will agree with me that the Mover of this Motion should be given adequate time to find the necessary material and study all the issues involved, so that when he gives his reply to the Motion it will be to the satisfaction of the House and the country at large.

[The Assistant Minister for Education]

I am sure, Mr. Deputy Speaker, that the whole country is very anxious to hear what the Government has to say in regard to this Motion, because it does not only affect the Central Province but also, although the terms of reference of the Motion only cater for the Central Province, it will open another way for other provinces where land consolidation was carried out during the Emergency. Since this is going to create a precedent, I am sure the Government must have adequate time in which to study the question and give the necessary reply on land policy in so far as land consolidation is concerned.

So, Sir, since this is a very vital issue, I am sure the hon. Members will not like to force the issue when, in the long run, it will not produce any good results.

With these few words, Sir, I would like to support the adjournment of the Motion.

Mr. Kamuren: Mr. Deputy Speaker, Sir, I stand to oppose the adjournment of this Motion. It is not only today, Sir, that this Motion has appeared in this House. I think the Ministry will have had enough time to study this Motion and bring us a concrete reply in this House.

Mr. Kamau: On a point of order, Mr. Deputy Speaker, for information, may I inform the House that this is the first time—

The Deputy Speaker (Dr. De Souza): That is not a point of order, it is a point of information. I think, Mr. Kamuren, as a matter of courtesy, you should normally give way to a point of information, but you do not have to, of course.

The Assistant Minister for Education (Mr. Mutiso): On a point of order, Mr. Deputy Speaker, is it in order for the hon. Member to mislead the House by saying that this is not the first time this Motion has been brought to this House, when it is?

The Deputy Speaker (Dr. De Souza): If he is misleading the House, then you are perfectly entitled to rise on a point of order. If it is not true, what he is saying, and he is misleading the House, then, of course, any hon. Member can stand on a point of order. But I thought Mr. Kamau was explaining this as a point of information.

Mr. Kamau: On a point of information, I would say that this Motion has not been brought in the former House. It has come to this House. That is the information I was giving, to put my hon. supporter right. This is the first time I have tabled this Motion.

Mr. Kamuren: Mr. Deputy Speaker, Sir, that is now understood and what I would like to say is this. Because there are so many other Motions which are coming, and possibly next week we have more Motions, as we have today, Mr. Deputy Speaker, I would like the Assistant Minister possibly to give us the material that he wanted to go and find out at this time so that when we come here next week, we shall be having more Motions from the Members and we will have time to debate the other Motions which will come next week.

Mr. Deputy Speaker, it looks as if—it is not only that we are speaking for people from one tribe who fought during the colonial days, we have also to consider people like the Nandi who fought in 1901. These people fought the colonialists. Mr. Deputy Speaker, my own people in my own constituency, by name Pokot, fought in colonial—

Mr. Wamuthenya: On a point of order, Mr. Deputy Speaker, would you remind the hon. Member, Sir, that we are talking about land consolidation?

The Deputy Speaker (Dr. De Souza): We are speaking on neither just now, we are speaking on the question of the adjournment, Mr. Kamuren, if what you are saying has any bearing as to whether debate on this Motion should be adjourned or not, well and good. I do not know how actually it is relevant, but, no doubt, you will inform us as to how it is relevant.

Mr. Kamuren: Mr. Deputy Speaker, Sir, I want to confine myself to the adjournment of the Motion. I am only painting the picture in this House that if this land consolidation is going to take place, where some people will be considered who lost their lives or were absent through being detained during the colonial times, then this must also be put on a country-wide basis so that all the other tribes who fought and who have not been put into the picture in this House will be considered.

Sir, what is important here is for this Motion to be debated today so that when we go back, our people, who have been waiting to hear something very concrete from this particular Motion which has come into the House, will also benefit from this particular Act, if it is going to be amended. If we delay and say, "Let us wait until next week," it might come in next week and the Minister may reject—

Mr. Odoyo: On a point of order, Mr. Deputy Speaker, I think I may be right to seek your guidance on this issue. When an hon. Member is speaking, I think we should have the sort of

[The Assistant Minister for Lands and Settlement] has spent on the Central Province. If anything happens to dislocate the land consolidation which has been effected, Government will have to pour more money into land consolidation. Is this fair? These are the problems we have to appreciate, problems which the Government is facing. This is the size of the problem which is involved in the event of land consolidation processes in this country.

If may not be out of place, perhaps, to mention that I know that the hon. Mover, himself is involved in a case which has been presented to my Ministry. We have done all we could to try and help him out as a person, because he was one of the people whose land was taken during his absence in detention. My Ministry has done all it could to help him, we have given all the sympathy we could, but the case has come to a stage—and I am sure he will support me in this—where financial implications have made it difficult to help to solve his problem finally. When we advocate for such laws to be changed, or for land consolidation or land registration to be altered, or for people to air their grievances, people whose land was taken away in 1952, we must understand all these implications, especially the financial implication.

I am not just now trying to oppose the Motion, but I am trying to expose some of the problems that are involved if an exercise of this kind, as is suggested in the Motion, is involved. I do not want to labour this Motion. Mr. Speaker, with the permission of the House, if this Motion is adjourned, I will have to study the legal implications, as well as other implications, certain aspects of land consolidation, and all the provisions of the Land Registration (Special Areas) Act, (No. 283) so that the House may have the opportunity of knowing what is the Government's attitude on this Motion. I am sure I am not being unreasonable either to the Mover of the Motion or to the House by merely asking that the debate be adjourned. This is simply to give the Government time to look into the matter. It is going to allow the Clerk of the House to send this Motion, as is the procedure, to my Ministry after which my Ministry will analyse the implications. I am sure the House wants the Government to say what is its proper attitude about this Motion. This is what I am saying. Mr. Speaker, I must not be misunderstood as having opposed the Motion or having spoken against it. I am not doing that. I am merely trying to expose some of the points and I am trying to tell the House that the Government would like to have an opportunity to express some feelings, what the Government thinks will be of benefit to the country. I would like the

House to consider adjourning this debate until the time my Ministry has studied this Motion, in order to enable us to tell the House what is the Government's attitude on this Motion.

I must also emphasize that the land consolidation and land registration problems are not only in the Central Province. They are all over the country, and there must be a balance of attitude and consideration. When we talk about the people who lost their land, although an amendment has been passed in this House today to involve all other people, there are more major problems than those of people whose land was taken during their absence in detention. There are major problems which are the problems which, when solved, are going to increase development and improve the economy of this country.

As was stated in the President's speech, it is intended that land registration and land consolidation be given as much emphasis as possible by the Government, as much as we have given to land settlement, because land consolidation and land registration are the important wings of economic development in this country. If something does happen, however, to disrupt this, then the hon. Members of this House will be left to regret.

For this reason I appeal to hon. Members to give me an opportunity of studying this Motion. I can give the House, perhaps next Friday, the correct picture and the correct opinion of the Government. That is all I am asking. At this stage I am not supporting or opposing the Motion. I only want to study the Motion because it has not yet come to my Ministry.

**The Speaker (Mr. Slade):** Who seconds the adjournment of the debate on this Motion?

**The Assistant Minister for Home Affairs (Mr. Nyagah):** Mr. Speaker, Sir, I stand to support the adjournment of the debate on this Motion. This is no ordinary Motion. It is a Motion of great national importance for it takes us back to a time when the political atmosphere of this country seemed to cloud the truth. Those people who were left in the country because they were not detained did not have their freedom to represent the cases of those people who were in detention; others did not want to do the job effectively lest they too be incriminated. Most of those who remained here could not represent the cases properly. They could not represent cases for their absent relations who might have been studying overseas, or for people who were away in detention camp or prison.

Mr. Speaker, there is another category which has not been mentioned. These were the people whose voices were not heard because of their

[The Assistant Minister for Home Affairs] while others are already dead. How can you sack dead people?

In rising to support this adjournment I would say that the House should be adjourned in order to give the Government time to find out a machinery whereby all these categories of people can be considered.

There is also a document which has been referred to by one of the speakers.

[The Speaker (Mr. Slade) left the Chair]

The Deputy Speaker (Dr. De Souza) took the Chair]

That is the document which has been prepared by a committee of the Opposition, in 1958, going round the Central Province; a committee chaired by the hon. Dr. Kiano with a very able secretary in the person of the hon. Speaker. This committee produced their documentary evidence to the Government for consideration. It is now right to ask the Government to consider that report; see the recommendations of that period, ask the Government to consider the problems and difficulties which alerted it to the question of land consolidation. Land consolidation is still in progress today.

Mr. Deputy Speaker, I am glad that the Mover and all the people who have spoken have said it is not their intention to disrupt the work that has been done so far. There is plenty of work to be done still and much has been done already. We must praise those who have done what good work has been done so far. What is to be condemned is the work of certain unscrupulous officers, the work of selfish relatives, the work of some biased elders. Here, Mr. Deputy Speaker, is where things begin to take a wrong shape and this is because of the interjections of certain hon. Members. You hear such interjections as "ruining the work of your own officers". Mr. Deputy Speaker, we are not here for that, we are here to look for the truth, and you cannot follow the truth unless you look for the causes and you study the case properly.

This is what the Government is trying to ask for: to be given time to study the implications of the Motion before it can implement the proposals.

An hon. Member: Sack the people.

**The Assistant Minister for Home Affairs (Mr. Nyagah):** Mr. Deputy Speaker, an hon. Member is saying that we should sack these people. I would like to say that some of them have left

while others are already dead. How can you sack dead people?

Mr. Deputy Speaker, what is needed here is an amendment not only of part of the Act but of the whole Act, which will allow a person in future to have all the legal machinery necessary, instead of having to rely on decisions of a group of people, some of whom may not even be legally-minded people; also, machinery which will allow a person to exhaust all the country's legal procedure, instead of stopping at a point where the person feels that he has not had a square deal. The 1956 Land Registration Act should be thoroughly overhauled. It is not the first time I have suggested this.

**The Deputy Speaker (Dr. De Souza):** Mr. Nyagah, I do not know whether you are speaking on the Motion for the adjournment or the original Motion.

**The Assistant Minister for Home Affairs (Mr. Nyagah):** On the adjournment.

**The Deputy Speaker (Dr. De Souza):** Only on the adjournment; you have to confine yourself to that.

**The Assistant Minister for Home Affairs (Mr. Nyagah):** Let me confine myself to the adjournment, and say that all those points I am trying to raise try to support that the Motion should be adjourned because all that one has to do is to look back on the 1956 Act, and look at all the categories of people who have been victimized. You also have to consider the political climate of 1950-1960 before one can give an effective answer and before this Motion can have any real meaning to the country and to the people for whom it is intended by the hon. Mover.

Without delaying the House very much, I would like to say that the document produced by the Committee of the Opposition in 1958 should also be tabled for the hon. Members to see exactly what it says and see any relevant material that would guide the Members to know what ought to be done, so that when we speak next time the Motion is brought here we will see things in a better light than we do today.

With these remarks, Mr. Deputy Speaker, I beg to second that the Motion be adjourned.

(Question proposed)

**Mr. Wamuthenya:** Mr. Deputy Speaker, I am standing to support the adjournment of the Motion because this will give both sides an opportunity to get good material and come forward on Friday. In my own constituency, I have a case about this land consolidation, about the mistakes that were made, causing some people

[Mr. Makokha] when it is not to our advantage, they say, "no", we must remember the past. That, Mr. Speaker, Sir, is completely wrong.

Mr. Speaker, Sir, another danger which I see is this, and I must say that if it remains like that, I will oppose the Motion completely. We here are going to interrupt the good things which have been done by this Government. We are not going to allow the—

Mr. Kamau: Mr. Speaker, Sir, on a point of order, I think I am quite in order in stating that I started from the beginning that my intention is not to have the land consolidation—

The Speaker (Mr. Slade): I am sorry, you must wait for your reply, before you deal with things like that.

Mr. Makokha: Mr. Speaker, Sir, thank you. This Motion is asking the Government to amend this section so that two positions happen, either to retain their land these people go back and make their cases all over; that is one proposition, or be compensated, because both of them are— Unless the Mover is now saying he is opposing his own Motion, that is how I understand it.

Mr. Speaker, Sir, talking about this proposition, it will be very fortunate, Sir, for example, to allow the hon. Mr. Kamau, who, when he was moving the Motion, never told us whether he has any land now, and he is merely asking for an extra land, which he says he had before he was detained. I would like, and I am not trying to annoy the hon. Mr. Kamau, but I would like to ask him to be precise, so that instead of the Government allowing the hon. Mr. Kamau to go and get another piece of land, because now we have a popular elected Government, he must give a chance to another Kikuyu, who has not any land at all to get a piece of land. We are not going to have the position favour those people who keep on asking for more and more and more, when we have a lot of people roaming in the streets without anything to do.

The Speaker (Mr. Slade): I think you are getting off the point of the Motion, Mr. Makokha.

Mr. Makokha: Mr. Speaker, Sir, the second proposition is when we come to compensation. The hon. Mr. Kiboi, might the point clearer to me because the Mover and seconder failed to tell the House what sort of compensation they were talking about, whether in money or land. Mr. Speaker, Sir, here I only support this compensation if it is going to be compensated by land and I will only support it if it is that person who was

robbed of his land in his absence and he does not have any land now, but if it means somebody was robbed of land, during the Emergency, and now he has, say, 500 acres, to ask this Government to give him more land, when there are people without any land at all, Mr. Speaker, Sir, personally, I believe it would be completely wrong.

Mr. Speaker, Sir, the other day, on Kenya Day His Excellency the President, said, I may be wrong in figures, but he said that the Government has already taken off, I think it is two million acres of land which formerly belonged to Europeans. Mr. Speaker, Sir, it's not just a matter for Central Province; because that give people who already have land some more land, let us first settle the people who are roaming the streets of Nairobi, the people who do not have any land at all, give them part of these two million acres and that will solve the problem automatically, but to ask the Government to help particularly I feel in the Kikuyu, if we passed this Motion as it is, it is people already in advantageous positions who are going to benefit and not the people who are really suffering. That is why I urge the hon. Members, particularly those from the Central Province, that we should face the problem honestly.

Mr. Speaker, Sir, I note that during the Emergency, brothers, a wife or a husband sometimes betrayed one another and some people used the position they held and pretended to be loyal, but just robbed property belonging to their brothers already, Mr. Speaker, Sir, are we asking our Government to do exactly the same?

Now, Mr. Speaker, Sir, for example, if the hon. Mover will excuse me if I use him as an example, are we going to ask the Government, now that the hon. Mover is in a position of power, are we going to ask our Government, to help the hon. Mover to go and rob the people as what happened during the Emergency?

The Speaker (Mr. Slade): You are not right in suggesting that is the implication of this Motion. You must observe the terms of the Motion and speak to that.

Mr. Makokha: Mr. Speaker, Sir, thank you. I was just—

The Speaker (Mr. Slade): You see, it is asking to enable people to put their case properly, to put forward a proper claim; and you must not suggest that it is for any other purpose.

Mr. Makokha: The reason why I said the hon. Mover himself, when he was moving the Motion, was because the Motion referred to this and I was trying to answer.

The Speaker (Mr. Slade): He thought he had a proper claim, rightly or wrongly.

Mr. Makokha: Mr. Speaker, Sir, to finish, and to make my position quite clear, I would like to say that if the Motion remains as it is, even with the amendment, I see a lot of dangers unless the Ministry concerned or the Government should not just accept this blindly, if this House does and the Government does, I see a lot of dangers and, because of what the Mover says, unless this is done, what the Motion is asking is done, we foresee danger, even trouble, and probably in Central Province.

Mr. Speaker, Sir, as I have said myself, I feel that if what this Motion is asking is allowed to take place, just what we expect will happen, and that is the time we are going to have trouble in the Central Province.

With those few words, Mr. Speaker, Sir, I oppose.

## MOTION

## ADJOURNMENT OF DEBATE

The Assistant Minister for Lands and Settlement (Mr. Gachago): Mr. Speaker, Sir, I beg to move that the debate on this Motion be adjourned to give me time to find the necessary material to enable me to reply on this debate. The reason why, Mr. Speaker, Sir, I intend to move this Motion is because the Motion in question only came to the House yesterday and I have had consultations with the Clerk to this House and he has told me that he has not even had time to refer this Motion to my Ministry and as such, I am sure hon. Members will appreciate the fact that Government has not had even one minute to consider this Motion and it merely took me by surprise.

Mr. Kerre: On a point of order, Mr. Speaker, Sir, the Assistant Minister states that he has not had any time, does he not read the newspapers? Surely, he knew that this matter was to be raised?

The Speaker (Mr. Slade): I am afraid you cannot bring this up as a point of order, Mr. Kerre, though you can bring it up if we debate the question of adjournment as an argument against the adjournment. You cannot interrupt on that. It is not a point of order.

The Assistant Minister for Lands and Settlement (Mr. Gachago): Thank you, Mr. Speaker, Sir, and in addition the hon. Member may be informed that this matter has not come into the newspapers, and if this matter has appeared in any newspaper or in any Press, it might be the Press of the unknown world.

Mr. Speaker, Sir, I do realize and when I move the adjournment of this debate, I do it with realization that as usual matters concerning land are very touchy and hon. Members of this House, I am sure, are being pressed by their constituencies and by the various people that they represent to try and advocate for proper allocation of land for the machinery of land consolidation to be properly managed and to be properly carried out, and I do very much sympathize with the pressure, or with the hon. Members feeling, because of the pressure that has been exerted on them continually by their constituencies.

But, Mr. Speaker, Sir, it must not be forgotten then that while it is fully realized that land is a very touchy problem for hon. Members in their role as various representatives of the people, it is also on the part of the Government. The Government is dedicated to the tackling of the land problem, and it has been stated from time to time by the Government that the Government's intention is to do all it can to satisfy the people of this country so far as the land problem is concerned.

I do, thank the hon. Mover, of this Motion because he stated right from the outset that he did not wish that land consolidation should be disorganized in any way, and he did not wish that anything the Government is trying to do at the moment should be interrupted. I am sure the hon. Member will, equally, I hope, understand that to be able to reply to a Motion like this, one would like to study the legal implications, one would like to study the Act concerned, and one would like to study all the aspects of land consolidation, and how much it involves not only the people whose land was taken—as the hon. Member alleges in his Motion—but also the finances that may be involved if land consolidation was to be stopped merely to allow people whose land was taken that way to air their grievances, to put their cases forward for action.

I would like also to express my appreciation for the point that has been brought forward by the hon. Mr. Makokha, because mainly, the implication of this Motion involves only the Central Province of this country. I am not saying that the Central Province is not suffering. This is where land consolidation started. Land consolidation started in my district, if I speak as Member for Kiharu. There are land problems in my constituency even today. However, even as an hon. Member of this House, even as a representative of a section of the people of this country, one has to realize all the implications because there are implications involved, especially financial implications. Financial implications are complicated because a lot of money has already

[Mr. Kibaga]

"You are already late, the time is past". So, unless this section is changed, Mr. Speaker, it will be very difficult for the people to agree that the Government is actually looking after their interests. The common man in the country does not understand about this law. He thinks that, for example, when he goes to a Member of Parliament and tells him to go and get the land that was taken away from him, that this is possible, he does not understand that there is this section of the Act. In fact, I have gone also to the Minister concerned who also told me, "You know, I can do nothing because the law does not allow me." So, all that we are asking is that our Government should have power to correct mistakes.

We know that land consolidation is a very good thing and we would not like land consolidation to be rejected completely. A lot of progress has taken place in Central Province as a result of land consolidation, but we cannot allow mistakes to continue all the time. If the Government finds that the land development will be difficult to take away from the present owner, who was given it by a mistake, then there is the alternative that the Government could compensate these people. What the Government might do might be, for example, now that they are buying land and they are getting money from Britain to buy more land for land settlement, some of these people who lost their land could go there, or if they do not go there, they could return the land they were given by mistakes and these people would leave the land and go to the settlement schemes. Otherwise, Mr. Speaker, Sir, the people will not be satisfied. You find that the only things people ask for in Central Province are two major things; one thing they say is that they want the headmen who were ruling during the Emergency removed and the other is that they say that their land was taken away from them and they want to get their land. So, this is, in fact, the main contention between the ordinary people and the Government. The people have full confidence in the Government led by His Excellency, the President Mr. Kenyatta, but they can under no circumstances be satisfied when their land was taken away from them, even if it was taken away by the then British Government. We now have our own Government, the Government elected by the people, by popular vote, and it is the duty of this Government to see that it serves the people who elected it properly and fairly, without any favouritism.

With these remarks, Mr. Speaker, I wish to move my amendment.

Mr. Theuri: Thank you very much, Mr. Speaker, I rise to support this amendment of this Motion and to second it.

We have been told several times that we should not remember what has been happening in the past, but there are some other things, especially on land consolidation, which we cannot forget. We shall try our level best, as we know we have done quite a lot during the Emergency, but when we come, we know that the land is the big issue to the country and Africans, even in other countries in Europe. We cannot forget.

As the hon. Member, Mr. Kamau, put it, those people who were detained in the prison and detention camp. Now, Sir, some other people were left in the country, they were not detained, some other young men who joined the Mau Mau or the freedom fighters in the forest. The punishment to their fathers, the Government punishment, was that they said "Since your sons have gone to the forest, your land will have to be shared and be given to the Government or be given to some other people" and this is what happened, particularly in Nyeri. Other people who did not go to the forest were detained or put in prison while they were helping the country. Their land was taken by force, by what we called "the notorious committee", the land consolidation committee. The land consolidation committee was one of the most notorious committees I have ever seen. This committee took the land of the people who were in the country. They used—if they thought that your land was very fertile—it could be used by the other people, and they used to take that land and put those people somewhere else. They used to have a word which was called the "pocket", your land had been put to the "pocket", and removed from here, let us say from Nairobi to somewhere else, and this is what happened in the whole of the Nyeri District. Many people have come to ask me about this, what they can do about land consolidation and, because we love the Government and I do not want to oppose the Government, we tell them the Government is trying to do something, but when the land issue comes up as in the Motion, we ask the Government to amend this section which was put in during the Emergency; we have to support and to tell the Government to amend, we do not want to oppose it because, as we understand the land consolidation, if we want to support more products in the country and the national wealth, we have to control and consolidate our land so that we can get more products, rather than have a piece of land here and there. If we make the whole land into one block we will have extensive cultivation, but we cannot have a piece of land here and a piece of land there.

All that is required by this Motion is to ask the Government to amend that section so as to allow those people who were deprived of their

[Mr. Theuri]

land while in detention, prison or in the country because of this notorious committee, which used to tell the people, who were going to have their land taken that they were supporters of Mau Mau, and, therefore, their land was going to be taken away from them.

The Speaker (Mr. Slade): Mr. Theuri, I must point out to you the object of the Motion, and, likewise, the amendment, is limited to people deprived of land in their absence. We have to keep to that. I would not actually allow an amendment which broadened the field beyond that, because that is the real point of the Motion.

Mr. Theuri: Those who were absent, either hiding somewhere, in Nairobi or in other counties or other places, and came back—after the Emergency—their land should be considered and their case must be considered so that they can get a share of Uhuru and so that they can know what they were fighting for during the Emergency, rather than be told, "That happened in your absence, we cannot go back to it."

Mr. Speaker, I remember even though we were not really in detention, our farm was over fifty acres and today we have only twelve acres, the rest was given to other people and when we just mention that our land was taken, we are told that it was done by the land consolidation committee and we cannot go back over it, and many had intensive cultivation. What we ask is that this section be amended and, if the Government amends this section, people should be compensated by other land—let us not say money—they should be given land somewhere in those areas where the Government is buying the land so that the people could benefit.

Mr. Speaker, I do not want to labour this Motion. I want to stop here so that other Members can air their own views and they can support the whole Motion, with the amendment. With these few remarks I support the amendment.

(Question of the amendment, that the words to be inserted, be inserted, proposed)

The Speaker (Mr. Slade): I think in this case it would be best to limit debate on the amendment to that particular matter, as to whether you wish to add those words or not, which is a very limited subject. But hon. Members who speak on that amendment alone will be entitled afterwards to speak on the main question.

Mr. Kamau: On a point of order, Mr. Speaker, Sir, as the Mover of the Motion, if I have no objection to the amendment, would it be proper for me—

The Speaker (Mr. Slade): When speaking on the amendment you are entitled to state your approval of it.

Mr. Kamau: Mr. Speaker, Sir, with the permission of the House, I accept the amendment.

The Speaker (Mr. Slade): Your acceptance of this does not automatically mean that it is passed, but possibly if no hon. Member wishes to speak—

Mr. Makokha: Thank you, Mr. Speaker, Sir, I must start straight away by saying that there are two parts of this Motion—

The Speaker (Mr. Slade): We are dealing with the amendment to the Motion.

Mr. Makokha: The amendment, as proposed by hon. Kibuga, widens the scope of the Motion so that more people will be included, so that it is not only people who were in detention when their land was taken away that are concerned.

Mr. Speaker, Sir, there are dangers also in what this Motion is asking—

The Speaker (Mr. Slade): Keep to the amendment, please. We are debating only the amendment, as I explained. Only whether or not these words are to be inserted in the question, that is all we are discussing until we have disposed of that question. If you want to speak on the main Motion, you will have your chance after we have dealt with the amendment.

Mr. Makokha: Mr. Speaker, Sir, I will have a chance to speak later on.

Mr. Mbogohi: On a point of order, Mr. Speaker, Sir, I beg to move that the question of the amendment be now put.

The Speaker (Mr. Slade): In view of the fact that the Mover has agreed with it, I think the House can consider that question.

(Question that the question of the amendment be now put put and agreed to)

(Question of the amendment that the words to be added be added put and agreed to)

(Question of the Motion as amended proposed)

Mr. Makokha: Mr. Speaker, Sir, as I had started to say, most of this Motion is all right, but there are a lot of dangers in it. I know that many unfair things happened during the Emergency. I was teaching in Embu during this time and I remember seeing lorries, shops and even people's wives being taken away from them, but at the same time, Mr. Speaker, Sir, I think we must be quite honest in following what the President has said: "forgetting the past. We must just forget the past when it is to our advantage and



[Mr. Warithi]

given chances to object, and if all these things were done, then it is assumed that everything was done correctly. But, Sir, as I have said earlier, there were opportunities denied by people not being present and also being afraid that if they did object they would be said to be against the then Government and also that they were *Mau Mau*.

To go further, Mr. Speaker, I would like to say also that the land consolidation committees which were set up to decide on land disputes or land cases were well known to be biased. They used to give their decisions on the assumption of the guilt of the parties involved.

I know of my own father who was a *Mau Mau* oath administrator, and when his land case was being decided by the committee—Mr. Speaker, it is known by the people of my area that my father had plenty of land, more than thirty acres, and when his case went before the Land Consolidation Committee, it was said that this man administered *Mau Mau* oaths and, therefore, could not be given land.

Mr. Speaker, most of these land consolidation committees were biased and decided cases according to the activities of the individuals concerned. So, without going further I think I have made my point clear.

Mr. Speaker, the latter part of this Motion is the operative part. It is asking for something so as to enable these people to put their cases properly, in order to regain their land. In fact, here, I think the Mover is very, very constructive. It may be said that he is asking for land consolidation to be done all over again, but there is an alternative, whereby the Motion asks that the people should be compensated by Government for the loss of their land. In other words, if it is found that by doing land consolidation all over again it will cost the Government a lot of money, maybe a lot of time, maybe upset the development programmes which the people have already put into their *shambas*; if this is found to be unworkable, then the Government could go further and compensate people who lost their land if they can come forward with genuine cases. They can show that they owned more land than they received ultimately after land consolidation; and I am sure there are many cases of this kind. I have more than fifty in my own constituency. If the Government would come forward and, maybe, put up a commission of inquiry, maybe under an independent Government, not like the one which was put up under the Colonial Government, and find out those cases of our people who lost their land, not

because the land was sold to anybody but because of the mistakes which occurred during the period of land consolidation; and there is no doubt that there were many mistakes.

One might ask why did the Government agree that in Muranga District land consolidation ..... (inaudible) ..... and if mistakes did occur, then there is no reason why they should not be put right.

With these few words, Mr. Speaker, I beg to stand.

(Question proposed)

Mr. Kibuga: Mr. Speaker, Sir, this is a very important Motion brought into this House. If we go into the details about land consolidation in the Central Province, we shall find out that there were so many mistakes made, as the hon. Members who have spoken have said. During that time there was fear and land consolidation was a new thing. Many people did not understand what land consolidation meant, they did not know what was happening and, therefore, there were people who took advantage of the situation to deprive other people of their land.

During one stage of land consolidation in my constituency, it was said that there was a group of people who were known as the K.K.M. In fact, this group did not exist at all. It was said people were taking oaths and therefore they were detained. As a matter of fact, during this time there was no such organization as the K.K.M. Mr. Speaker, during the period of land consolidation a lot of mistakes took place.

What we need to understand, Sir, as the Mover and the Seconder have indicated quite clearly, it is that we are not asking for land consolidation to be repeated all over again; all we are asking for is that these mistakes should be corrected. I remember when the President of this country addressed a very large meeting in Kiambu, at a place called Kerigiti: he said that if a person thought he had been deprived of his land, he should go to the Government officers who were seeing to this matter. He said that these officers had been employed by our Government, a popularly elected Government, and, therefore, they would look into the grievances of the people and the matters would be corrected. However, I have had a number of complaints in my constituency and when we went to the District Commissioner all he could show us was the relevant section of the Act. Although, in fact, Mr. Speaker, I know there were many mistakes which had been made during land consolidation, there is nothing I could do for my people. I remember a case where somebody adopted a certain number of

[Mr. Kibuga]

people, but he was the real owner of the land. When land consolidation was introduced and the committees were appointed, he was not in. I am telling this House what actually happened as a matter of information. In my area, during land consolidation, clans were asked to choose committees to see that land was given fairly to the people. However, because some people did not understand what land consolidation meant, the man who owned land preferred to look after goats and cattle—

The Speaker (Mr. Slade): Order! Order! I am sorry to interrupt you, Mr. Kibuga. Hon. Members must enter the Chamber through the main entrance to the Chamber, they must not do so through either of the lobby doors.

Mr. Anyieni: On a point of order, Mr. Speaker, if hon. Members want to meet outside here, and discuss certain matters, can they not go out here and discuss something and then come in again through a lobby door, after they have originally entered the Chamber through the main entrance?

The Speaker (Mr. Slade): The usual place for discussion is behind the Speaker's Chair, actually through here. I think we want to keep the Division Lobbies for Divisions only.

Mr. Kibuga: Before I continue, Mr. Speaker, I would like to raise a point of order. I would like to know how much time I am allowed so that I know how to deal with my points.

The Speaker (Mr. Slade): Actually, you have unlimited time, because the House has not yet resolved in this Session to limit Private Members' Motions.

Mr. Kibuga: So, I was saying, Mr. Speaker, that this man, when he was looking after the goats did not try to understand how land consolidation could take place. He took it for granted that no land was being divided. He thought all his land would belong to him. Hence these other people who were adopted by him joined the committee and divided the land amongst themselves, leaving the owner completely out of it. He did not understand it and pieces of land were given to different people. He still continued to look after the goats. After some months, he was told that it was time that he moved away from that land. He asked, "What land? This is my land, it has been my land for a long time." But this man told him, "Well, I was given this piece of land by land consolidation, so you had better move out of my land." I can remember, this was during the time we were starting Kanu and he came to complain to us, but there was nowhere he could go because the Act was there.

Mr. Speaker, regarding the unit committees which were deciding the cases, if—for example—one committee of a certain clan and a certain committee of another clan disagreed, they went to ascertain unit committee. This unit committee, although it was supposed to have been chosen by the people, was influenced by the land consolidation officers and also by the district commissioner. During that time, these committees could not be said to have been completely impartial, so if the district commissioner at that time, during this time of Emergency, if the land consolidation officers favoured a certain body, the land would definitely go to this person. The person who lost the land would try to go and regain the land and would be chased away.

Mr. Speaker, while sympathizing with this Motion as a whole, I would like to amend it a little bit so that it should include more people than are mentioned here. The Motion, Mr. Speaker, reads, "That in view of the fact that during the period dealing with the Emergency years up to 1960, when many people were in detention and prisons, land consolidation was carried out in their absence and their lands were misappropriated, this House urges the Government to amend the Land Registration (Special Areas) Act (No. 283) so as to enable these people to put their case properly in order to regain their land, or to be compensated by Government for the loss of their land."

I would like to indicate, Mr. Speaker, Sir, that there were also some other people who were in the country, either in the towns or in some other locations, or who were not in during (this land consolidation. By the time they came, land had been shared and they were told, "You are late". So I would like to propose an amendment which does not change the Motion at all, but only includes these people. So, Mr. Speaker, I would like to amend the Motion so that in the seventh line, immediately after the word "people", there should be added the following words, "and any other person deprived of his or her land in their absence". This, Sir, will, I think, include everybody who lost his land during that time. There were so many mistakes which took place. Movement was not easy and it was not easy for the people to follow up properly.

I can mention a case which has been coming to me a number of times. A certain Muhiga appointed a certain committee, and because this matter could not be understood properly, some members of that Muhiga went to the land consolidation officer after some of these people had left for Nairobi and shared and demarcated the land secretly. When these other members came to say "Let us now share our land" they were told,

[Mr. Kamau]

I would give it to my hon. friend, the learned lawyer, Mr. Warithi.

The Speaker (Mr. Slade). That is not quite the way to hand papers across the Flor. The best thing is to give it to the Clerk to pass to a Member.

Mr. Kamau: If you study that section, you find that people who were detained were not given any chance, in all circumstances, to appeal on the case which was decided in their absence. I do not know whether even in the British court of law anybody, unless he is summoned and fails to attend the court, his case is decided in his absence. Again, Mr. Speaker, Sir, they used to put a pretext notice that with effect from now, for sixty days, if you do not appear in this committee, your case shall never be listened to. How could you expect a person who was detained in Manyani, Magela, Manda Island, Lodwar, Lokitong and Marsabit, to come and defend himself in the District Commissioner's court in the district? Therefore, Mr. Speaker, Sir, it is beyond any reasonable doubt that all the detained people, or the ex-detainees and prisoners should be allowed by the Government to present their cases so as to be given an opportunity to explain the reasons why they should be given their land back, because, Mr. Speaker, Sir, up to now, in most of the districts, if you go today, you find that those people are just roving about, they have nowhere to farm, they have nowhere to do anything and even most of them today are not getting their living. This, I think, is not very appropriate at this stage and our own Government should not allow these ex-colonial misdeeds to continue within us.

We know very well that there are so many tracts of land lying idle, and if those people could be settled it would be a good thing. I am not contending that land consolidation should be done away with; I know the importance of land consolidation but it would be wrong if the land so consolidated was only consolidated for the benefit of a few, and many were to suffer. I would appeal very sincerely, and very humbly to my Government to see that these mistakes are rectified and, at the same time, when they go into this, to see from our African Socialism that brothers are enabled to share their father's land, but not to be monopolized by an individual, because of a title deed which was only introduced by foreigners so as to confuse and to make us fight and then call this divide and rule, and we cannot allow it to continue any further, and therefore, Sir, in this respect, there is no doubt, Sir, that

even in the modern way of farming and land consolidation that if the sons and daughters of one father formed co-operatives, they will farm their father's land accordingly. I know the Minister for Lands and Settlement—and I am glad that the Junior Minister for Lands and Settlement has come—the Assistant Minister has come and he will be told that I have congratulated his Ministry for the effort they have made in the past.

Mr. Speaker, Sir, I think he knows that his area where he comes from, Muranga, is one of the areas affected badly by this. There is no doubt that instead of putting any amendment or anything, he is going to support this Motion, bearing in mind that my intention is to see that this particular section is amended so as to enable everybody to have his right in the land and, Mr. Speaker, Sir, I know this is a very important Motion which I hope most of the Members will take an interest to speak on. I will not labour very much. I have made this case very clear, and I will leave this now to the House to decide.

So, Mr. Speaker, Sir, with these opening remarks, I beg to move.

Mr. Warithi: Mr. Speaker, Sir, I take great pleasure to be asked by my hon. friend, Mr. Kamau, to second this Motion, and in seconding I will try to give the House the benefit of my experience in my profession as a lawyer.

Mr. Speaker, Sir, I would like to say at the outset that this country no doubt is very happy and very proud of the principles of land consolidation, and I do not think there is anybody in this House who will oppose the idea of having our fragments of land scattered all over the place consolidated.

Mr. Speaker, Sir, the Motion here is quite clear. It says that when the operation of land consolidation was done, particularly in Central Province, people were in detention and prison, particularly in the Central Province. I think the word particularly is understood by most people who care to understand the English language. What I am trying to say, Mr. Speaker, Sir, is this. The Mover of this Motion is asking what, as I can see it, has already been agreed upon at one stage by this House, even during the colonial times. I remember, Mr. Speaker, Sir, there was a Commission set up by the then Elect Members who went round the country and produced a report which was debated in this very House, even before we gained our independence. It was agreed upon that where there were gross mistakes, this should be put right. Unfortunately, Mr. Speaker, Sir, up to now, I do not think much has been done on these lines.

[Mr. Warithi]

Mr. Speaker, Sir, I would like to start by saying that those Members who had taken an interest to understand or study the mistakes which occurred during the land consolidation in the Central Province would know that there are some very, very obvious mistakes and, as I said earlier, I would just mention a few of these mistakes which I have come across in my constituency, during my practice.

Mr. Speaker, Sir, there are cases which are known to people in these areas affected, people who had no land, and after land consolidation they were known then to have more acreage than they ever had in their land. There are cases of land, particularly in Muranga District which, after loan petition and complaint, the Government agreed that land consolidation should be done again in the Muranga District. There are also cases of several acres of land which are ownerless. You go round the district, and you could have been shown portions of land during that time, which did not belong to anybody and that means that during land consolidation some mistakes must have been made somewhere, because the land belonged to somebody else before land consolidation and therefore when the land was being given to those who were awarded it in the Committees, there was some land left over belonging to nobody.

Mr. Speaker, Sir, then there are cases, particularly in my own constituency, of somebody who had a block of land, it was not fragmented and then after land consolidation you find he gets a smaller piece of land than his own original block of land. Obviously, Sir, somebody must have taken that piece of land which should belong to him.

The other point, Sir, which I may mention here is, as Mr. Kamau mentioned, there were some court decisions, cases were heard before the court, the court awarded a piece of land to a particular individual and after land consolidation these committees which were set up, you find that this court decision is reversed and land is given to the person who has been defeated in a previous court case. This, Sir, is the other point I would like to point out to the House, and this is where I would like to refer to this, Mr. Speaker, Sir, is that the legal position even now makes things very, very difficult, because when this Act was passed, Land Registration (Special Areas) Act, it gave certain procedure and conditions which had to be fulfilled. First of all there was the collection of the fragments and the register was prepared. After this had been done under section 25 of that Act, which reads, "When the Adjudication Regis-

ter in respect of any adjudication section has been completed the executive officer of the committee shall sign and date a certificate to that effect and shall forthwith give notice of the completion thereof and of the place or places within the adjudication section at which the same can be inspected." When this was completed a period of sixty days was given and if you go to inspect this register and then you are not satisfied, you are to file your objection within sixty days. If you do not do that, under section 27, this register is complete and signed and taken to be filed. What is making this very difficult even now for those people who have taken up land *sharis* where there are obvious mistakes, is that once a title deed has been given to the owner of a piece of land, there is nothing which can be done.

Mr. Speaker, Sir, there are cases which have gone to the High Court and it becomes very difficult even for the court to order that that title deed should be changed and simply because the rules or the procedure laid down in the Act, the argument is that it was followed. Then here this is where the Motion comes in. During this time, many people who are affected by the decision of the land committees were not available to go and object to the adjudication officer. Most of them were detained or in prison and they did not have the opportunity to go and object so that they complained that the register was wrongly compiled. Therefore, Sir, this officer took the register to be filed not because there were no mistakes, but simply because the people who could have objected did not have the opportunity to do so.

Not only that, Sir, but it is very well known in these parts that during this time when land consolidation was being carried out, during the State Emergency, and this being so, many people were afraid because they knew that land had been taken away from them and given to other people who were their enemies, but they just kept quiet, because they were afraid of being called *Mau Mau* and then sent to detention, because the land was living in a state of fear. Even where there were genuine mistakes some people kept quiet because of being afraid of being locked up.

Therefore, Mr. Speaker, Sir, what this Motion is asking is that those places, where consolidation was carried out during the Emergency, that an opportunity should be given to those people who have a genuine complaint about land which belongs to them and it might have been taken away during the Emergency. As it is now, Sir, it cannot be done because the Act, as it stands, provides that if the procedure was opposed under the Act, the notices were given, the complication of title was put on the notice board, people were



Mr. Kamau: Mr. Speaker, Sir, I beg to move:—

That in view of the fact that during the period dealing with the Emergency years up to 1960, when many people were in detention and prisons, land consolidation was carried out in their absence and their lands were misappropriated, this House urges the Government to amend the Land Registration (Special Areas) Act (No. 283) so as to enable these people to put their cases properly in order to regain their land, or to be compensated by Government for the loss of their land.

Mr. Speaker, Sir, before I start to speak on this Motion, I must first of all congratulate the Minister for Land and Settlement whom I have consulted several times on this very painful issue. He has been kind enough to give me directions to follow this case. Unfortunately, however, it came to a time when he had no further power to help me and he advised me to refer this matter to Parliament to enable him to deal with the case.

So, Sir, when I want to speak on this matter, it is not because it is my aim to disrupt the land consolidation which has already taken place. All I want to clarify is the mistake which was made during this period of the war of the Emergency. I hope non-Members in this House will support me because it is a very well known fact that this misappropriation of land, especially in the Central Province, is very serious.

For the information of this House I would say, Mr. Speaker, that the land problem is the only thing which the Government, if it is not careful, will find will bring about a crisis in the not too distant future.

Mr. Speaker, first of all I would like to declare my interest in this case for one simple reason that I have a land case which, prior to the Emergency, was decided by the African court in the Kiambu District. The case was decided in my absence. It so happened, to my surprise, that when I was arrested in October, 1952, and detained, that some people whom I had defeated and consequently been awarded the land by the court, were the people who, during the land consolidation period, were the members of the committee which was dealing with land consolidation. These were the people who deprived me of my land. I wanted the same land back, and wanted it back from the man whom I had defeated.

Mr. Speaker, while I was in detention I was always writing to the authority of the day saying that if land consolidation ever took place in Kiambu District, I should be brought back to the district to defend my case. I was even prepared to come back in chains—because in those days

the people who were detained were kept in chains—to defend my case. However, all my appeals were ignored.

Consequently they awarded my land to my opponent, the very person whom I had defeated in a land case which is very well known. I will give you the details. It was originally in the Divisional Tribunal at Gatundu, and was Land Case No. L.298/25. This took place in Gatundu District in 1952; Gatundu is in Kiambu District, which presently is the constituency of our hon. President, the hon. Jomo Kenyatta. In this case the plaintiff was one of his constituents, and the second plaintiff was Waira Kamau versus Nringi. The judgement was passed in my favour on 2nd September, 1952. So, I was awarded the land and for that reason ever since I was detained I have been complaining that if at all land consolidation ever took place, I should be given the opportunity to come and defend my case. Unfortunately, however, at the time I was in Marsabit in the Northern Frontier District, where I was detained. Even the district commissioner of that day tried to appeal to the Administration not to deal with my case until I was released. His pleadings were all in vain.

Lastly, I tried to do the same thing when I was in Manda Island, right out in the Indian Ocean in Lamu District, and then I was not even guarded by soldiers. I was put on the Island where no soldiers were allowed, and if I died, I could only be thrown into the water. I tried to appeal on this case, to have it wait until I was released, but nothing was heard. Mr. Speaker, Sir, I am not interested in reading the judgement of the court. As I said, it was awarded to me, but I would like to quote a few of the letters I used to get from the Land Consolidation Officers.

On September 13th 1956, after a very long correspondence, the Land Consolidation Officer wrote this letter to me:—

“Mr. Waira Kamau, No. 553,  
Special Detention Camp,  
P.O. Lamu.

I refer to your letter of the 24th August 1956.”

The Speaker (Mr. Slade): I am sorry to interrupt you Mr. Kamau, but am I right in thinking that Mr. Ngala-Abok entered by a lobby door?

Mr. Ngala-Abok: Yes, Sir.

The Speaker (Mr. Slade): I would ask hon. Members to enter by the right door, and not by the back way; that applies to leaving the Chamber also.

Mr. Omweri: On a point of order, Mr. Speaker, I am not quite sure whether the hon. Mover is quite in order to labour on his own problem rather than speak generally on the matter in the Motion.

The Speaker (Mr. Slade): Yes, he is entitled to, if it is an example of the general case to which he is referring, although he may not command the attention of the House very long.

Mr. Kamau: Also, I thank the hon. Member because he has alerted the other hon. Members, so that they know whether I am speaking the truth or just beating about the bush. Mr. Speaker.

To continue, Mr. Speaker:—

“I refer to your letter of the 24th August 1956. Your appeal has been put before your local Land Consolidation Committee who will decide the case in your absence. Therefore, there is no intention to hold up land consolidation until your uncertain return.”

The word “uncertain” means that the Colonial Government of the day had decided completely that no detained person should ever come back to Kenya. For this reason, they had to misappropriate all our land.

After fighting very hard, there was another letter they referred to. They wrote me again on March 25th 1957, saying that in view of the fact that my land was measured and given to my opponent, if something wrong was done, I should appeal against the case when I was released. All these letters were signed by Mr. Gould, District Officer in charge of land consolidation, Kiambu.

Now, Mr. Speaker, these are examples, because I had been following this case very closely as I had the conviction that we were going to get independence, although—I am not labouring what had happened in the prison and detention, we were living naked so as to feel downhearted, that we should never be released. I was so determined that I was hiding all this file and all correspondence in a very, very, very strict manner, because all the documents of the detainees were banned, but I saved this because I knew that one day I should appeal on this case to my own Government, and this is today, and I hope this is the House where I have no doubt this Motion is going to be put through by the Members so as to enable the people—not only the hon. Kamau but everybody whose land was rather misappropriated—to have the matter rectified.

Presently, Sir, in the whole country, if you go around and meet the individual and, especially, the ordinary people, particularly those who were in prison and detention, you find that most of them have no land today. What had happened, and I say that I am not discussing land consolidation at all—It so happened that because, when they were detained, those people who supported their detention—some are still with us—they said they were *Mau Mau* followers and therefore they had no right to own a piece of land in our country. Therefore, when this took place I can assure this House that all the so-called loyalists of the day were made the chairmen of the respective land consolidation committees. What they used to do—and this should be known by this House—was to say, “Mr. Waira Kamau was the leader of the *Mau Mau* in this area, therefore he is not entitled to land here because if he comes back he will bring trouble; let us deprive him of his land. If it happens by magic that he comes back, he shall be put elsewhere. We do not know where.” That is why today, Mr. Speaker, Sir, you find that in the Central Province in particular, people do disagree for one simple reason: a brother who took his brother's land was given a title deed and he forgot his brothers who were in detention. Now, if you go to any office you find that a title deed of Mbari Land, which is the clan land, is now given to one man to monopolize. His brothers have nothing. His father's wives, because traditionally my tribe is polygamous—my father had four wives—and today you find that it is only the senior son who is—For your information, Mr. Speaker, Sir, you find that only the senior son was given a title deed. The rest in the father's home are regarded as his tenants, which is very wrong. It is high time that our Government should not allow this deliberate mistake to continue, and today, Sir, my appeal to this House is that this particular section I am referring to—if the Clerk to the House could get me the Act—reads, although I may not quote exactly, that nobody could appeal against any decision which was made by the Land Consolidation Committee, and if one were to appeal, he could only go to the Magistrate's court, and it was only the officer-in-charge of the day who could even decide whether the case of the appeal could be heard or not.

Mr. Speaker, Sir, I said this is quite inhuman, because if this is going to be allowed to continue, what will happen? It would bring a very, very, very difficult and precarious position to the people, to the Government and to everyone. It is a very long section, and I have studied this since I was released.

Friday, 5th November 1965

The House met at Nine o'clock

*[The Speaker (Mr. Slade) is the Chair.]*

## PRAYERS

## COMMUNICATION FROM THE CHAIR

SENATE AMENDMENT TO BILL FROM  
PREVIOUS SESSION

The Speaker (Mr. Slade) I have to inform hon Members that we have received a message from the Senate returning the original copy of the Adult Education Bill with a copy of the Votes and Proceedings dated 27th October 1965 indicating the amendment made thereto and desiring the concurrence of the House of Representatives to that amendment. I have to explain to hon. Members that, since we are now in a new Session, we are not in a position to consider this amendment made by the Senate during the previous Session. That does mean that this Bill can go no further on its way. It is, in effect, dead but may if Government wishes be introduced again into this House in the form in which it was originally published, after which of course in committee stage the same amendments can be made as before and possibly, if the House agrees, then and there the amendment proposed by the Senate.

The Assistant Minister, President's Office (Mr. Nyamweya): On a point of order, Mr. Speaker, I would like to know whether the Senate was actually informed as to the result of their reference of the Bill to this House last week, and if it were, whether the Senate thought it fit to kill the Bill just like that.

The Speaker (Mr. Slade) I am afraid I am not in a position to answer that question because certainly no message went from us to the Senate saying "Please do not amend the Bill or you will kill it". I think it would have been quite improper for us to have sent any such message trying to limit the powers of the Senate. Whether they themselves appreciated that the effect of an amendment would be this, I cannot say, but I think we would be wrong to suggest that the Senate curtailed their powers of making what amendments they thought fit simply because of the Session being near its end.

It will not be a very difficult matter to re-introduce this Bill and put it swiftly through the stages through which it passed before, if hon. Members are prepared to let it go swiftly without discussing all over again.

Mr. Okwango: On a point of order, Mr. Speaker, what will happen if this House rejects the amendment proposed by the Senate?

The Speaker (Mr. Slade): As I explained just now, we do not consider the amendment made by the Senate, we cannot.

NOTICES OF MOTION FOR THE  
ADJOURNMENT

The Speaker (Mr. Slade): Before commencing business, I have to inform hon. Members of two matters which are to be raised on adjournment next week.

## MAIZE DISTRIBUTION

Mr. Makokha has given notice of his desire to raise on adjournment the matter of increasing dissatisfaction over the distribution of maize and I have arranged that that matter shall be raised on the interruption or early conclusion of business next Tuesday, the 9th November.

*Question No. 24*

## SECONDARY SCHOOLS FOR POOR AREAS

Another matter of which Mr. Godia has given notice following a question on the 3rd November was the help for secondary schools in backward areas, and that we have arranged on Wednesday, the 10th November.

REPLY ON MOTION FOR EXEMPTION OF  
STANDING ORDERS

The Speaker (Mr. Slade): There is one further matter I must mention to hon. Members. There is an error in the Order Paper with regard to Order No. 7. Hon. Members will see Order No. 7, Motion by the Vice-President, concerning the Presidential Address placed in precedence to Private Members' Motions. That cannot happen without the order of the House, which is sought by Order No. 6, a Motion for exemption, and so Order No. 7 should have had written after it, in brackets, "subject to the order of the House."

## MOTIONS

EXEMPTION FOR STANDING ORDERS:  
PRESIDENTIAL ADDRESS

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, I beg to move:

THAT Order No. 7 being the Motion concerning Presidential Address be exempted from the provisions of Standing Order No. 23, so as to take precedence over Private Members' Motions.

5TH NOVEMBER 1965

Motion 138

137 Motion—Exemption for Standing Orders: Presidential Address

**[The Vice-President]**

Mr. Speaker, Sir, this is rather a formal Motion and as Members very well know, today is Private Members' Day, but it has sometimes been the custom, and taking that the Presidential Address is very important for the hon. Members to express themselves, the House is requested to agree to this Motion to take precedence over any other Private Members' Motions.

Therefore, Sir, without wasting the time of the House, I beg to move.

The Assistant Minister for Local Government (Mr. Njiri) (seconded).

*(Question proposed)*

Mr. arap Soki: Mr. Speaker, Sir, I beg to oppose this Motion, because this day is understood by everybody to be Private Members' Day and I do not see any reason why this Motion cannot be moved on Tuesday, next week. That will be a Government Day and it will be the proper time to move this Motion, because then on Tuesday or Wednesday we shall embark on the proper Motion on the Presidential Address.

So, Sir, I think it is fitting that this House reject this Motion for the reason that this day is our day and there are so many Private Members' Motions which we want to complete today if possible.

So, Mr. Speaker, Sir, I beg to oppose the Motion.

The Assistant Minister for Local Government (Mr. Njiri): Mr. Speaker, Sir, I would like to support this Motion very highly, because the other day we had a Motion here. Sir, the point which the hon. Member has felt is that we should debate the Presidential Address for eight days and fortunately the other Members thought we should debate for five days. I do support this Motion, Mr. Speaker, Sir, because every Member would like to have an opportunity to express himself on the Presidential Address.

With these few words, Mr. Speaker, Sir, I support the Motion.

Mr. Mbogoh: Mr. Speaker, Sir, in view of the fact that the Government had always violated on these grounds the Members' time, I feel that I should oppose this Motion very seriously. Mr. Speaker, Sir, Members have no time to express themselves at any time except this time given to them on Friday, and when the Vice-President stands up and moves that Members sacrifice their own time to take a Government Motion, I think that it is very wrong. This will be opposed by everybody as unfair to the Members and in that case, Mr. Speaker, Sir, I beg to oppose this Motion.

Mr. Muliro: Mr. Speaker, Sir, on a point of order, I think the opinion is very clear, could the question be now put?

The Speaker (Mr. Slade): Order! Order! I should not think there is very much more to be said one way or the other on this. It is a procedural question; so I will inquire whether the House desires the closure.

*(Question, that the Mover be now called upon to reply, put and agreed to)*

The Vice-President (Mr. Odinga): Thank you very much, Mr. Speaker. I am sorry that, possibly, I did not make it very clear to the Members that the main reason why the Sessional Committee decided on this Motion today and the following four days next week, was that by taking all these days together would give us five days, before we adjourn for another fortnight. So, the Members will have another five days from today until next Friday to discuss this without interruption.

Hence, Sir, I do not want to waste the time of the House I beg to move.

Mr. Kibuga: On a point of order, Mr. Speaker, I would like some clarification on this point. We passed a Motion on the President's speech and said that it would take five days to discuss. I would like to know now whether the fact that the Motion was put down yesterday and again today, these two days are to be counted as part of the five?

The Speaker (Mr. Slade): No. It must be five days of actual debate.

*(Question put and negated)*

The Speaker (Mr. Slade): Any Member can demand a Division if he thinks there is any doubt.

## MOTION

AMENDMENT TO THE LAND REGISTRATION  
(SPECIAL AREAS) ACT

Mr. Kamau: On a point of order, Mr. Speaker, before I proceed I would like to ask if I may be allowed, I would prefer to speak from the Front Bench because I consider this subject to be very important. May I move there?

The Speaker (Mr. Slade): Mr. Kamau, you are at liberty to do so, but I do not think it is necessary with the amplifiers we now have in the House.

Mr. Kamau: Mr. Speaker, Sir, it is only because I would like to refer to the textbooks if I am not sure about anything.

The Speaker (Mr. Slade): All right.

## [The Vice-President]

pretending to be supporting. I must make it very clear today, Mr. Speaker—and I want to emphasize this again—that I will be able to work with anybody who is elected to serve on any committee in this country, whether he is difficult, whether he is loyal, or anything. I will try my best to work with him. I cannot shun my responsibility to work with him, but I like always to point out where there are mistakes, and that is what I have done. I have done it very sincerely and I still leave it on record that the selection which was made was wrong, and that will be proved later on.

I accept the amendment which has been made very gladly and we will continue to work with the committee. Let me say again, in ending, Mr. Speaker, Sir, that it should never actually be taken that in introducing the names and all other things we did not follow the procedure which we normally follow, and somebody was saying that this is the work which we should have discussed in the Sessional Committee. This is not the work which should have been discussed in the Sessional Committee. It was a proposition

(Inaudible) and if it is not accepted by the Members we accept the amendment and I hope that now all the Members will accept it amicably and let us work together. Thank you for all the expressions that you have made.

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

## RESOLVED ACCORDINGLY:

THAT this House nominates the following Members to be Members of the Sessional Committee for this Session:—

The Vice-President (Chairman).

The Assistant Minister, President's Office (Vice-Chairman).

The Minister for Economic Planning and Development.

The Minister for Internal Security and Defence.

The Minister for Co-operatives and Marketing.

The Hon. S. M. Amin.

The Hon. W. M. K. Maki.

The Hon. F. M. G. Mati.

The Hon. R. G. Ngala.

The Hon. J. K. ole Tipis.

The Minister for Local Government.

The Minister for Home Affairs.

The Hon. J. Z. Kase.

The Hon. E. E. Khasakhalha.

The Hon. C. Kiprotich.

The Hon. O. Makone.

The Hon! K. K. Njiri.

The Hon. J. J. M. Nyagah.

The Hon. J. Odero-Jowi.

The Hon. J. C. N. Osogo.

The Hon. A. J. Pandya.

The Hon. P. L. Rurumban.

The Hon. J. M. Shikuku.

The Speaker (Mr. Slade): I would remind hon. Members of the newly-appointed Sessional Committee that they have some work to do immediately after the rise of the House.

## CONSIDERED RULING

## SEATING ON THE FRONT BENCHES

Now, it is time for the adjournment of the House, but before adjourning, I would like to say a word to hon. Members about the question of the Front Benches. Although it has been a controversy of this House, and of many Parliaments that the Front Bench belongs to the Government, it is not a matter of order established by our Standing Orders or otherwise, on which I can definitely direct that it shall be so. I have suggested to hon. Members that they should respect that convention and the wishes of Government in the matter. They do not seem very much disposed to do so. I can do no more than ask them to respect that convention and the views of Government as to how they would like to sit on the Front Benches, which normally belong to them; but if hon. Members think that there is something undesirable about that, then I would suggest that they raise it in the Parliamentary Group or even by Motion in this House. On the other hand, if Government feels any doubt as to the support that it has from hon. Members in this matter, it should raise it in the Parliamentary Group or by Motion in this House. I think we must get it clear, and certainly it is very difficult for me to know whether or not hon. Members wish to respect this convention when I cannot, as a matter of order, rule. Given a resolution of the House, I can rule in support of that resolution. I think we have to get this clear, unless Members are already happy and prepared to observe the convention.

Mr. Masinde: On a point of order, Mr. Speaker, Sir, I am rising to seek your guidance. In view of the fact that most of the time in this House, as you are well aware, Ministers do not attend the proceedings of this House, these two Benches are going to continue to be empty. Today might be a special case because they had a particular interest and that is why a few of them are still here. Is it in order for us to have a number of Benches—particularly the front ones—without people?

The Speaker (Mr. Slade): I really do not want to discuss the pros and cons of this evening; only it has occurred to me that, if hon. Members object to the absence of Ministers—and I know they do—it is brought home to everyone, including the Ministers, if the Front Benches are conspicuously empty.

Mr. Ngala-Abok: On a point of order, Mr. Speaker, I think you will permit me to raise one point of order on this question of Benches for Ministers. Mr. Speaker, is it not in order for those Members of Parliament who are interested in sitting next to the Ministers or in using the Front Benches to respect this ruling, because because if anyone wants to become a Minister, it is up to the President to appoint him, but not use the position of Minister as an expression of his desire to be a Minister.

The Speaker (Mr. Slade): Order! Order! I do not think we will discuss the pros and cons of this any more at the moment.

## ADJOURNMENT

The Speaker (Mr. Slade): The House is now adjourned until tomorrow, Friday, 5th November, at 9.00 a.m.

*The House rose at thirty minutes past Six o'clock.*

## WRITTEN REPLY TO QUESTION

## Question No. 13

## IMPORTS SURCHARGES

Mr. Muruli asked the Minister for Commerce and Industries if he would give the figures for the importation of goods covered by the 15 per cent or 10 per cent import surcharge over the last available six months of 1964-1965, compared with the same period in 1962-63 1963-64.

## REPLY

The Minister for Commerce and Industry (Dr. Kiano): I regret that it is not possible to give figures relating to goods which have been made subject to an import surcharge, as this information is not compiled as such by the Customs and Excise Statistical Department. It is not considered necessary to differentiate between normal imports and other importations which have been made subject to surcharges, as import surcharges are only used occasionally when the Minister for Finance acts in accordance with anti-dumping legislation. Such action has been taken only three times in the last one year, when additional duties were imposed on khaki drill originating in Pakistan, and *karris* and hollowware from India.

Surcharges are used to protect local industries from imports of cheap goods at "dumping" prices.

Levels of additional duties were:—

Khaki drill	..	1/- per square yard
Aluminium	..	
Hollowware	..	30% ad valorem
Steel <i>karris</i>	..	15% ad valorem

**[The Speaker]**

House one way and another has become pretty clear, and I do not think there is much more to be said, and it is pretty clear also that hon. Members are not going to move from their own opinions, and it is only a question of names, then I do not think it is an abuse of procedure or unfair to a minority to allow the House to decide whether or not the question be put, and the House by a very large majority in this case has decided that the question should be put.

**Mr. Khalif:** On a point of order, Mr. Speaker, you have explained this question very well, but also it is procedural. I know that the Speaker can put the question to the Members for the closure of a Motion or an amendment to a Motion, I mean for the sake of the future—although this is finished now and although it is procedural—is it advisable, Sir, that—and I am not doubting what you have said—that immediately after a Mover and his Second—

**The Speaker (Mr. Slade):** Order, order. I cannot have you just following up what I have tried to explain so clearly, Mr. Khalif. This matter rests as the responsibility of the Speaker in his discretion. He exercises his discretion as he thinks best in the interests of the House and in fairness to minorities. If hon. Members do not like the way the Speaker exercises his discretion, the only remedy is to get rid of him.

*(Resumption of debate of first part of the amendment)*

**The Speaker (Mr. Slade):** I will now put the question.

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

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

**Mr. Khasakhala:** Mr. Speaker, Sir, I rise to support the amendment without any reservation or consultation with any group. It was stated before the amendment was put that a certain group had a meeting last night. If there was any such group, Mr. Speaker, I wish to declare my absence from that group.

A Motion like this is very important to the House, because a Sessional Committee is the committee which decides on the business of the House, and does so impartially. For this reason it should be spread throughout the country so that matters arising from various places can be attended to whenever they come before the Sessional Committee.

**Mr. Speaker:** I am supporting this amendment because the Members of the Committee are well spread. If you look at the names of the Members who have been proposed in the amendment, you will see that they cover the whole of Kenya. I am sure, Mr. Speaker, that hon. Members of this House will not have any objection to the amendment because this incorporates the same committee they agreed upon in July last, and it has only been in office for the last three months. Well, they should be given a chance to play their part and see how best they can decide on the future of the House.

It is most unfortunate that this nice Motion has had so many implications, so many personalities introduced, things which are really unnecessary at this time. I do not know whether a Motion like this should be brought up with unnecessary arguments which have been raised in the House this afternoon. This House is responsible to Kenya and it has to do its duty to the country and to the head of this Government.

It has been stated here that some Members are grouping together to gang up. If they are grouping together for the good of the nation, what is wrong with that? We know very well that we have a Government to support and this Government must be supported by those who have commitments to the Government and to the head of the Government. If there are groupings, then, who are supporting the Government, there is no mistake about this. It is all right.

Therefore, I feel very strongly that there was no need to bring all this emotion into this particular Motion. Mr. Speaker, I support the amendment and feel that this should be carried forward.

With these words I beg to support.

**The Assistant Minister for Economic Planning and Development (Mr. Kibaki):** Mr. Speaker, since we have had enough airing of views in this matter, I would like to propose that the question be now put.

**The Speaker (Mr. Slade):** Order! Order! For the reasons I gave earlier, I think the House should consider that question now.

*(Question that the second part of the amendment be now put put and agreed to)*

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

*(Question of the Motion as amended proposed)*

**Mr. Komora:** Mr. Speaker, Sir, I rise to seek your guidance. It has been said in this House that the more Members are allowed to speak on

**[Mr. Komora]**

the more they are going to repeat this Motion. Therefore, I beg to move that the Mover be now called upon to reply.

**The Speaker (Mr. Slade):** Order! Order! It is now only ten minutes before the time of the adjournment of the House. I expect hon. Members would like to hear the Mover in reply. There is, as I said, work to be done by the Sessional Committee this very evening, and for the same reasons as I allowed the House to consider closure on the amendment, I think it is reasonable for the House to consider closure of the whole debate now. So, I will put the question.

*(Question that the Mover be called to reply put and agreed to)*

**The Vice-President (Mr. Odinga):** Mr. Speaker, Sir, I think the hon. Members will now be a little steady and give me a brief hearing. I must give them great thanks, because after having heated exchanges, I can see that they are now cooling down again and actually behaving a little more soberly and in an orderly way. Mr. Speaker, Sir, I am used to such exchanges and, therefore, if somebody sees me sitting here, he should not think that I am not. I always swallow, and I have the department of incinerators, the department to dream and also the department to cool down—the cooling system—and I hope that the hon. Members both on this side and that side of the House have the same and will carry on, because we are building a country.

I do not accept some allegations which certain people make. When we bring such a Motion, it is actually my duty as the Leader of this House to make suggestions on names to this House. This is not the first time I have proposed the names to you here; you will remember that at one time I did propose the names and you referred this back because the names were not complete, and we had to complete them. Last time, the names were suggested when I was not present, but I wanted to find out if the whole House was completely in agreement because I did not like the comment which the hon. Ngala made when he proposed the names, as he was trying to censor the previous committee, saying that the previous committee had a political ganging and that his was free from political ganging, which I did not accept.

All the same, I must put it to the House and to all our people—and everybody should know this—that it will not help our country when some people group together and they think they are the people who are loyal to the President. It is known throughout the world. Take someone like myself: my loyalty to the President of Kenya. It

is known not only in Kenya, throughout the country, what I have done for our nation and when somebody is trying to doubt my loyalty, it hurts me; it hurts me because there is no cause for it, especially when I find some of the people are those who just recently I tried to move from Kadu to come into Kanu. I must actually make this clear to the House, Mr. Speaker. Our present President needed greater loyalty when he was at Lodwar, when he was helpless, when he had nothing. Today he is at the Head of our Government—

**Mr. Shikuku:** On a point of order, Mr. Speaker, is the Vice-President's speech at the moment in order with regard to what we are talking about; is it not outside the scope of the Motion?

**The Speaker (Mr. Slade):** I was just on the point of saying, Mr. Odinga, that you were getting outside the question before the House.

**The Vice-President (Mr. Odinga):** Mr. Speaker, I was just trying to answer some other points which were made here—

**Mr. Oduya:** On a point of order, Mr. Speaker, Sir, just a while ago, when you were not in the Chamber, the Minister for Home Affairs did refer to some people being disloyal to the Government, and I think that is what the Vice-President was trying to emphasize. Is he wrong in trying to put things right when a Minister is trying to misquote other members of the public, saying that they are disloyal?

**The Speaker (Mr. Slade):** I was here when the Minister for Home Affairs was speaking and although I began to become a little anxious over what he was saying, I did not hear any direct attack on the Vice-President's loyalty, and I would have been very surprised if I had heard it. In spite of that, I have sat back while the Vice-President has reaffirmed his loyalty and stated how much he is hurt by any suggestion of disloyalty, but then we have to come back to the subject matter of the Motion.

**The Vice-President (Mr. Odinga):** Thank you, Mr. Speaker. I must actually put this across.

The Government which we are trying to serve is a collective Government and each person has a part to play. Do not think that if an hon. Member is disloyal to the Vice-President, he is loyal to the President. This is a collective responsibility and we must take it as such, and when anyone tries to pass some remark which is directed to one Member of the Government, he is only showing his disloyalty to that Government, which he is

[Mr. J. M. Karluiki]

was any discussion of getting away or doing away in the previous Sesssional Committee and of having a new one. That is why I am supporting this Motion, that there is no necessity for Ministers or a Minister to have another list with different names as another Sesssional Committee.

Mr. Anyieni: On a point of order, Mr. Speaker, Sir, is it not your responsibility, when a Member speaks and he is ignorant of Standing Orders, is it not in order for you to remind a Member of Standing Orders, because what the hon. Member is saying is that there was practically no reason why the Vice-President brought a new set of names. While according to Standing Orders, when we move from the other House, and the other Session was over, when we have a new Session we have to have a new Sesssional Committee, whether it is that one confirmed or changed?

The Speaker (Mr. Slade): Yes Mr. Anyieni is quite correct, of course, that on opening a new Session we have to appoint a Sesssional Committee all over again. I think what the hon. Member was saying was that there is no reason why the Vice-President should bring forward different names, he was not objecting to the Motion.

Mr. J. M. Karluiki: I was saying that it would have been better for the Vice-President to have brought the same names that have been agreed by the House. We do not want to waste most of our time, because there is plenty of rain in the country, we would like to go and work in the fields. We would like to have a simple Motion which would enable Members to complete their own deliberations in this House and go and serve the country. That is why I say with all due respect, that there was no necessity for bringing any other names to substitute for the names already agreed by this House in the past. If the Vice-President had brought to this House the names that were agreed by the House three months ago, then there would not be any debate or any discussion and many Members and Ministers would not have wasted their time and energy by washing their dirty linen in this House. I am saying so, Sir, because there has been some sort of discussion and opposition from the Members but now that is why I am supporting this Motion very strongly that the names should be included and this Committee be given more time to show its deliberations. The Vice-President made it quite clear that he has been doing very well with this Sesssional Committee in the past.

What then made him change the names? That is what we want to understand. I would support this Motion and I believe that even the Members of this House will support this Motion whole heartedly, because we do not want to dwell on this Motion for too long discussing something which has already been discussed in this House and passed by these hon. Members and I must say, Sir, also—

The Speaker (Mr. Slade): You are giving us a good deal of repetition now.

Mr. J. M. Karluiki: I will end by saying that even at the time when the Sesssional Committee was agreed to by the Members of this House, I was not in this House. This Sesssional Committee was agreed by this House and it was passed and there is no necessity to reappoint a new one.

The Speaker (Mr. Slade): That has been said several times.

Mr. Balala: On a point of order, Mr. Speaker, in view of the narrow scope of this subject, would it be in order for me to move that the question be put?

The Speaker (Mr. Slade): Order, order. I have to ask hon. Members again, when a point of order is raised, to stay quiet until it has been dealt with. We cannot have the question of the closure when I still have to propose the question of this amendment, which I do now.

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

The Speaker (Mr. Slade): If that is carried, then I have to go on and propose the insertion of certain other names proposed by Mr. Malinda. The question before the House is that those five names are left out of the question. I think we had better have debate on the whole question as well as those particular names, particularly in view of the shortage of time, and I would point out to hon. Members that it is really rather important that, if possible, we conclude this debate because there is business for the Sesssional Committee to do this very evening.

So, if hon. Members want to move the closure at the right moment, I will allow the House to consider it.

The Assistant Minister for Lands and Settlement (Mr. Gachago): On a point of order, Mr. Speaker, I am merely seeking your guidance. Are not the names that were proposed to be deleted and the names that were proposed for inclusion in the list boil down to one and the same piece of amendment, and is not that amendment the same and could not it be disposed of as one?

## POINT OF ORDER

STANDING ORDERS ON RULES OF DEBATE  
(CLOSURE)

Mr. Anyieni: Mr. Speaker, are the Standing Orders not the same as those of the House of Commons?

The Speaker (Mr. Slade): The answer is no. We have our own Standing Orders and, although formerly our first Standing Order was to the effect that the Speaker rules in case of doubt, and his decision is final, but he was required to follow, as nearly as possible, the procedure of the House of Commons in any matters which our Standing Orders leave out, that particular reference to the House of Commons was deleted by this House and there is no longer any provision in our Standing Orders that we refer to all to the procedure of the House of Commons. Actually, the Speaker is inclined to be guided by those rules, where—as I say—our own Standing Orders leave any doubt.

Mr. Anyieni: On a point of order, Mr. Speaker, I was trying to raise my point of order when you were standing, because you were going to make a ruling which was contradictory. Just after the Seconder had moved the amendment, some Member said that the question should be put. You ruled, Mr. Speaker, and it is on record, that you will propose the question first and you will allow it to be debated a little bit before you can put the question—

The Speaker (Mr. Slade): No, I did not, I am sorry, Mr. Anyieni, I ruled that the closure should not be moved until I had proposed the question, I said nothing about allowing it to be debated.

Mr. Anyieni: Mr. Speaker, I want to seek your ruling. If, Sir, in this House you are going to allow a Member to move a Motion and it is seconded and you do not allow Members to debate it, do you not think this House is going to lose its meaning?

The Speaker (Mr. Slade): Order, order. I am quite happy when hon. Members do raise these questions, because the Speaker is not infallible; but what our Standing Orders say is that if any hon. Member seeks to move the closure, it is the Speaker's responsibility to decide whether or not that is an abuse of procedure or unfair to a minority. Now, as a general rule, it is unfair to a minority or an abuse of procedure to allow the closure immediately a question is proposed, but when you have an amendment coming later on in quite a long debate, and the feeling of the

The Speaker (Mr. Slade): No, I am afraid our rules do not allow it and I think, also, it would be more convenient really to take it in two parts because we are first considering what names we want to leave out, and that is not necessarily the same as what names we want to bring in. They are not necessarily tied together, but actually those who are in agreement with the whole of this amendment will, of course, say "aye" to the first and "aye" to the second. If this present amendment of deleting certain names is not carried, it will still be open to an hon. Member to move another amendment, that the other names be added; that will still be possible.

The Assistant Minister for Lands and Settlement (Mr. Gachago): On a point of order, Mr. Speaker, my argument was that—

The Speaker (Mr. Slade): I do not want to continue that argument.

The Assistant Minister for Lands and Settlement (Mr. Gachago): What I wanted actually to be clear is that the names that were to be excluded and the names that were to be included were read out as one single amendment. Why do we have to treat—

The Speaker (Mr. Slade): Order. That is the way that hon. Members move an amendment which involves deletion and substitution. It is quite the right way of moving, but when it comes to proposing the question, I am required to propose first of all that certain things be left out before we consider what is to be put in their place. That is what I am doing.

Please be restrained in your points of order, hon. Members.

Mr. Mbogo: On a point of order, Mr. Speaker, I am moving that the question of the amendment now be put.

The Speaker (Mr. Slade): Order, order. I am not objecting to that point of order, I will allow the House to decide.

*(Question that the question of the first part of the amendment be now put, put and agreed to)*

Mr. Anyieni: On a point of order—

The Speaker (Mr. Slade): Yes, but I would like hon. Members to understand that they do not rise on points of order when the Speaker is on his feet.

[Mr. Malinda]

more than fifteen, but as you so rightly pointed out, Mr. Speaker, that was accepted by the House and the House gave leave for the Sessional Committee to compose more than fifteen members and therefore, Mr. Speaker, that again the argument there, that the reason why I amended the Sessional Committee was to bring it in line with the Standing Order, Mr. Speaker, the argument by the Vice-President is groundless.

Mr. Speaker, for those reasons, and the reason that the Vice-President brought up, of trying to eliminate any political ganging-up, Mr. Speaker, I think it is fair and just to give credit to that Sessional Committee which only functioned for three months and I want to remind the House here that this Sessional Committee was effective from the 28th July last, and it is barely three months that that Sessional Committee was working and it has worked very efficiently as the hon. Vice-President agreed, and it has displayed an enormous amount of impartiality which we need in a Sessional Committee like this.

Mr. Speaker, why then do some of the Members get taken out of the Sessional Committee, it is, Mr. Speaker and I am sorry to say here again that it shows that the Vice-President either has some guilty conscience about the activities of this Sessional Committee which, perhaps, does not have a lot of people whom he would like to see there, but the first consideration in having a Sessional Committee is to get people who are going to act impartially and give—

Mr. Ngala-Abok: On a point of order, Mr. Speaker, is it in order to say and is the Member having in mind anything to substantiate that out of the reasons the Vice-President gave when he moved this Motion he might have had some guilty conscience. Can he substantiate that one?

The Speaker (Mr. Slade): No. Order, it is not the sort of thing I would invite hon. Members to substantiate. You should withdraw, Mr. Malinda.

Mr. Malinda: I do, Mr. Speaker, I am sorry.

Mr. Speaker, for the reasons that I have mentioned that the Sessional Committee which was there functioned properly and efficiently and was absolutely impartial and that it has brought a very good reflection in the handling of matters of the members, as far as the treatment of Motions that have to be tabled in this House is concerned, and which we have not had over the years, Mr. Speaker, also devising the method in the way Motions to this House should be selected. I think that it is a credit which should go to the Sessional Committee. Mr. Speaker, for those

reasons—I want to say one other thing—as far as the Ministry of Finance representation in this Committee is concerned. This came up as the Vice-President was moving the Motion. He said that the Ministry of Finance, which is a very important Ministry and which I agree is a very important Ministry in this country, was not represented in the Sessional Committee. But, Mr. Speaker, this Sessional Committee composes a great number of Government Ministers and if there was anything that touched on finance, if there was anything that needed the sanction or the approval of a particular Ministry, surely those Ministers who are present at the Sessional Committee are there and are capable of taking up this matter of the Ministry of Finance or any other Ministry, because if that comes we will say every Ministry is just as important as the others, and before we know where we are we have a lot of Ministers and a Sessional Committee composing up to about thirty or forty members. Mr. Speaker, we must bear in mind when we choose this Sessional Committee. With those sentiments, Mr. Speaker, which I want to have the Sessional Committee working for the good of the House as a whole not as a line or having some vested interest in a particular Minister or in a particular person or group, Mr. Speaker, I wish to propose the following amendment that the following names be deleted from the Motion. Those of the Minister for Information, Broadcasting and Tourism, the hon. F. R. S. De Souza, the hon. C. C. Makokha, the hon. Masinde Muliro, the hon. Tom Okelo-Odongo.

Sir, I also wish, Mr. Speaker, to have substituted therefor the following names: the Minister for Local Government, the Minister for Home Affairs, the hon. J. Z. Kase, the hon. E. E. Khasakhal, the hon. C. Kiprotich, the hon. O. Makone, the hon. K. K. Njiru, the hon. J. J. M. Nyagah, the hon. J. Odero-Iowi, the hon. J. C. N. Osogo, the hon. A. J. Pandya, the hon. P. L. Rurumban and the hon. J. M. Shikuku.

Mr. Speaker, Sir, this amendment is not adding anything nor subtracting any name from the previous committee. My intention, Mr. Speaker, is to have the *status quo* maintained for reasons which I have already stated, that the Sessional Committee which is now retiring is very, very young and within that three months of office the Sessional Committee has done a great deal of good work for the National Assembly, for the House of Representatives. Mr. Speaker, without having to spend more time and without going into a lot of arguments and counter-arguments, I think that hon. Members should be given an opportunity to serve us in peace, as they have done in

[Mr. Malinda]

the past three months. We have not had any complaints regarding Motions being by-passed and the method which they have devised is one of the most accurate and most impartial of methods. Those are my reasons for moving this amendment: only to maintain the *status quo*, to give the hon. Members who have been serving us a chance to serve us longer, and if their deliberations appear, and the Vice-President, Mr. Speaker, Sir, is in a most appropriate position to say that, when the time comes, because he is the Chairman of the Sessional Committee, then he will be able to propose new names. Mr. Speaker, Sir, I think it is only fair, therefore, that these Members should be reinstated to this Sessional Committee.

Mr. Speaker, Sir, one of the things I want to say here, is that I want to make it quite clear that the reason for my moving this amendment and the reason for wishing these names to be deleted from the list is not because I have any personal grudges or any personal reasoning towards any of all those Members. Mr. Speaker, Sir, I am speaking from the point of view of the best way of carrying on this job. Mr. Speaker, Sir, I hear a Member there saying, "Last night." I have just said here that I refute emphatically any suggestion that I was influenced by any meeting which may have taken place last night, which I did not attend I do not accept, and that should be discharged as absolute rubbish. I am not in any way connected with any meeting last night. Therefore, Mr. Speaker, Sir, I think the reasoning I have advanced will be seen by hon. Members without emotion, without any personal reasoning or personal inclination, the reasons will be seen and the amendment will be carried through.

With those few remarks, Mr. Speaker, Sir, I beg to move the amendment.

Mr. J. M. Karuki: Mr. Speaker, Sir, before I second this amendment, I just want to say a few things. This Motion, as it was amended by the hon. Malinda, is not substituting anything new, apart from what this National Assembly passed in the past.

In the previous Motion, Mr. Speaker, I have learnt quite a lot of things in this House, and sometimes it is very important for such a Motion to be brought to the House in order to find out from the Members what sort of gangs they have.

The Speaker (Mr. Slade): Order! I would say very definitely as a matter of order, that last of all a Motion for the appointment of the Sessional Committee should be brought in order to find out who belongs to any particular gang. The very

purpose in appointing the Sessional Committee is to appoint people independent of any idea of a gang. So please do not suggest that, Mr. Karuki.

Mr. J. M. Karuki: While I concur with your ruling, Sir, I must say that I do not know the gang and so forth. Mr. Speaker, Sir, let me get on to the Motion itself.

Mr. Speaker, Sir, I must also refute quite emphatically that I was not at any meeting last night and I do not have any knowledge of any meetings taking place anywhere. The only fact is that after my work, I went straight to my house and do not know anything about a meeting taking place. The reason why I am supporting this amendment is that I believe there is no necessity of bringing more Motions in connexion with the Sessional Committee before the Sessional Committee which was unanimously agreed by this House had made known its decision. The Vice-President gave the reasons why the Sessional Committee should only have fifteen members. He said that the Sessional Committee should not be more than fifteen, but at the same time, if you try to analyse the number of Ministers who are in this Sessional Committee, you will find that there are some Ministers who are omitted and another Minister was substituted. One fails to understand the logic of this.

Mr. Speaker, Sir, if I may quote in the new committee that the Minister for Information, Broadcasting and Tourism was inserted and in the previous one the Minister for Local Government was kicked out. Now, Sir, I fail to understand whether the Minister for Local Government was not acquitting himself well in that Sessional Committee or he was merely kicked out. Some speeches in this House, Mr. Speaker, by a Minister were right and logical, because this opposition was brought by the Vice-President in the appointment of a new Sessional Committee. Some Members are opposing and saying that the Members of the Government should not keep opposing one another. Mr. Speaker, Sir, I do not believe that if anybody in this House differs with somebody else on any particular issue that it is a mistake. Anybody can differ with anyone else. This should be taken as individual differences. They should not be alluded to be as Government differences.

Mr. Speaker, Sir, the other thing I would like to point out is this. In order to clean things up it appears that this Sessional Committee, Sir, held a meeting on the 22nd, when the Sessional Committee sat in Room 5/6, and they discussed the Agenda of the previous meeting. It does not show in the papers which are always sent to the Members of this House, whether there



**[The Speaker]**

by naming seats for Ministers. We shall be also naming seats for Assistant Ministers. The idea is that those seats belong to those so named.

I think we will now continue with the debate, and any further discussion of this matter can be taken another time.

**Mr. Oduya:** Mr. Speaker, I would like to say, further, that it is very unfortunate that today we have differed publicly, before the masses of Kenya, before those who have come to listen to the debates in the House and those outside who will listen to what will be told to them. The people of Kenya will learn that the Kenya Parliament and the Kenya Government is not united. Although it has been said by our President, by our own Ministers and even by Members in this House, that we should forget our differences and work for the bread of our people, we have today shown certain differences in this Chamber.

Here, even the Motion itself, which was moved by the Office of the Vice-President on behalf of the Government of Kenya, has accommodated different opinions from both sides, because you will find, according to my analysis, people of different outlook in the political approach of this country, one section actually is the—

**Mr. Shikuku:** On a point of order, Mr. Speaker, I was wondering whether this is relevant to the Motion. The hon. Member is discussing the question of opposition when in actual fact we are discussing the question of adjourning further debate on this Motion.

**The Speaker (Mr. Slade):** Debate on a Motion for adjournment of the debate must be confined to that question, whether or not the debate be adjourned. Please keep it so, Mr. Oduya.

**Mr. Oduya:** I am just trying to speak on that, but I am just keeping myself within the Motion but I am putting my views that I support that the Motion be adjourned. I am putting an example to let Members know that I think we are quarrelling for nothing. I am not particularly interested because I know no one will appoint me to this Committee. My interest alone is to speak. If you can give me the Floor, I will go ahead.

One thing which surprises me, because this does not mean that I am trying to divide people but according to my understanding, if, for example, the Member for Kiharu, if he is my friend I will declare openly, but here I have

friends. For, example, the ..... (Inaudible) group is Amin, Makokha, Mate, Muliro and De Souza, that is the one group that could be the balancing power. Then, Mr. Speaker, people who hold another opinion, you will find the Vice-President, Mr. Ngei and Mr. Okello-Odongo.

**Mr. Shikuku:** On a point of order, Mr. Speaker, I thought you gave a ruling to the effect that the discussion should be confined to the adjournment. Is the hon. Speaker not going against your ruling by going through the list of names, name by name?

**The Speaker (Mr. Slade):** No, it seems to me that Mr. Oduya is making out his case for adjournment of the debate by saying what sort of argument is involved which might be settled by further discussion outside the House, but we do not want to discuss it too long on particular names, Mr. Oduya. That is what you are trying to avoid is it not?

**Mr. Oduya:** To be fair, Mr. Speaker, I had finished the two sections, but I was trying to finish the other one and then end my speech. The other group also wish, let us say Nyamweya, Mwangi, Muthi, Lips and Ngala. So the last group

So, Mr. Speaker, Sir, I do not see the quarrel. In fact, this other group is the same group which is complaining here. The group of Mr. Ngala.

**The Speaker (Mr. Slade):** Now, Mr. Oduya, we do not want to debate the merits of this Motion now.

**Mr. Oduya:** We have said that it should be adjourned. When we go to the Parliamentary Group, if we feel that the problem arises of the other two groups, we can delete them and add on the names required in our own Parliamentary Group, and possibly if we need to meet even now, this evening after adjourning the House, we can possibly give the Vice-President the names to move tomorrow morning. We pass it and start our daily deliberation instead of wasting time quarrelling which I hope will not help the country. So with these few remarks, I beg to support the Motion.

**The Speaker (Mr. Slade):** I do object, and I think the House objects, to hon. Members standing on their feet half a minute or more before the Member who is speaking has finished. They will not catch my eye any easier that way. I assure them.

(Question proposed)

**Mr. Malinda:** On a point of order, Mr. Speaker, I would like your clarification. The Members who are now speaking on this Motion for adjournment, will they be allowed to speak if the adjournment Motion is defeated, will they be allowed to speak on the Motion on the Order Paper if the adjournment is defeated.

**The Speaker (Mr. Slade):** Yes. It is rather like a debate on an amendment. On an amendment, unless the Speaker otherwise directs, debate is limited to the actual amendment proposed, but it does not stop hon. Members speaking again on the main question, with or without the amendment. Here the debate is limited to the question of whether we adjourn; and so if we do adjourn, or if we do not adjourn, Members who have spoken on the question of adjournment can speak on the main question. The only exception is the Member who actually moved the adjournment, because he has already had his speech, unless he is successful in the adjournment, and then he gets the opportunity of carrying on.

**The Assistant Minister for Works, Communications and Power (Mr. Bomett):** Mr. Speaker, I think that I oppose this move on the ground that it we had time and it we had not wasted time. I feel that the Motion as it appears would have been amended and therefore probably the amendment would have gone through. I oppose this one, Mr. Speaker, because it is a pity that while we were discussing this Motion the Mover, the Vice-President, attempted to withdraw it.

Since that one was not carried out, and it was objected to, the hon. Mr. Anyieni is now trying to move that this also be suspended.

**Mr. Speaker, Sir,** I feel that there is no use of us not putting this straightaway because already the Members would have chosen the Members of the Sessional Committee and therefore, Mr. Speaker, Sir, I oppose this very, very strongly and I feel that the right thing to have been done in this was the former procedure of giving the names or giving the opportunity to the Parliamentary Group to choose and since that was the past and a new method was brought and it is now in the House, we have to accept this method and we will have to choose the Members who will serve on this Committee. Thank you, Mr. Speaker.

**Mr. G. G. Karinki:** On a point of order, Mr. Speaker, in view of the fact that this case is now clear to the House, may I be allowed to move that the question be now put?

**The Speaker (Mr. Slade):** On this procedural question it is usual to allow the House to decide at quite an early stage whether or not they want the question to be put. It is for the House to decide of course, but I will put it now.

(Question, that the question be now put, put and agreed to)

(Question put and negatived)

(Resumption of debate on original Motion)

**The Speaker (Mr. Slade):** Therefore, the debate continues.

**Mr. Malinda:** Mr. Speaker, I want to start right away by categorically refuting and emphatically stating that the imputation that was created by the hon. Mr. Anyieni, that my intention to amend this Motion is as a result of a meeting last night. That has no foundation whatsoever. If, Mr. Speaker, anything can be attached to what the hon. Mr. Anyieni said here, it can only be said that he was confessing his guilt to what he expected was going to happen with this Motion.

Mr. Speaker, another thing is that there has been quite a lot of undue and wanton insinuations in this House regarding the proposed amendment which I have not yet announced and therefore, Mr. Speaker, I think that should not have been said here and we should have been more grown up in advising our own group in this case, because, Mr. Speaker, the result of my amendment which I am going to propose in a minute, is the result of my own initiative, of my own volition and intent as I have said no one has advised me what to do. This is my own.

**The Speaker (Mr. Slade):** Mr. Anyieni, not that kind of interjection please.

**Mr. Malinda:** Mr. Speaker, Sir, the question is that we are now going to appoint a Sessional Committee and the important thing that we ought to know and to underline is the functions of the Sessional Committee. The reason why we should have a different Sessional Committee, in my view, is not that the previous Sessional Committee was inefficient or did not carry out its duties properly but as the mover of the Motion, the hon. Vice-President, agreed that the previous Sessional Committee, which has now retired carried out its job efficiently and properly and he has no complaint at all with the functions of that previous Sessional Committee, Mr. Speaker, I do not see any reason then why there should be any change of names, as proposed by the Vice-President and brought before this House.

The other thing, Mr. Speaker, is that the Vice-President says, according to the Standing Orders, members of the Sessional Committee may not be

[Mr. Anyieni]

Mr. Speaker, we do not know as to whether this was discussed and, therefore, we must question when the Ministers themselves are contradicting.

Mr. Speaker, this is where the people in the country are getting confused. When we go to our constituencies, the people will ask, how do we hear that one Minister brings a Motion and another Minister stands to oppose. We would like—and here the House must give me the full mandate—to be able to form a Cabinet, a united Cabinet, so that we do not have—I would not mind, Mr. Speaker, personally I do not think it would be a bad thing, even if we remove the hon. Moi or the hon. Odinga, because he has the power to do it. Mr. Speaker, if such behaviour as this one is to say that hon. Moi is to disclose to us that hon. Moi in the Cabinet has anything against the Vice-President, this should be kept as much away from the House as possible. Mr. Speaker, I want to charge our Ministers for the division that there is in the country, because if they can come when you have names here of even fellow-Ministers if they do not want to see these names, how is it that these same Ministers are going to advocate the same policy in the countryside? Mr. Speaker.

The Speaker (Mr. Slade) Order. I am sorry to interrupt, Mr. Anyieni, but I see that hon. Members are doing just what I asked them not to do, and that is banging the panels with their heels. There are two gone there now. If hon. Members will not observe what I have said twice, we are going to suffer a great deal of unnecessary expense in repairing these benches. Please confine your heels to the framework of the seats and not the panels.

Mr. Anyieni: Mr. Speaker, the point I was trying to labour on is that the House today would give the President the power to be able to form a united Cabinet, so that, Mr. Speaker, when one Minister brings a Motion to this House, another Minister will not stand up to contradict him, because—

Mr. Kibuga: On a point of order, Mr. Speaker, I am seeking your guidance. Has the House any power to limit the time an hon. Member may speak?

The Speaker (Mr. Slade) Order, order. The House has power to resolve, as it has done on many occasions, that speeches in a particular debate shall be limited to a special time, but that has to be done by Motion before the debate

The other remedy of the House, which can be raised on a point of order at any time, is—of course—the closure of the debate, but not the closure of a particular Member's speech as long as he is relevant and not repetitive. If an hon. Member thinks that he is in breach of Standing Orders on either of those two counts, of course he can rise on a point of order and draw the Speaker's attention to it.

Mr. Areman: On a point of order, Mr. Speaker, may I know your ruling, whether all the Motions brought by any Minister here in this House must be supported by any Minister at all? Should this be done whether it is a good Motion or not? If so, why is Mr. Moi not told he must support this Motion?

The Speaker (Mr. Slade): I can answer that question immediately. As a matter of order, no, there is no order of our House which requires all Ministers to speak or to vote the same way. It is, however, a matter for argument, and Mr. Anyieni is arguing that it is rather an unusual kind of Government where you find a Minister opposing a Motion brought by the Government.

Mr. Anyieni: Mr. Speaker, Sir, maybe because you were outside at the time some Members may try to make you think that I have been speaking for a very long time. Every time I say one word, however, there is a point of order. I do not want to tire the Members and I do realize that there are many Members who can perhaps make a better contribution to this debate than I have done. Maybe many of them can make better speeches than I can make. However, I should be allowed to say what I want to say without interruption and there should not be unnecessary points of order which waste the time of the House.

Today I am saying this because I know what the hon. Minister has said, I mean the hon. Mr. Moi, and I am going to mention his name because he has just opposed this Motion. No other Minister has ever opposed a Government Motion before. Mr. Speaker, it is all right for a Backbencher to oppose anything put forward by the Government, but this should not be done by a Minister. After all he is part of the Government. If he does oppose anything put forward by the Government, then he should be dealt with by the House.

The Speaker (Mr. Slade): Order! Order! Mr. Anyieni, I think you are becoming repetitive on this point.

Mr. Anyieni: Mr. Speaker, I think that the Deputy Speaker did promise that since it may be necessary to withdraw this Motion, and I was

[Mr. Anyieni]

speaking at the time, that for this reason I should be given more time to speak when the Motion is reintroduced. For this reason I will not say any more now but will sit down. I hope the pledge made by the Deputy Speaker will not be flouted. I will sit down now saying that the Government must be united. If the Ministers of the Government differ, then they must differ in private, they must not do so in public because in this way the country is kept wondering what the Government is doing, what Mzee Kenyatta wants. The President should discipline his Ministers who may go round singing his name and saying that he wants this and that—

The Speaker (Mr. Slade): Mr. Anyieni, I fear you are getting away from it now.

Mr. Anyieni: Mr. Speaker, I support.

The Speaker (Mr. Slade): Before continuing, as a matter of order I think I would like to understand what pledge from the Deputy Speaker Mr. Anyieni is referring to. I would not like any pledge to be broken, but I would like to know what it was.

Mr. Anyieni: Mr. Speaker, the pledge was that the hon. James Nyamweya, the Member for Nyanbari, the Assistant Minister to the President's Office, did propose that the Motion be left alone until a later date and at that time the Deputy Speaker asked me to shorten my speech. He then promised me that when this Motion is reintroduced at another time, I would be given a chance to speak since I was not given the opportunity to complete my speech.

The Speaker (Mr. Slade): Order! Order! No, I think there is a little misunderstanding of procedure there. The adjournment of a debate cannot actually be moved as a point of order. It can only be moved by an hon. Member who is holding the Floor in the ordinary course of debate, which means, of course, that Mr. Nyamweya, having already spoken in this debate, would not himself be able to move the adjournment. If some other hon. Member moves the adjournment after Mr. Anyieni has finished, he does not have any further opportunity of speaking in the debate. If, on the other hand, at the close of your speech, Mr. Anyieni, you like, yourself, to move the adjournment of the debate, and if you are successful in moving it, you are then entitled to continue speaking when the debate is resumed.

So, you could, if you like, now move that the debate be now adjourned. I will treat you as not having finished your speech.

## MOTION

### ADJOURNMENT OF DEBATE

Mr. Anyieni: Mr. Speaker, Sir, in view of the fact that it looks as if this Motion is very, very controversial, and in order that we should give Government a chance to introduce, maybe, new names which will be acceptable to the majority of the Members of this House—and to consider some of the hot feelings which have been expressed in this House—I propose that the Motion be adjourned until another time.

The Speaker (Mr. Slade): Does any hon. Member wish to second the Motion?

Mr. Oduya: Mr. Speaker, I wish to second my colleague, Mr. Anyieni, in asking the House to adjourn further debate on the Motion until a later date. Mr. Speaker, Sir, what we have heard is true. According to what we have just learnt this afternoon, it is clear that the Members of this House will not behave properly, even if certain amendments are made to this Motion. That alone will not help to find a solution.

However, I would like to go back to a remark made by the Minister for Home Affairs when he said that he would have liked the Motion to be referred back to a Parliamentary Group under the chairmanship of the President himself, so that a proper group could be selected. After that a paper could be—

Mr. Khasankhale: On a point of order, Mr. Speaker, could I ask your ruling, whether what you ruled yesterday has been nullified, that the Front Benches should be left for the Ministers and Assistant Ministers only.

The Speaker (Mr. Slade): Order, order. I think it is a great pity to interrupt a debate on a point of order of that kind. I did say yesterday that the Front Benches should be left free for occupation by Ministers and Assistant Ministers and that hon. Members should arrange to see to this. If there is to be any further discussions on this subject, and I hope there will not be, then this can be held outside the House.

Perhaps all hon. Members were not here yesterday when I made this statement here, that we are holding to the convention of the past, that Front Benches belong to the Government, and now that we have not a division of parties, we have the Government wanting to occupy both sides of the House. In this way we can prevent any idea of Government versus Opposition. We have gone further for the convenience, I think, of Ministers, and possibly Members,



**[The Deputy Speaker]**

I have already stated earlier that so far I do not think any hon Member has abused his rights in order for me to ask him to leave the Chamber, but I do request the hon. Members to debate this matter in a slightly less controversial or hostile manner. Let us have a little more peace in the House and we will get through much better.

**Mr. Godla:** On a point of order, Mr. Deputy Speaker, Sir, in view of the fact that the Mover of the Motion has already withdrawn it, is it not in order—

**The Deputy Speaker (Dr. De Souza):** No, I am afraid you misunderstood. He asked for leave to withdraw and did not withdraw it.

Please sit down.

**Mr. Oduya:** Mr. Deputy Speaker, Sir, on a point of order, according to our Standing Orders, I thought that when the House becomes unruly, the Speaker has the right to suspend business of the day until Members are disciplined.

In this case, Mr. Deputy Speaker, Sir, can the Chair therefore decide, because there will be no peace as long as the present atmosphere continues? Can the Chair do something about this?

**The Deputy Speaker (Dr. De Souza):** Order. If any more persons rise on fraudulent points of order, I will ask them to leave the Chamber. I have already ruled more than once that I do not consider that any Member has yet abused the privilege of this House or the progress of this House to ask me to ask him to leave the Chamber. He knows the kind of thing a Speaker likes to do very lightly. It is not a nice thing for any Member to be sent out of this House. It is something that should only be done after very persistent interference, interruption or disregard for the procedure of this House. So I would now honestly request hon. Members to abide by the rules of debate and if any hon. Member now stands up on a point of order which is fraudulent, then I will have no hesitation and I will ask him to leave the Chamber.

**Mr. Muliro:** Mr. Deputy Speaker, Sir, on a point of order, since the Mover of this Motion has withdrawn the Motion, and since I was never never, underlined, constituted to be a Member of the Sessional Committee could I publicly withdraw my name from this list which is being opposed by people who have been brain-washed by the American politicians?

**The Deputy Speaker (Dr. De Souza):** Order, Order, Mr. Muliro, I think on a point of order, you are entitled to make the first part of your point that you were not consulted about being

put on the list. Therefore, I will not use the power that I said I would use, because I do not consider the second part of it was relevant at all. But I do now ask hon. Members not to rise on points of order. We want no more points of order.

**Mr. Anyieni:** Mr. Deputy Speaker, Sir, I want to stand on a point of order, but since I am on the Floor I would rather reply to what you said, Mr. Deputy Speaker, Sir, there is a point which I have been trying to make all the time and every time I touch on it, a Member stands up to interrupt me. You, Mr. Deputy Speaker, Sir, now expect me to leave the point which I was trying to make and start in the middle, where it will not make any sense, I have to go back and repeat what I have said so that it can make sense, and I do not think you can accuse me of repeating things, because I have never tried to repeat myself in this House.

**Mr. Deputy Speaker, Sir,** the point I was trying to make, and I will not move from it until I have made it, is this. Today is Government time, tomorrow, Friday, is Private Members' time, when Private Members' Motions will be introduced. Today, Thursday, is Government time. This Motion is a Government Motion. Now, Sir, is it not the responsibility of the Back-benchers and the Opposition to know as to whether this Motion was discussed by the Cabinet or not? We always believe that whatever is brought here all the Ministers are responsible. Mr. Deputy Speaker, Sir, what is surprising to us—and here we have to ask our President to interfere—what deceives us, is how can we have a House with one party and one Government and one leader. Members of the same Cabinet, some of them disagreeing with the other?

**The Minister for Home Affairs (Mr. arap Moi):** On a point of order, Mr. Deputy Speaker, Sir, I have said before that if he continued doing so I would rise on points of order. I, myself, being an individual in this House, am entitled to give my views, just like any other Member. There will be persistent points of order, I would like you, Mr. Deputy Speaker, Sir, to rule on this and, as I said before, that if this Paper was submitted by the Cabinet, then I am bound by that Paper.

**The Deputy Speaker (Dr. De Souza):** Mr. Moi, I think I must make this quite clear. That rules of debate are very clear. A Member can speak on whatever he wants to speak on and no one can interrupt him and, even you, with great respect to you as a Minister, would not be entitled to rise on points of order to interrupt him if he wants to make a point, but he has not said that this was a decision of the Cabinet. He has not said this. This is not for me to find out

**[The Deputy Speaker]**

whether it is or not. He merely said that one Minister has contradicted another Minister which—whether it is a fact or not—is for the House to decide. I do not see how you can possibly stand up each time and interrupt him and say that you will interrupt. I am afraid this is not possible.

**Mr. Obok:** On a point of order, Mr. Deputy Speaker, I am wondering—Everyone in this House is capable of raising a point of order and we live in this country because we have a right. We are not favoured to live in this country, but there is one point here, Mr. Deputy Speaker, is the Minister for Home Affairs directing this House or the Speaker?

**The Deputy Speaker (Dr. De Souza):** As far as the conduct of this House is concerned, it is the Speaker who is in charge of this House. I think hon. Members will have to appreciate one point. Some Members might think I am being a little more lenient than I should but, there is a reason why I am being so. The reason I am being more lenient is that I see that an amendment has been proposed, among other things, in which I am affected and I do not want any hon. Member to feel that I am being very strict with a particular person or persons who are proposing an amendment that is not entirely in my interests. That is why I am going out of my way to ensure that all those persons who may be supporting this amendment are given a very fair chance to speak. In fact, I will ask the Speaker to come and take over the Chair. I did not want to be in the Chair when a Motion was being discussed in which I am particularly named. That is why—as I said—I am being much more lenient than I would normally be, and that is why I have resisted the temptation very strongly, of asking anybody to leave the Chamber. I do not want anybody to feel that I am trying to get somebody out of the Chamber because it might be slightly embarrassing as far as I am concerned. It is a bit embarrassing to be in the Chair when your name is being discussed and that is why I am being more lenient and I hope that will be understood.

**Mr. Makone:** On a point of order, Mr. Deputy Speaker, I beg to move that the question be now put.

**The Deputy Speaker (Dr. De Souza):** You cannot put the question, you must have the Mover called upon to reply.

**Mr. Anyieni:** Mr. Deputy Speaker, before I say what I want to say, I want to state very clearly that it would be very unfair for you to rule that

unnecessary points of order should not be raised. It is in order that the hon. Moi did oppose this Motion which was moved by the Vice-President. The hon. Member has raised unnecessary points of order, I think about six. Mr. Deputy Speaker, it is my responsibility to point out what I think is irregular. One Member, Sir, even went as far as saying that I should not be given the right to continue speaking, that the House had tried to refuse me the right to speak. When I was elected the hon. Member for Majoge-Bassi constituency, who gave the Member for Kuria any right to tell me to speak or not to speak? Mr. Deputy Speaker, whatever is done, and I have indicated and I will consider it very unfair if Mr. Speaker is going to expect me to shorten my speech, when I have actually not made a speech. I only make one sentence and there is a point of order. When I stood up, Mr. Deputy Speaker, I stood up to speak and, if these Members do not want to listen, I will continue speaking. I have told them I can speak for two days under Standing Orders.

**Mr. Deputy Speaker,** what I want to say in connexion with this confusion among Ministers is this, if we truly believe in the leadership of Mzee [The Deputy Speaker (Dr. De Souza) left the Chair].

[The Speaker (Mr. Slade) resumed the Chair] Kenyatta, we know very well—Just a minute, let me make this point. Mr. Speaker, we know that when Mzee came out of gaol, he inherited a situation which was not of his own creation. He inherited a situation where there were two factions, even within Kanu. He inherited a situation where there was Kanu and Kadu and we have all been pressing Mzee for having done certain things for bringing all these people together and he has a Cabinet which we believe is a united Cabinet. If this Cabinet is united, how can you prove it to us when they bring a Motion here and they lead in the opposition? Is the hon. James Nyamweya the Assistant Minister in the President's Office? He seconded the Vice-President. Then we have the Minister for Home Affairs opposing Mr. Speaker, if this Motion is regarded as being the personal property or a personal view—

**The Speaker (Mr. Slade):** Order. Hon. Members, do avoid private conversations and laughing together, please. A few interjections are all right, but we must give the Members a chance to be heard.

**Mr. Anyieni:** Mr. Speaker, if this Motion is being regarded, as the hon. Moi said, as a Motion brought by the Vice-President, honestly,

**[The Deputy Speaker]**

to decide, and obviously it is a difficult question to decide because Tshombe or perhaps it would be more proper to call him Mr. Tshombe—was the Prime Minister; why he was displaced is not for me to decide. Obviously all prime ministers who have been displaced are not bad men. In any case, to be on the safe side, I asked Mr. Anyieni to withdraw it and he did so. There is no point in raising this later on.

**The Assistant Minister for Commerce and Industry (Mr. Olotipitip):** On a point of order, Mr. Deputy Speaker, I rise to seek your guidance on this. The Mover of the Motion has already asked the leave of the House to withdraw the Motion, and the Members refused. This means they want to debate this Motion thoroughly. But, at the same time, Sir, they are interrupting a lot and so do not give a chance to any Member to speak about it. I feel, Sir, and you can correct me on this that it is high time for you, as Speaker, to rule that no more points of order may be raised when we want to debate a serious issue like this which is throwing the whole House into conflict.

**The Deputy Speaker (Dr. De Souza):** Order. I think there is very good sense in what Mr. Olotipitip says, and there is no doubt that lots of points of order are being raised in fact two and three and four times, over and over again. I do not at the moment want to use the powers that a Speaker has in relation to fraudulent points of order, but I do want to request hon. Members not to rise on fraudulent points of order. Let us have a debate in a proper atmosphere, and let hon. Members decide what they want to decide. Each Member has a right to speak. Let him speak as much as he wants, he is entitled to his rights. Let every Member speak.

**The Assistant Minister, President's Office (Mr. Nyamweya):** On a point of order, Mr. Deputy Speaker, in view of the fact—and here again I speak as the Member for Nyaribari—that I do not think the conduct of Members in this House is consistent with the dignity they should display, especially in his debate, may I be given your permission to move that the debate be now adjourned?\*

**The Deputy Speaker (Dr. De Souza):** Well, I will call upon you, Mr. Nyamweya, but I think we will get Mr. Anyieni's speech finished first; it is only fair for him to finish.

**Mr. Malsori-Inumbo:** On a point of order, Mr. Deputy Speaker, when a Member is speaking in the House and the hon. Members are not

interested to his speech, are you not in a position to stop his speech and give another Member a chance to speak?

**The Deputy Speaker (Dr. De Souza):** No. Unless I am convinced that the Member is guilty of tedious repetition or gross and continuous irrelevancy, I do not think it would be right for the Speaker to make a decision to stop anyone speaking. I think it would be quite unfair for the Speaker to decide whether he does or does not like a speech.

**The Assistant Minister for Lands and Settlement (Mr. Gachago):** Mr. Deputy Speaker, Sir, on a point of order, I would ask the House to forgive me, as I had no intention of interrupting the debate, but since the Mover of the Motion has indicated that he would like to withdraw the Motion, and since, when you, Sir, asked whether this withdrawal would be permitted, only a section of the hon. Members shouted, which is the best way of disposing of such a proposition? Is it just to listen to a section of the Members or is it not normally put to the vote?

**The Deputy Speaker (Dr. De Souza):** No, no. I think the right decision is what Mr. Nyamweya moved, and I think if Mr. Anyieni would cut his speech a little shorter than he would have done normally, I want to assure him that when this Motion comes up for debate again he will be entitled to speak—if he would be a little brief, I would then call upon Mr. Nyamweya to move his Motion.

**The Assistant Minister for Works, Communications and Power (Mr. Bometi):** On a point of order, Sir, you ruled a minute ago that you were going to call upon Mr. Malinda to move an amendment, and now you are saying that you are going to call on Mr. Nyamweya.

**The Deputy Speaker (Dr. De Souza):** That was not a ruling; I did not give a ruling that I would call upon anyone else, though it was my intention to do so. But seeing the atmosphere in which this particular debate is being conducted, I think it might be very sound sense for the Government to reconsider its position and come back here with a list of names that would cause less controversy than this particular list seems to be causing.

**Mr. Malinda:** On a point of order, Mr. Deputy Speaker, I did not want to raise a point of order because I will have a chance to speak but would you elaborate further, Sir, as to what is going to happen if eventually the hon. Mr. Nyamweya successfully moves the adjournment of the debate? What is going to happen to the

**[Mr. Malinda]**

position of the Sessional Committee? Is it going to revert to the *status quo* until Government finds time to bring in another Motion to elect a new Committee? What is going to happen in the meantime?

**The Deputy Speaker (Dr. De Souza):** As far as I understand—I am subject to correction as I have not looked it up very carefully—there will be no Sessional Committee until one is elected. If this Motion is adjourned, it could be brought again tomorrow, perhaps with a new list of names. No doubt the Government and all its Ministers would sit together and decide on a list of names which is acceptable to the House. But I do not think it is normal to have such a lengthy debate in most Houses, and in this one previously, the names are usually passed without any debate whatsoever, and I do not see why there should now be so much debate on a list of names of people which should be completely removed from controversy.

Speaking for myself, I would be very happy to see my name not on the list; I do not know why my name was put on it. But this is something completely different. I think we will let Mr. Anyieni finish his speech and then call on Mr. Nyamweya.

**Mr. Anyieni:** Mr. Deputy Speaker, Sir, in view of the fact that you have promised that when this Motion is brought to the House again, I shall be given time to speak, and for that reason, I will cut my speech short, but before I cut my speech short, I would only like to make one statement which is directed to the Cabinet, and I see that some very responsible Ministers of the Cabinet are here, for example, I see the hon. Mr. Njonjo is here. I want to say, Mr. Deputy Speaker, Sir, that the Government is making it very difficult for the Members and for the country to know what is going on. I said, Mr. Deputy Speaker, Sir, that one Minister moved a Motion and this is Government time—

**The Minister for Home Affairs (Mr. arap Moi):** On a point of order, Mr. Deputy Speaker, Sir, so long as he attacks me and continues to do so, there will be points of order. Firstly, Sir, if he either tells the House that the Cabinet should in future select and nominate Members of the Sessional Committee—

**Mr. Kamau:** Mr. Deputy Speaker, Sir, on a point of order, if the Members could listen to me, I have been here since we came to this House, Sir, and I have observed very carefully.

**Mr. Deputy Speaker, Sir,** I would like to get your guidance with regard to the point when the hon. Mr. Speaker was in the Chair and who had agreed that if the House objects to the adjournment of the debate, he would allow the amendment which was with hon. Mr. Malinda. In this House, as I have assessed, the hon. Members are not interested to have the debate adjourned—

**The Deputy Speaker (Dr. De Souza):** Mr. Kamau, I am very sorry, you are not here to judge what the House says. We have to put it to the vote and then we will decide. You cannot rise on a point of order and say that in your opinion the Members are not interested in the House. I am afraid that is quite out of order. Please continue, Mr. Anyieni.

**Mr. Anyieni:** Mr. Deputy Speaker, Sir, I have never been accused of repetition, but what can an hon. Member do when he stands up to speak and he is continually interrupted with points of order? I made it very clear that according to Standing Orders I can speak until thirty minutes past six o'clock tonight, and I stand tomorrow and continue the whole day.

**Mr. Deputy Speaker, Sir,** I do not intend to do so but there is one point which the hon. Moi in particular, should allow me to make. I have the right to point this out to the public and to the President, because we cannot, Mr. Deputy Speaker, Sir, allow people to do things and refuse being exposed. **Mr. Deputy Speaker, Sir,** this is Government time. Thursday is Government day. This is Government business. When this is Government business, whether the Cabinet sat down to select the names, or the Cabinet did not do so, since this was—

**The Deputy Speaker (Dr. De Souza):** Order. Order. I think Mr. Anyieni, you have made that point often enough. We do not want to go back into it again. You have said it before. I do not want to have any more emotion aroused on this point. You have made it before and I would request you not to do it again.

**Mr. Masingde:** Mr. Deputy Speaker, Sir, on a point of order, I am rising for your guidance. In view of the fact that you are responsible for controlling the House, and you may now be aware of a number of hon. Members here who are continuing to make a noise, is it not in order that you name such Members and make them leave the Chamber? In particular, Mr. Deputy Speaker, Sir, a few months ago, we were meeting here very peacefully without these troubles until yesterday when we had the return of this gentleman who had been on a tour in America.

**The Deputy Speaker (Dr. De Souza):** Order, Order.

[Mr. Oduya]

a little patient and have the Member to substantiate as the Chair has already asked, but then would it help if the Members here continued to shout and overrule the voice of the Chair and then if we do not have order, what is the next step? What other thing can we do if the House becomes overruled?

The Deputy Speaker (Dr. De Souza): The Speaker, will decide at the right time if the time does arrive. At the moment we have not reached a situation where the House is too noisy. I can see the House is a bit excited just now. I would appeal to hon. Members please to try to give the speaker a chance as everybody else will be entitled to have a full chance to speak. I am afraid I was absent for most of this debate. I do not quite understand the purpose or the reasons behind this emotionally tense atmosphere but as soon as we finish, I think other Members can speak.

Mr. Shikuku: On a point of order, Mr. Deputy Speaker, with regard to one of the points of order I think it was raised by the hon. Member for Erukhaya, Mr. Khasakhala, to the effect that if there was any need for moving an amendment, that would be possible and that I would also like to find out from you if it is in order that we should carry out the previous procedure through which the previous Sessional Committee was nominated. In other words, we the Elected Members, had a meeting after which the Sessional Committee was appointed and then brought to the House and approved. Would it not be in order for us to adjourn this debate and carry out the same procedure, since there is a lot of confusion and better talk here.

The Deputy Speaker (Dr. De Souza): Order. Order. It is perfectly in order for any hon. Member to propose a Motion of adjournment whenever he feels like doing so. It is not for the Speaker to propose an adjournment, it is for an hon. Member to propose it. As far as I understand, no hon. Member has yet proposed that this Motion be adjourned. If such a Motion is proposed, well then it will be debated. For the time being we are debating the original Motion. I believe there is a notice given of an amendment and I propose to call Mr. Malinda after Mr. Anyieni has finished.

Mr. Anyieni: Mr. Deputy Speaker, I would like to inform the Members who are trying to interrupt me all the time that there is no limit to the time I can speak and if the Members continue to make unnecessary noise I can speak until tomorrow morning and they will never have the amendment. Mr. Deputy Speaker, I was referring

to a report which I got and which I said, and I said it very clearly, that I shall be proved wrong if what I alleged took place in that Corner Bar meeting, does not take place in this House. If what I have said does not take place here there is no point in a Member standing up and calling a Member names, but I was told by one who was there, I have not seen it from the Speaker.

Now, Mr. Deputy Speaker, I would like to say that in Kenya today the President has a very difficult task. I have seen, Mr. Deputy Speaker, several times some Ministers, particularly the Vice-President, come here and defend Government in something that practically all Members are against. I have never seen him on any occasion come to contradict openly another Member of the Cabinet. But here, Mr. Deputy Speaker, we have a situation where you have Ministers of the Cabinet, one Minister bringing a Motion in the House and another Minister standing up to oppose.

Mr. Araman: On a point of order, Mr. Deputy Speaker, Sir, the thing is this. The hon. Member was asked to substantiate what he meant by Corner Bar and Tshombe, and then he did not substantiate and then he did not withdraw. Can he withdraw or not?

The Deputy Speaker (Dr. De Souza): Order. Order. I think I asked him to withdraw the word Tshombe and he did withdraw it.

Mr. Kerich: On a point of order, Mr. Deputy Speaker, is it in order for an hon. Member to challenge a Minister expressing his opinion?

The Deputy Speaker (Dr. De Souza): I am sorry, I do not understand you.

The Minister for Home Affairs (Mr. arap Moi): On a point of order, Mr. Deputy Speaker, the hon. Member who is just speaking said that a Minister had no right to air his own views. Should he tell us whether this is the normal procedure for Elected Members?

The Deputy Speaker (Dr. De Souza): I am afraid, Mr. Moi, all he said is that one Cabinet Minister is contradicting another Cabinet Minister. It is not necessary for him to say whether this Paper came from the Cabinet or not, it is for the Cabinet to decide.

The Assistant Minister for Lands and Settlement (Mr. Gachago): On a point of order, Mr. Deputy Speaker, can the hon. Member go on speaking for ten hours?

The Deputy Speaker (Dr. De Souza): That is a hypothetical question. Please continue.

Mr. Anyieni: Mr. Deputy Speaker, I do not know what the hon. Members expect. Every time I open my mouth, there is a point of order. If there are points of order like that, according to Standing Orders—

Mr. Shikuku: On a point of order, Mr. Deputy Speaker, is it not in order for you to rule that this House be quiet?

The Deputy Speaker (Dr. De Souza): I want to appeal once again to hon. Members please to remain a little more silent. As I say, I appreciate that there is a lot of excitement but after all we are a Parliament and we do give freedom of speech to very single individual, not only in our country, but also in Parliament and we should allow everybody to speak.

Mr. Anyieni: Mr. Deputy Speaker, I do not want to—

The Vice-President (Mr. Odinga): On a point of order, Mr. Deputy Speaker, Sir, having also seen the temperature and the attitude of this House I would like to ask the leave of the House to withdraw this Motion and to reintroduce the Motion later, after consideration. This I think is in line with views expressed here today. I feel that we should not actually go on debating this present Motion.

The Deputy Speaker (Dr. De Souza): Order. Order. The mover of the Motion has asked for leave to withdraw the Motion. Is such leave granted?

Hon. Members: No, no.

The Deputy Speaker (Dr. De Souza): I am afraid leave is not granted, Mr. Odinga.

Mr. Anyieni: I think the Vice-President is being very unfair to me because I want to say something and the Members have not given me a chance to say anything and if this Motion is withdrawn at this stage, I shall not have made my point and I want to make my point before anything is done because I have the chance to say it.

Mr. Deputy Speaker, I was saying, and I will not forget what I was saying, that here we have seen Members of the Cabinet who have taken an oath to agree to work on a collective responsibility. Here we have the Vice-President who is a member of the Cabinet and the Minister for Home Affairs, who is a member of the Cabinet, standing up and contradicting each other.

The Minister for Home Affairs (Mr. arap Moi): On a point of order, Mr. Deputy Speaker, when an amended procedure happens here, and we do not know anything about it, what is your ruling when matters are brought to this House, of which other Ministers/are ignorant?

The Deputy Speaker (Dr. De Souza): Mr. Moi, I am afraid you are putting me in a very difficult position. It is not for me to know whether anything has been brought here, in fact has been sanctioned by the Cabinet or not. It is not for me to be able to make a ruling on that. Whether matters should come here after they have been brought up by the Cabinet, that is a question for the Government to decide. It is not question for the Government to decide. It is not the Speaker who can say whether a matter should have gone to the Cabinet or should not have and whether it has in fact come to the Cabinet or it has not gone to the Cabinet. I mean after all, the Speaker in this Chair only knows that which is brought before him before the House. We do not know, and even if I did know, I would not be entitled to use that knowledge as to what in fact took place within the Cabinet or within the Government. I am afraid I cannot answer your question because I do not know. I will explain. The ruling that I gave was this. Mr. Anyieni said that one member of the Cabinet was contradicting another member of the Cabinet. You asked me to ask him to state whether this particular Motion had been approved by the Government or by the Cabinet or not, and I said quite clearly that Mr. Anyieni had alleged that one member of the Cabinet was contradicting another member of the Cabinet; he had not said that this particular Motion had been approved by the Cabinet. It is completely different.

Hon. Khalif: On a point of order, Mr. Deputy Speaker, is it in order that the Speaker should allow a Minister to debate while making a point of order an excuse, because this man is debating more—

The Deputy Speaker (Dr. De Souza): No, no. I think what Mr. Moi raised was a very reasonable point, except that it is not a point that can be answered by the Speaker, I am afraid; it can only be answered perhaps by the President or the Cabinet.

Mr. Mbogoh: Mr. Deputy Speaker, Sir, on this point of somebody starting to call somebody else "Tshombe", we understand here in this House that Tshombe is a man who has been dismissed from his Government as a traitor to his own Government. Now when somebody refers to Tshombe in this House, can I have your ruling on that, whether it means somebody is a traitor or what?

The Deputy Speaker (Dr. De Souza): Normally any language which is insulting cannot be used. Now the question of whether or not the name of Tshombe is insulting is for the Speaker

The Speaker (Mr. Slade): Mr. arap Moi, we must keep to the subject of the Motion. It is the appointment of the Sessional Committee. Now I know that involves the actual choice of names, but it is quite out of order for hon. Members to seize this opportunity to speak dangerously, offensively, about any names involved here. It is not an opportunity for that, please.

We are getting very near it now.

The Minister for Home Affairs (Mr. arap Moi): I was following up, Mr. Speaker, according to the list and the number of people on the list that started my argument and I did not follow up, but I want to say, Mr. Speaker, that unless the Motion is withdrawn, and taken back to the Parliamentary Group and decided by the majority of the Members, I would not accept it. Therefore, I reject the Motion.

The Speaker (Mr. Slade): Before calling on any other Member, I would suggest as a matter of procedure that if any other hon. Member feels as Mr. arap Moi feels, that this should be referred, for instance, to the Parliamentary Group before being decided, probably the best procedure is not to reject the Motion but to move that the debate be now adjourned. Then it would mean that there is an opportunity for further discussion elsewhere before the Motion is finally decided one way or the other, if that is what the House wants.

Mr. Khasakhala: On a point of order, Mr. Speaker, would it not be in order, as the House is here, to have an amendment moved?

The Speaker (Mr. Slade): Of course.

Mr. Malinda: On a point of order, Mr. Speaker, I do not know if the Clerk has mentioned to you my intention to move an amendment to this Motion. If he has, Mr. Speaker, then may I be allowed—

The Speaker (Mr. Slade): You will have your opportunity, unless we embark on a debate moving the adjournment first; in which case, if the adjournment of the debate was carried, your amendment would have to wait until we resumed the debate. But if not, you will have an opportunity for moving your amendment this afternoon.

Mr. Anyieni: Mr. Speaker, Sir the Vice-President in moving this Motion did mention the political gang-up and hon. Khasakhala did ask the Vice-President almost to substantiate what this gang-up is. It will be remembered, Mr. Speaker, that it was in the last but one Sessional Committee where hon. Ngala did use the words "political gang-up" to reject or to refuse the Sessional Committee which was then mentioned.

Mr. Speaker, I also understand that the political gang-up, some Members are trying to deny that there is political gang-up. Mr. Speaker, I want to state—and I want to state it very clearly—that there is political gang-up by some Members here and when the hon. Vice-President moved this Motion yesterday, last night there was a meeting which was held and that meeting—

Hon. Members: Where? Where?

Mr. Anyieni: I will tell the House, Mr. Speaker.

In this meeting it was decided, because one of the people who was there gave us the information, they decided that they did not like to see the name of the Minister for Information in this Sessional Committee and that they intended to delete his name and substitute another name. They also decided, Mr. Speaker—I am trying to substantiate that there is a gang-up.

The Speaker (Mr. Slade): Order! Order!

Mr. Anyieni: Mr. Speaker, Sir, I am exposing these people who are trying to spoil the country.

The Assistant Minister for Health and Housing (Mr. Moss): On a point of order, Mr. Speaker, would the hon. Member, in order to give us a clear picture, substantiate where this meeting was held and at what time and give us the names of those who attended?

The Speaker (Mr. Slade): I think that is exactly what the hon. Member is in the process of doing, but if he does not give full enough information he can be required to substantiate anything that remains.

Mr. Anyieni: Mr. Speaker, the hon. Member who has raised the point of order was one of the people in this meeting and he should sit down and wait until I have finished, then he can ask me to substantiate.

Mr. Speaker, I have mentioned some of the work which was done and, Mr. Speaker, this will be proved after I have sat down and after you have received the amendment.

Mr. Speaker, the Minister for Information, in this political gang-up, has been made the scapegoat for some of the mistakes which are not necessarily his own. The Minister is supposed not to be in the Sessional Committee. This Corner Bar Tshombe meeting does not want to have in the Sessional Committee the hon. Mr. Makokha. He is another they want to remove. Mr. Speaker, the other Member they want to remove is the hon. Mr. Muliro, and the other one they want to remove is the hon. Mr. Okelo-Okongo.

[Mr. Anyieni]

Mr. Speaker, I stand to be corrected by other Members, but it was alleged that these people are communists, they are against the Government, they are the most notorious that one can think of. Mr. Speaker: I do not know—

Mr. arap Moi: On a point of order, Mr. Speaker, is the hon. Member being relevant because it looks to me as if the House is now discussing the gang and not this Motion?

The Speaker (Mr. Slade): Hon. Members will bear in mind what I said to them at the start, that we are concerned with choosing suitable people to be members of a Sessional Committee which is supposed to be entirely non-partisan and to serve the House as a whole. When you are discussing people, I suppose you have to discuss their merits, but since we are dealing with named people there, both in the Motion and any amendment that comes forward, we must be very careful what we say. Mr. Anyieni is anticipating an amendment which he has heard is likely to be moved. He is entitled to that. He is entitled to say what he thinks lies behind the amendment and why he thinks it is not justified. It might have been better to wait until the amendment was moved, I think, but I cannot see that what he says is irrelevant. I only ask him, like every other Member, to be very careful in what he is saying in this debate.

Mr. Anyieni: Thank you very much, Mr. Speaker. I do not like to speak the way I am doing, but after you give me permission to speak first, and I know since there are many Members in this House, it may be difficult for you again to give me two chances to speak, I thought I should speak on the information I know and I will be thankful to any Member who can correct my information, if it is not true.

Mr. Speaker, I understand as I said before, that what I have just said is one of the reasons why these hon. Members want to oppose this Committee. Now, Mr. Speaker, I would like to agree with the hon. Mr. Moi, the Minister for Home Affairs, in that we should heed those words written there at the door. But, Mr. Speaker, if we are to be sincere, how can Members of the same Cabinet who have the same collective responsibility, who have the—

Mr. Speaker, I understand that one of the tactics in this Corner Bar meeting was to make sure that when people like Anyieni stood up to speak they would be interrupted by unnecessary points of order.

[The Speaker (Mr. Slade) left the Chair.]  
[The Deputy Speaker (Dr. De Souza) took the Chair.]

Mr. Kibuga: On a point of order, Mr. Deputy Speaker. The hon. Member speaking said he was going to substantiate, he was going to give the list of the names of the people who were at the meeting and he said he would give the name of the person who communicated with him. The hon. Member has just mentioned one person—hon. Mr. Moss, and no more.

The Deputy Speaker (Dr. De Souza): I am afraid I did not hear the original statement by the Member, you are substantiating something, are you?

Mr. Anyieni: Mr. Deputy Speaker, this substantiation has been called upon by one Member before you came to the Chair and the Speaker said that in the way I was presenting my case I was substantiating and I have not finished. Mr. Deputy Speaker, I want to object to one thing, that is that as I am informed, and here I cannot be disproved because the very Members are confirming exactly what I am alleging, I say that in this meeting, in this corner Tshombe meeting, they decided that when people like Anyieni—

The Assistant Minister for Works, Communications and Power (Mr. Bomett): On a point of order, Mr. Deputy Speaker, can the Member substantiate exactly what he means by Corner Bar Tshombe.

The Deputy Speaker (Dr. De Souza): Order, order.

Mr. Anyieni: Mr. Deputy Speaker, I wish that the hon. Members would let me speak. I know I am disclosing each and everything. Why do not the Members keep quiet until I finish. I mention one word and they call a point of order.

The Deputy Speaker (Dr. De Souza): Mr. Anyieni, there is no point in mentioning the word Tshombe here. If it is Corner Bar you are referring to, well call it Corner Bar.

Mr. Anyieni: I thought Tshombe was a respectable man who was one time Prime Minister of the Congo.

The Deputy Speaker (Dr. De Souza): I think you will withdraw the word Tshombe. We do not want to have that.

Mr. Anyieni: If the hon. Members are ashamed of Tshombe, then I will withdraw it.

Mr. Odoyo: On a point of order, Mr. Deputy Speaker, Sir, I seek your guidance on this. Is it not true that when we are here we have to be

**[The Speaker]**

an expression of opinion which one could not establish quite positively or otherwise. Hon. Members must accept this sort of general criticism by way of opinion and be prepared to answer it if they feel they should answer it.

**The Assistant Minister, President's Office (Mr. Nyamweya):** Mr. Speaker, Sir, I was going to say that if there should be any ganging-up at this stage I think we should gang-up to supply our people with foodstuffs in the reserves and other places. I do not see any reason whatever, Sir, why we should be afraid of moving whatever political obstacles there are in order to establish a real political unity among the Members in the House here.

I know, Mr. Speaker, Sir, most of us are busy doing some other things which are not consistent with our political loyalties. That is not an issue now. What is an issue is what we are going to do for the country and for the people. That being the case, Sir, I believe the Vice-President has made a case at least for the Deputy Speaker to be a member of the Sessional Committee. If that is not a case which has been made satisfactorily, Mr. Speaker, to the House, then I do not know any other case which is worthy of consideration. I am only giving my opinion, Sir, and it is extremely personal. It is personal because I believe I am an individual and I should sometimes be at liberty to think on my own.

Sir, I see there have been a few additions to the present Sessional Committee. I agree that perhaps it would have been better if the previous Sessional Committee could have been given an opportunity to carry on.

Mr. Speaker, Sir, I did not ask for that applause from the House because, Sir, when I stood up and said something about supporting the Motion it appeared that some Members were embarrassed. That and the present applause, of course, go to show that there is this political ganging-up.

Now what we want, Sir, is to see the Minister for Home Affairs standing in this House—I am using the Minister as an example. I hope he will not take offence—and speaking because he believes in the country and in the people of Kenya. So if the hon. Mr. X from a certain constituency also stands up and speaks, he should be applauded for what little contribution he has made to the deliberations of the House, provided that it is a genuine contribution. I know some of us have certain interests: you, people know!

Mr. Speaker, Sir, what is an obstacle to achieving some kind of real, practical unity in this country is that most people or most politicians—

and I will have to be very careful here because someone is going to ask me to substantiate it—most people, when they come into this House, do not say what they really think. Most people come to this House and repeat what has been said somewhere the previous night. What we must stop, Mr. Speaker—and I appeal to hon. Members—what we—

**The Speaker (Mr. Slade):** I think, Mr. Nyamweya, it is hardly relevant to the question of the appointment of the Sessional Committee. I am sure that there have not been many examples of people coming into the House just to say what has been said to them elsewhere on a subject of this kind. This may be so on another occasion, but now we are dealing with appointment of the Sessional Committee. Please keep closely to that.

**Mr. Seroney:** On a point of order, Mr. Speaker. I understand absolutely about the question of substantiation, but since a character has been imputed to us in this House, that most of us come here to say what we do not feel, would the person who said that withdraw it or substantiate?

**The Speaker (Mr. Slade):** It is again the sort of thing which I do not think ever can be substantiated. It is a very general expression of opinion. But I would ask hon. Members to be careful what they say in derogation of the House in general; and I would ask Mr. Nyamweya in particular to pay attention to what I am saying. I do ask hon. Members to be careful about what they say in derogation of the House in general.

**The Assistant Minister, President's Office (Mr. Nyamweya):** Mr. Speaker, Sir, I thought this was extremely relevant because the House takes a very keen interest in the composition of the Sessional Committee and, when the hon. Vice-President introduced this, he said that there has been in the past some kind of political ganging-up. The composition of the Sessional Committee, I would say, the omission of certain names and the addition of certain names to the Sessional Committee would be taken possibly as one group strengthening its own hand.

**The Speaker (Mr. Slade):** I think you are missing the point of what I was dealing with. I was dealing with your statement that it is a habit of Members of this House to come and say not what they think, but what they have been told by somebody else to say. That is what I was talking about. I say that is not relevant to this Motion nor really desirable to be said at any time.

**The Assistant Minister, President's Office (Mr. Nyamweya):** Mr. Speaker, I conform with your superior knowledge in that matter.

**[The Assistant Minister, President's Office]**

What I was going to say, Sir, is that I would commend people who have been nominated to the Sessional Committee to the House on this basis, that we should look to the Sessional Committee as the instrument with which to serve the House and the country, not as an instrument to achieve certain political ends. I am trying to emphasize the point that whoever are going to be the Members of the Sessional Committee, if they have the interests of the country, the people and the House in their hearts, they are going to serve this House in the best possible way. There will be no quarrels about what is the composition of the Sessional Committee.

On the basis of what I have just said, I would like hon. Members, for a moment, to have an experiment whereby birds of different feathers can fly together for the purpose of achieving something useful, desirable and practical in the interests of the country and the House.

*(Question proposed)*

**The Speaker (Mr. Slade):** I would, to some extent in support of what has been said, ask hon. Members in speaking to this Motion to treat it quite dispassionately. What we are seeking is a Sessional Committee which will serve the whole House and the country, and it must do so with the confidence of the House. This cannot be achieved if the Sessional Committee does not carry the confidence of the House. Moreover, it must know that it carries the confidence of the House. Any committee which is not elected by more than just a bare majority cannot work knowing that it carries the confidence of the majority of Members of the House. The Members of the Sessional Committee have the responsibility of fair conduct in the same way as the Speaker of the House does, and we must look only for that; we must only look to who will serve us best, and I hope we shall arrive at some sort of unanimity.

**The Minister for Home Affairs (Mr. arap Moi):** Mr. Speaker, Sir, one of the hon. Members tells me to oppose the Motion. I do not know whether he knows that I will do so or not. The question is that I stand here merely to air my views and will conclude with what I feel about this Sessional Committee.

Mr. Speaker, I understand that our Standing Orders allow five to fifteen Members, which means that the previous Committee exceeded that figure—

**The Speaker (Mr. Slade):** I would not like any misunderstanding. What the Standing Order says is that unless the House otherwise orders, a Select Committee shall not exceed fifteen; but if the House itself, as opposed to the Sessional Committee, appoints a Select Committee consisting of more than fifteen named persons, the House is otherwise ordering. So it is quite in order.

**The Minister for Home Affairs (Mr. arap Moi):** So, Sir, I would like to speak frankly here. I do not believe and I do not trust the Seconder who said that when one comes and speaks here he does not express his own feelings. Here and outside the House I always express my own feelings, and I do not fear anybody. If there is any form of ganging-up, this is a very good one. If this is not ganging-up, then definitely the previous Committee would have been brought in to the Parliamentary Group which decides the agenda for the Sessional Committee. Therefore, if this change was made somewhere without consultation of Members generally, then, I feel this is unjust to the House.

Mr. Speaker, most of us would like to work and co-operate with the Government and we would like, if this House agrees, to gang up and support the President and the country, but we do not want to gang up for the sake of personalities and for the sake of grouping. I entirely disagree with this. If we support this view, then we must air our views here.

Mr. Speaker, we have taken the Oath of Allegiance here and, therefore, we must be true to what we are here for. We have taken the Oath to be loyal to the Republic of Kenya and we must do just that. However, if we have the Oath merely for the sake of taking the Oath and then come out and do what we have done, then I feel we are doing a great disservice to ourselves and the country. If we do this, then, we are forgetting what is written above the door at the entrance to the Chamber. I do not want to go deep into this matter, but this Motion has come to the House in order that Members can express their feelings. Most of the Members ask from time to time who are the Members who are ganging-up underground for the Government. Normally, according to Kalenjin customs, when we want to find out the truth we do it this way. When we are gathered around and ask who has stolen a certain thing, the first person to say, "That is not me," is the person to be blamed. Therefore, Mr. Speaker, if we keep on asking who are these people, then the people who say they are not the ones, must be the people concerned.

**[The Minister for Natural Resources and Wildlife]**

the prolonged drought which we have experienced this year. Any more requests should be addressed to the Divisional Forest Officer in the area. Each such request will be considered on its merits.

**Mr. Gichoya:** Mr. Speaker, Sir, arising from the Assistant Minister's reply, that some arrangements could be made, could he take it as a request by the Member for West Pokot that arrangements should be made at this time?

**Mr. Mohamed:** Mr. Speaker, Sir, I have said that the arrangements already exist. It is not a new arrangement which has to be made, but grazing has to be controlled and the control can be carried out by the Divisional Forest Officer. It is merely an approach which is to be made to the Divisional Forest Officer. The arrangement is there.

**Mr. arap Too:** Mr. Speaker, Sir, will the Assistant Minister tell the House whether there are any conditions at all which are set up by his Ministry so that any person who applies to graze his cattle in forest glades will have to fulfil before he is given permission?

**Mr. Mohamed:** Mr. Speaker, Sir, there are no conditions, except that the grazing has to be controlled and that unlimited heads of cattle could be allowed to graze. The Divisional Forest Officer is the only person who is aware of the size of the forest, and he allows the number of cattle according to the size of the forest.

**Question No. 18****MAIZE QUOTA FOR WEST POKOT**

**Mr. Lorena** asked the Minister for Co-operatives and Marketing if he was aware that the present quota of 300 bags of maize per week for West Pokot was not enough and, therefore, it should be increased to not less than 800 bags.

**The Minister for Co-operatives and Marketing (Mr. Ngeli):** Mr. Speaker, Sir, I beg to reply. I am aware of the difficulties of West Pokot District and have instructed that the allocation of maize to the District be increased by a further 500 bags per week, with immediate effect.

**Mr. Ekitella:** Mr. Speaker, Sir, arising out of the Minister's reply, could the Minister tell us how many bags of maize he supplied to the West Pokot people?

**Mr. Ngeli:** Mr. Speaker, Sir, if the hon. Members could tell me the period to be covered, I shall answer him immediately.

**The Speaker (Mr. Slade):** No. Order! That is another question. I am afraid, Mr. Ekitella, that is another question. This question related to the present quota and the necessity for it to be increased, it was not concerned with past supplies. We must continue.

**COMMUNICATION FROM THE CHAIR**  
**DIRECTION OF TRADITIONAL APPLAUSE: BENCH PANELS**

**The Speaker (Mr. Slade):** I would like to refer hon. Members back to what I said yesterday concerning the comparative weakness of these benches when our traditional method of applause is employed. I did point out that the panels of the benches as now constructed are not strong enough to stand drumming of heels, and there is another important feature that I did not mention, which must be observed by hon. Members, that there are some quite delicate ventilators for the air conditioning also on the same level, which will never stand banging. We are going to strengthen the seats so that panels can be banged, but still I will have to ask hon. Members to see that they do not bang the ventilators, and, meanwhile, I would again ask hon. Members to direct their heels at the framework at the bottom of the seats which will stand quite a lot of knocking. I think.

**Mr. Areman:** On a point of order, Mr. Speaker, I am sorry. I may be wrong in raising the question of Mr. Lorena to this effect, that may I know—because last time when we had famine relief we used to have some oil, some milk, and all this and that and at present, now, we have only maize why?

**The Speaker (Mr. Slade):** Order! It does not sound to me like a point of order at all, Mr. Areman. If you want to ask a question of the Government, you will have to do it in the ordinary way.

**MOTIONS****APPOINTMENT OF SESSIONAL COMMITTEE**

**The Vice-President (Mr. Odinga) Mr. Speaker:** Sir, I beg to move the following Motion:—

THAT this House nominates the following Members to be Members of the Sessional Committee for this Session:—

**The Vice-President (Chairman),**

**The Assistant Minister, President's Office (Vice-Chairman),**

**The Minister for Economic Planning and Development.**

**[The Vice-President]**

**The Minister for Internal Security and Defence.**

**The Minister for Co-operatives and Marketing.**

**The Minister for Information, Broadcasting and Tourism.**

**The Hon. F. R. S. De Souza (Deputy Speaker).**

**The Hon. S. M. Amin.**

**The Hon. C. C. Makokha.**

**The Hon. W. M. K. Malu.**

**The Hon. F. M. G. Mati.**

**The Hon. M. Muliro.**

**The Hon. R. G. Ngala.**

**The Hon. T. Okelo-Odongo.**

**The Hon. J. K. ole Tipis.**

**Mr. Speaker:** Sir, the hon. Members will note this, that this is a list which is shorter than the previous Sessional Committee which we had, and I am sure that the hon. Members might probably wonder why it is so. It is because, according to our Standing Orders, we should have not less than five and not more than fifteen. This is according to the Standing Orders. At the last meeting, at which I am afraid I was not present, the Members exceeded and went as far as twenty-four. I do not know whether the Members really noticed this, but they should have known that it was not according to the Standing Orders.

In actually getting these names, it should not be construed that the previous Sessional Committee has not been efficient. I must tell you that I have been very happy to have worked, even with the last Sessional Committee which was quite up to date and they did their work rather quickly and in time, too. But the slight changes which we might have made in this one were only necessitated when we were short-listing this to make it only fifteen, then we made only one or two changes which were necessary because, if we are to carry on with this one, my attention had been drawn to the fact that so far we were missing representation from the Ministry of Finance. Normally, you know, the Ministry of Finance is very important and should have had representation in the Sessional Committee. Again, in the last Sessional Committee, unfortunately the Deputy Speaker was omitted. Many Members had actually suggested that even the Speaker should be included in the Sessional Committee, but we have found it is not actually possible, considering the many multitudes of duties which he has, we had considered that the most appropriate Member who should be included was the Deputy Speaker,

who deals with most of the committees and, also, with other committees which he actually presides over. Therefore, it would not be fair to leave the Deputy Speaker out of a Sessional Committee.

I should also bring to the hon. Members attention one particular question which I understand, when the hon. Member for Kilifi—Mr. Ngala—was moving the last Motion, he actually stressed and emphasized that he was trying to do away with what is called the political ganging, and I should say that—The hon. Members will give me their ears to listen to me a little. I should say that, while I quite agree with him, that previously we have had some political ganging which is very unfortunate indeed, and I would like that we do away with those as soon as we can, and I can see the sign that slowly these are now disappearing from among us. But still we must consider some of the Members who have their own independent views in this House and, also, include them in such important Sessional Committees when we meet, and not only to include people with one political view, all of them, and gang them together. I believe that when Mr. Ngala was doing that, he also rather chose one section of ganging which was not representation of all shades of opinion.

Now, Mr. Speaker, I must actually say that in saying this I do not actually fear to work with any Member or anybody in Kenya; I like to work with everybody, I would be only too happy to work with everybody. But we must always try to be fair in all our dealings when we deal with our people. This is not actually wrong. And this is why I feel that this arrangement which we have made—although things can never be perfect—is one which might be supported by hon. Members. Let us see how it works out for this session.

**Mr. Speaker, I beg to move.**

**The Assistant Minister, President's Office (Mr. Nyamwaya):** Mr. Speaker, Sir, I would refute any suggestion of any Member who says I should be ashamed. Mr. Speaker, Sir, I endorse the statement made by the Vice-President that it is time to stop this ganging-up. And if that is what they call—

**Mr. Khasakhala:** On a point of order, Mr. Speaker, will the hon. Assistant Minister substantiate this ganging-up which he is alleging in this House?

**The Speaker (Mr. Slade):** Order! Now I think hon. Members understand what sort of thing can be the subject of substantiation and what cannot possibly be the subject of substantiation. What are, in effect, expressions of opinion cannot be substantiated, and this reference to ganging-up is



[The Speaker]

been destroyed on these occasions, I am quite certain Mr. Oneko will come and acknowledge the fact to the House; and we would expect him to do so.

If, on the other hand, he can prove to the contrary, he must have an opportunity if coming and proving to the House likewise.

We will go on now.

Mr. Anyieni: On a point of information—

The Speaker (Mr. Slade): No, no points of information in question time.

Mr. Anyieni: On a point of order, Mr. Speaker, the Minister said if he was informed of the tape-recording which a Member was referring to, he would produce it within five minutes to this House. Would it not be in order for me to inform him of the tape-recording?

The Speaker (Mr. Slade): No, you will deal with this as I have told you to deal with it.

Mr. Makokha: Mr. Speaker, Sir, in view of the fact that Ministers speak in this House as Ministers and as Members representing certain constituencies, and in this case the Minister for Economic Planning is the Member for Nairobi Central, will the Minister for Information assure the House that in future if a Minister visits a constituency which is not his, and he is visiting that constituency unofficially and not as a member of the Government, he will first receive permission from the member of that particular constituency?

The Speaker (Mr. Slade): Order! Order! I think that is quite a different question. It is an important one, but it is quite a different one from the question of what is recorded. This question of Ministers visiting constituencies with or without permission of the particular members concerned is quite a different matter.

Mr. Mbogoh: Mr. Speaker, Sir, in view of the fact that this question refers to political meetings in South Nyanza, would the Minister not agree with me if I say that it would have been better for these South Nyanza politicians to go back and make statements again in South Nyanza?

The Speaker (Mr. Slade): Order! Order! Supplementary questions are supposed to seek information and not express opinions.

Mr. Ngala-Abok: On a point of order, Mr. Speaker, if it is a recorded statement which has to be played at the Voice of Kenya Headquarters, and all Luos will be listening in, will I not be right to raise this question in the House? I ask

this because Luos throughout Kenya will be listening to the recorded statement. This was the point I raised in part, Mr. Speaker, Sir. If a recorded statement made against me is allowed to be relayed in Dholuo to Luos in Kenya by the V.O.K., surely it is in order for me to question why this has been allowed and whether I will be able to reply to it in the same way, so that those who listened to the criticisms will be able to hear the other side of the story?

The Speaker (Mr. Slade): Of course, you are right to raise it in the House. All hon. Members know that.

We will now move on to the next question.

#### Question No. 8

#### SETTLEMENT OF AFRICANS ON FORMER EUROPEAN FARMS

Mr. Kaggia: The Minister for Lands and Settlement whether, in view of the fact that the land settlement process was inherited from the British and had been designed more to aid those Europeans who wanted to leave than the Africans who received the land, as shown in the Sessional Paper No. 10, section 103, the Minister would tell the House what changes his Ministry had effected, since the Sessional Paper was accepted by the House, to shift the emphasis from the outgoing European farmers to those African moving onto the settlement schemes.

The Assistant Minister for Lands and Settlement (Mr. Gachago): Mr. Speaker, Sir, I beg to reply. Land is purchased on a willing buyer-willing seller basis from the out-going farmers for the purpose of establishing settlement schemes. In the past, these purchases have been made by the Central Land Board. With effect from 12th December 1965, these functions will be taken over by the Settlement Fund Trustees, a body corporate consisting of the Ministers for Finance, Agriculture and Lands and Settlement sitting together.

The Settlement Fund Trustees will most carefully consider the interests of the new farmers before additional land is purchased for the establishment of new settlement schemes.

Mr. Kaggia: Mr. Speaker, Sir, in view of the fact that the Minister does not seem to have read the section properly, will you allow me to read the passage and then to get my question across, Mr. Speaker?

The Speaker (Mr. Slade): If it is not so very long.

Mr. Kaggia: Mr. Speaker, Sir, the passage reads like this, "The settlement process was inherited from the British and was designed more to aid those Europeans who wanted to leave than the Africans who received the land. Our land problems should not be settled on terms decided in the United Kingdom. Instead, our policies and plans in agriculture should be determined by our need to develop, and financial support sought for these plans from several sources. However, there have been reasons for settlement. Many European farmers wished to leave and the United Kingdom Government was willing to give grants and loans to Kenya to enable them to go. Neither of these reasons takes into consideration the present need for development in Kenya. It is unlikely that Kenya, in accepting the debt burden, has obtained economic benefits of anywhere near the amount of the debt incurred."

Now, in view of that passage, Mr. Speaker, will the Minister give me the specific plans of what the Ministry is doing to change various aspects of the present settlement scheme, such as deposits, which I have said in this House many times, that it is debarring many people from getting land and also the payment of interest?

Mr. Gachago: Mr. Speaker, Sir, I do not think that the hon. Member has added anything new in his question, all he has done is to elaborate on what he had already asked, and what I have said is that the settlement fund trustees will most carefully consider the interests of the new farmers. The interests of the new farmers include the prices, include valuation and include also all aspects of purchase and exchange before these settlements are established.

Mr. Speaker, Sir, the whole aspect is covered by my last paragraph of the reply.

Mr. Kaggia: Mr. Speaker, Sir, will the Assistant Minister tell this House what policy the Government has laid down for this board, and if he can tell us that, then he should tell us that it is the board which is creating the policy and not the Government?

Mr. Gachago: Mr. Speaker, Sir, I do not know what board the hon. Member is referring to. If he is referring to the Central Land Board, I think, Mr. Speaker, Sir, the hon. Member will agree with me, in accordance with his own question, that this board was established by the British Government. This is why the Government of the Republic of Kenya has seen it fit to do away with this board.

Mr. Masinde: Mr. Speaker, Sir, arising from the Assistant Minister's reply, is the Assistant Minister aware that today we have a number of settlement schemes which are conditions by the World Bank and that the deposit must be Sh. 3,000. What is the Ministry doing to change this so that they are not controlled by the World Bank?

Mr. Gachago: Mr. Speaker, Sir, the hon. Member is talking about the World Bank, the World Bank is a body that is not controlled by the Kenya Government. What the Kenya Government does is to borrow money under certain conditions and terms from the World Bank.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

#### UNSATISFACTORY REPLY TO QUESTION NO. 8: SETTLEMENT OF AFRICANS ON FORMER EUROPEAN FARMS

Mr. Godia: Mr. Speaker, Sir, a point of order, in view of the unsatisfactory reply to this question, I wish to raise the matter on Adjournment.

Mr. Gachago: Mr. Speaker, Sir, on a point of order, this expression "unsatisfactory reply", I think is being misused in this House. Who is the determining factor as to whether a reply is satisfactory or unsatisfactory?

The Speaker (Mr. Slade): Order! It is common form for any hon. Member who is not satisfied with the answers that he has heard to a question to say that he regards them as unsatisfactory and wants to follow the matter up on an Adjournment. When he says that, he is expressing his own opinion. It may be the opinion of other Members or not, but at that moment, he is expressing his own opinion and is entitled to do so.

#### ORAL ANSWERS TO QUESTIONS

##### Question No. 17

#### OPENING OF KAPKANYAR FOREST

Mr. Lorema asked the Minister for Natural Resources and Wildlife if he would consider opening Kapkanyar Forest for Pokot cattle to graze in it during the dry season of the year.

The Assistant Minister for Natural Resources and Wildlife (Mr. Jan Mohamed): Mr. Speaker, Sir, I beg to reply. Arrangements exist whereby the district commissioner and the forest officer can make grazing available in the Kapkanyar Forest during drought conditions. Indeed, Sir, some grazing has already been permitted during

**[The Assistant Minister for Home Affairs]**

It is particularly stressed that the board may, under clause 37 (c), impose certain conditions, such as restricting the amount of the proceeds of the lottery which may be used for the purposes of such lottery outside Kenya, which amount shall not exceed 20 per cent of the total amount devoted to the object for which the lottery is promoted.

There are general offences provided for in the Bill under clause 35, subsection 4. This clause will sufficiently control any foreign lotteries which may be brought into the country.

It should be borne in mind, Mr. Speaker, that as Government policy, at least for the time being, there is no provision in the Bill to prohibit foreign lotteries coming into the country, provided they do comply with the provisions laid down under clauses 36, 40, 41 and 42 of the Act recently passed. The question of authorizing foreign lotteries and gambling pools is under consideration.

**Mr. Kagga:** Mr. Speaker, arising from the Assistant Minister's answer, and in view of the fact that we are all aware that these gambling pools are draining the money from the country, and in order to see that all this money does not leave the country, will the Assistant Minister consider implementing subsection 10, that is, nationalizing?—

**Mr. Nyagah:** Mr. Speaker, Sir, the subsection referred to by the hon. Member reads as follows: "Lotteries and gaming pools will be nationalized or strictly controlled by the Government in order to ensure that gains from these sources are invested in Kenya." The Minister has decided to implement the second alternative which is controlling, and there will be a board to do it.

**Mr. Choge:** Mr. Speaker, Sir, is it not true that the Minister has refused to nationalize these gambling games because it does contribute some money towards, let us say, famine relief and so forth?

**Mr. Nyagah:** The Government has not gone back on its word one inch. It will nationalize or strictly control, and the Government has decided to control, with the authority of this House.

**The Speaker (Mr. Slade):** Let us go on to the next question.

**Question No. 13****IMPORTS AND EXPORTS SURCHARGE**

**Mr. Muruli** asked the Minister for Commerce and Industry if he would give the figures for the importation of goods covered by the

15 per cent or 10 per cent import surcharge over the last available six months of 1964-1965 compared with the same period of 1962-1963, 1963-1964.

**The Speaker (Mr. Slade):** Oh, yes, there is a little mistake here. Question No. 13 is on the Order Paper by mistake, as Mr. Muruli has already received a written reply. It is your next question, Mr. Muruli, No. 15, I think.

**Question No. 15****UNOFFICIAL STRIKES**

**Mr. Muruli** asked the Minister for Labour and Social Services if, in view of the increased number of unofficial strikes in the country, he would use every endeavour to discourage those strikes in every way, including legislation if he thought fit.

**The Assistant Minister for Labour and Social Services (Mr. Odera-Jowi):** Mr. Speaker, Sir, there is no evidence of an increase in the number of unofficial strikes and therefore no special action is called for from the Ministry of Labour.

**Question No. 19****CRITICAL SPEECH ON MEMBER**

**Mr. Ngala-Abok** asked the Minister for Information, Broadcasting and Tourism if he would explain to the House why his Ministry allowed a Dholuo speech seriously criticizing him, made and recorded by the Minister for Economic Planning and Development in his constituency, to get relayed on the Voice of Kenya in Dholuo programme on 18th September 1965.

**The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko):** Mr. Speaker, Sir, since this question requires an explanation, I would like to inform the House that my answer will be a little bit longer than usual so as to give information to the House.

**Mr. Speaker, Sir,** my staff in the Voice of Kenya are supposed to gather information for onward transmission through the broadcasting media. Sometimes they do this by making recordings of what is said and then they relay it at the appropriate time. If the recording is in a particular language, it is appropriately relayed in the same language, if the broadcasting time has been allocated to that particular language.

At times, Sir, members of the public, including the Members of Parliament, make statements which are recorded and they are relayed through the Voice of Kenya as a news item or in a commentary, as the case may be. This is a normal

**[The Minister for Information, Broadcasting and Tourism]**

practice and it is not in any way geared against one particular person or persons. It is sometimes a straightforward report of the proceedings of a certain meeting.

Coming down to the report in question, there were many members of the public who listened to the speech which was delivered during the meeting to which the hon. Member is referring. If there were any undue criticisms on the hon. Member, then it should be upon him to take up the matter with the person who made the criticism, or hold a meeting and make any corrections as may be necessary. The reporters at the meeting recorded what was said at the meeting and this was transmitted later on the Luo programme.

The hon. Member may have been criticized in a manner he considers unfair. If so, he should not blame the reporters at the meeting. The purpose of the reporters attending the meeting was to make a record of the deliberations of the meeting, and then give them coverage that is necessary through the publicity media at the disposal of the reporters.

**Mr. Speaker,** the issue in question was a straightforward report of what was said at that meeting. It so happened that part of the report criticized the hon. Member. It is not, therefore, I repeat, the failure on the side of the reporter; the reporter was being genuine.

I wish also to assure the hon. Member that my Ministry has no intention whatsoever of criticizing any one particular member of the public. However, my staff have been given a job to inform the members of the public of what is happening not only in Kenya but elsewhere in the world.

I further wish to emphasize that the reporting of the facts and activities take varied forms, and making a recording is but one of many ways in which reports can be made. Mr. Speaker, I do not believe in suppression of news or expression of opinion as that may appear to be contrary to the Constitution of the Republic of Kenya.

**Mr. Ngala-Abok:** Mr. Speaker, Sir, I would have liked to have raised not less than ten supplementary questions, but because I do not want to delay the House and waste the time of Members I would only like to be assured on one point: whether I will be able to get means of tape-recording a reply to this specific tape-recorded criticism from the Minister concerned, so that my community, the Luo community, could listen to my views regarding this particular one? I say this, Mr. Speaker, because I have already sent a reply to the Ministry concerned and that reply

was not recorded or was not announced on the Luo programme. Therefore, I want special permission here to inform the country of my views about this particular Minister.

**Mr. Achieng-Onoko:** Mr. Speaker, Sir, if the hon. Member will make a representation to my Ministry, this request may be considered.

**Mr. Anyieni:** Arising from the Minister's reply, Mr. Speaker, is it the policy of his Ministry to allow people to use the radio and make statements which can create panic in the countryside? Then, when the tape-recorders are asked for the people concerned, to withdraw the tape-recorders and destroy them before people have obtained the exact wording of the tape-recording? If this is not so, why is it that our Government Ministers and Assistant Ministers are very well known for this notoriety?

**Mr. Achieng-Onoko:** Mr. Speaker, Sir, I think there are three questions in that particular one question. It is not the policy of the Government to do so, and that is the answer to part one of the question. The answer to part two of the question is this: I think it is untrue to allege that the tape-recorder which was used on that particular day has been tampered with, destroyed or damaged.

**Mr. Anyieni:** On a point of order, Mr. Speaker, when can I be given the chance, now that the Minister is denying my allegation, that the tape-recorders are recorded, the people want to listen to the criticisms—Mr. Speaker, Sir, you go there and you find that the tape-recordings have been destroyed. So, when am I to be given the chance to substantiate what I have said?

**The Speaker (Mr. Slade):** I think you can do that when you are challenged to substantiate. You were not actually asked to do so, you were only contradicted. If you, as I have said on other occasions, can prove, or any hon. Member can, at any time, prove that another Member has said something in this House which is untrue, then he can be made to come and acknowledge it to the House. That is the way to deal with it if you are not actually required to substantiate and give your evidence then and there; and you are not on this occasion.

**Mr. Achieng-Onoko:** On a point of order, Mr. Speaker, if the hon. Member still maintains his allegation, then I am quite prepared to be challenged, because I am ready to produce the tape-recording in this House within five minutes.

**The Speaker (Mr. Slade):** Well, as I said, that is the way to deal with it. If Mr. Anyieni can prove to Mr. Onoko that tape-recordings have



[Mr. Nyamweya] refused, then the Government must have very good reasons for refusing him the possession of a firearm.

The Speaker (Mr. Slade): Order! We have gone rather a long way from the original question. We will go on to the next question.

#### Question No. 10

##### DEATH OF CATTLE IN MUKOGONDO RESERVE

Mr. G. G. Kariki asked the Minister for Agriculture and Animal Husbandry whether he would tell the House the number of cattle which died in Mukogondo reserve as a result of drought, and what remedies had been arranged to alleviate the situation.

The Assistant Minister for Agriculture and Animal Husbandry (Mr. Murgor): Mr. Speaker, Sir, I beg to reply. It is likely that about 12,000 head of cattle have died in the Mukogondo reserve as a result of drought. My Ministry posted a Livestock Officer to the area about six months ago and there had been a Range Management Officer and his assistant for quite a time now. Through the efforts of these officers, we now have four holding grounds covering about 600 acres in the Mukogondo area. There are also sale-yards at Dol Dol and Turu and a spray race has been installed at Dol Dol.

It should be appreciated that the control of the drought situation was beyond human ability and my Ministry did all within its ability to control the disease factor.

The short rains have, I hope, started now and the effect of the drought around Mukogondo and indeed all over the country should be lessening.

Mr. Ole Tips: Mr. Speaker, Sir, arising from one of the vague replies from the Assistant Minister, can he tell us what efforts, if any, his Ministry—or the Government for that matter—took in good time to avoid the loss of 12,000 head of cattle? We are not interested in talk of matters which they say are beyond their control. What action did they take before those cattle died?

Mr. Murgor: As I said, Mr. Speaker, this is beyond human control, the drought is beyond human control. At the same time I would ask my friend, Mr. Ole Tips, that it is fair for the hon. Members to tell their people to rear stock, not for their prestige, but for their economic use.

The Government, Sir, is doing its best to help the people in Mukogondo, the total cattle population in the area in question is approximately 40,000 to 50,000 head, while the carrying capacity

of the land is sufficient for only about 26,000 head of cattle. It is therefore clear that there had been serious overgrazing.

By the end of August 1965, 2,200 head of cattle were ready for sale to the Kenya Meat Commission but as a result of the drought the Kenya Meat Commission were unable to take them. This was because practically everyone in the country was keen to sell out since there was very little grazing and people also required money to buy food for themselves.

The Veterinary Department now lease over 5,000 acres on a neighbouring area to hold stock bought by the Livestock Marketing Department pending dispatch for slaughter, and it is hoped that up to 18,000 further acres around Mukogondo will be available in the very near future for the same purpose.

With regard to assisting the Mukogondo stock owners, three group ranches have been organized in the Turu area, but the local area council have not yet approved of this for loan purposes.

Mr. Mutiso: On a point of order, Mr. Speaker, is the Assistant Minister in order to give completely irrelevant information to this House to a supplementary question?

The Speaker (Mr. Slade): Order! All supplementary questions and all answers to supplementary questions are expected to be relevant to the original question, but I thought that what the Minister was saying was relevant to the original question.

Mr. Godia: Mr. Speaker, Sir, will the Assistant Minister tell the House what he is doing to see that people in Mukogondo reserve have an extension of holding ground so that all these animals do not die?

Mr. Murgor: Mr. Speaker, Sir, I think in the course of what I was saying I said that the Government has done its best. There are about 600 acres in the Mukogondo area for holding ground and there are 5,000 acres in the neighbouring area for stock which are bought to relieve their grazing and there are about 18,000 which will be available in the very near future.

Mr. Kamuren: Mr. Speaker, Sir, arising from the Assistant Minister's reply, where he said that the area council had not approved the loan for the people in the area, would he tell this House what prevented that council from approving that loan?

Mr. Murgor: Mr. Speaker, Sir, we have asked them to apply for the loan and they have not applied yet.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

##### UNSATISFACTORY REPLY TO QUESTION NO. 10: DEATH OF CATTLE IN MUKOGONDO RESERVE

Mr. Ole Tips: On a point of order, Mr. Speaker, in view of the very unsatisfactory answer from the Assistant Minister, I wish to raise this matter on adjournment.

#### Question No. 3

##### TAKE-OVER OF NURSERY SCHOOLS AND TRAINING CENTRES

Mr. Odera-Sari: Mr. Speaker, this question is worded differently from how I put it. I wanted the Minister to tell the House whether the Government is considering the taking over of the nursery schools and training centres from the Ministry of Labour and Social Services to the Ministry of Education, but here it is different.

The Speaker (Mr. Slade): I must say again to hon. Members that when a question has appeared on the Order Paper, it is too late for them to say it is in the wrong form. Hon. Members get the opportunity of making sure that the question has gone to the Ministry in the correct form when they receive the copy of the question that has gone to the Ministry. That is the time to tell the Clerk that it is wrong and get it corrected. It is too late now. If, in spite of that, the Minister is prepared to deal with the question as now amended, well and good, but the Member cannot complain if he is not.

#### POINT OR ORDER

##### MISTAKES IN QUESTIONS ON THE ORDER PAPER

Mr. Ngala-Abok: On a point of order, Mr. Speaker, on a number of occasions questions have appeared in a different form from the original intention of the questioner and, in some cases, it has been found—probably without your knowledge—that a mistake has been made by a Member, not by the Clerk, and since probably you would be responsible for protecting the Clerks, what would happen in this case if it is found that the original question from the Member was not in the form he is now complaining of? What would happen, if the Clerk is going to be innocent and the Member is mistaken, as a warning to all other hon. Members, what steps would be taken?

The Speaker (Mr. Slade): I would suggest that hon. Members come to this House armed with the copy that they have of the question that went to the Ministry. If they then see that the

question on the Order Paper differs from the question that went to the Minister, they are in a position to point it out immediately; and then, of course, there has to be an apology from the Clerk. But no harm is done, because the question the Minister is answering is the one that he originally had.

But if hon. Members wish to suggest, as can sometimes happen—indeed, we are all fallible—that there is a clerical error here and that the Order Paper does not represent the question that actually went to the Ministry, it would help if they brought with them the actual question that went to the Ministry.

Now we will see if the Minister is in a position to answer this one.

(Resumption of discussion on Question No. 3)

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, I am sorry, I am not prepared to answer the question in the amended form because I was only prepared to answer it in the form in which it appears on the Order Paper.

The Speaker (Mr. Slade): I think, in that case, the best thing to do is to leave this question today and let an amended question come into you for answer another day.

#### Question No. 6

##### NATIONALIZATION OF LOTTERIES AND GAMBLING POOLS

Mr. Kagga: I asked the Minister for Home Affairs to tell the House when his Ministry was going to nationalize all local lotteries and gambling pools as indicated in Government Sessional Paper No. 10, section 142, subsections 16 and 17.

The Assistant Minister for Home Affairs (Mr. Nyagah): Mr. Speaker, Sir, I beg to reply. In accordance with section 142, subsection 16 of Sessional Paper No. 10, we have decided to implement the second alternative only of the policy laid down in the said subsection at this stage.

Under the new Bill recently passed in this House, the Betting Control and Licensing Board is empowered under clause 36 to authorize the promotion and conduct of any lottery which is intended to raise funds for social services, public welfare, relief of distress or patriotic purposes, or to provide recreation or sporting facilities. Therefore, as a matter of policy, the board can refuse any lottery which does not meet the requirements provided in clause 36 (1) (a) and (b).

Mr. Masinde: Arising from the Assistant Minister's reply, Sir, could he explain to this House why we had a shortage of supply when this is a country which produces beans or any other commodity which we usually export?

Mr. Kibaki: I think really that the hon. Member is asking a superfluous question. Everybody in the streets knows that we have had a shortage of food, not merely milk, posho or other farm produce, and everybody knows that this has been due to the drought we had in the country.

Mr. Muliro: Mr. Speaker, Sir, would the Assistant Minister not agree with me that in order to check the rise in prices, the only way in which we can guarantee that is by giving fair prices to the Kenya producers in order to check the rise in prices which has come about because of black-marketing now, especially since the time we have imported maize from America?

Mr. Kibaki: I must say that the hon. Member is thoroughly confused in his statement. He is trying to link up two things which are not linked. He is quite right in saying that if we paid better prices to the farmer he would in all probability produce more and this is only a probability. That is a statement of fact and we are with him there. But to link up that with other things which have come about as a result of the drought clearly is not necessary.

Mr. Speaker, Sir, I agree with the hon. Member that once the prices paid to the farmers are better, the farmers would produce more. To that extent the hon. Members here know that the President did ask the Ministries which are dealing with marketing of farm produce to recommend what changes should be brought to these prices. I am sure hon. Members will be hearing more about this in a short time.

Mr. Ngala-Abok: Mr. Speaker, Sir, in the Sessional Paper No. 10, there is a definite paragraph describing the steps the Government is to take in controlling the prices throughout the country. Can the Assistant Minister narrate to the House what this particular paragraph says, so that we do not have this general answer?

Mr. Kibaki: Mr. Speaker, Sir, I am surprised that the hon. Member has asked me to read poetry to him in the Chamber. If the hon. Member has read the passage, is it really worth wasting the time of this House remarking that paragraph to him?

Mr. Ngala-Abok: Mr. Speaker, Sir, in the Sessional Paper No. 10, I think page 36, it is specifically stated—and I am saying it without looking at the Paper—it is stated, Mr. Speaker,

and it was stated by that particular Ministry, that the Government was going to take urgent steps to institute an investigation into monopoly prices and in commodities and I think other materials to bring legislation to Parliament for the regulation of prices throughout the country. It is there, if I have misquoted the place, then it will be found that what I have said is not very far from what is in the book.

The Speaker (Mr. Slade): We still have to have your question, Mr. Ngala-Abok.

Mr. Ngala-Abok: Mr. Speaker, Sir, the question is, since we know that our policies are to be based on that Sessional Paper, so as to avoid confusion and generality, could the Assistant Minister explain why his answer was not positively answered to the effect that prices will be investigated and report be made to the House?

The Assistant Minister for Home Affairs (Mr. Nyagah): On a point of order, Mr. Speaker, Sir, can the hon. Member substantiate that page 36 speaks about what he is talking about?

The Speaker (Mr. Slade): Order! He did say that he was open to correction and perhaps the Assistant Minister will correct him.

Mr. Kibaki: Mr. Speaker, Sir, although the hon. Member for Homa Bay may be wrong in the actual page he has quoted, it is true that this Government is committed, as I myself said in my original statement, that in the Sessional Paper No. 10 we are committed to ensuring that the basic prices of the basic foodstuffs consumed by the ordinary worker in town are maintained at a stable level. Mr. Speaker, Sir, the way to maintain them as we have also stated in that Paper, is to ensure self sufficiency in Kenya. In other words, it goes back to greater production and to that extent, therefore, what is called upon for everyone of us to do is to ensure greater production in whatever area we come from.

That, Mr. Speaker, Sir, is as specific as we can make it. Produce more and prices will be definitely stable, it is the normal law of supply and demand.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION NO. 16:  
CHECK ON RISE IN PRICES

Mr. Masinde: Mr. Speaker, Sir, in view of the fact that we have had a very unsatisfactory reply, I would like to raise this matter on an Adjournment.

The Speaker (Mr. Slade): That will be quite in order, provided you give the usual notice, only I must warn Mr. Masinde that he will not be able, on a Motion for the Adjournment, to raise any proposal for legislation. We are restricted to matters of Administration only on an Adjournment.

#### ORAL ANSWERS TO QUESTIONS

##### Question No. 9

#### PERSONS SHOT BY WHITE FARMERS IN LAIKIPIA

Mr. G. G. Kariuki asked the Minister for Internal Security and Defence if the Minister could tell the House the number of persons who were shot dead or wounded by white farmers in Laikipia District in the year 1964/65.

The Assistant Minister, President's Office (Mr. Nyamweya): Mr. Speaker, Sir, I beg to reply on behalf of the Minister for Internal Security and Defence.

In 1964 nobody was shot or wounded, but in 1965 one person was shot and two were wounded. The last two are pending before court and therefore *sub-judice*, and cannot be discussed here, and the first one is under investigation by Criminal Investigation Department.

Mr. Kamau: On a point of order, Mr. Speaker, Sir, do I understand the Assistant Minister is saying that in 1965 nobody was shot or wounded and at the same time reating—

The Speaker (Mr. Slade): This is not a point of order.

You can finish what you were saying, Mr. Nyamweya, or have you finished?

Mr. Nyamweya: Mr. Speaker, Sir, I had actually finished but for the benefit of the hon. Member for Githunguri, I said that in 1964 nobody was shot dead or wounded. In 1965 one person was shot dead and two wounded. In the case of the two people who were wounded, the matter is before the court. But in the case of the person who was shot dead the matter is still under investigation.

Mr. G. G. Kariuki: Mr. Speaker, Sir, is the Assistant Minister prepared to disarm all European farmers as they have proved to be a security risk in this country?

Mr. Nyamweya: Mr. Speaker, Sir, to ask the Government to disarm a section of the community simply because one person in that particular community has committed a crime, would be tantamount to making some breaches in the Constitution whereby a section of the community should not suffer, or their rights be diminished, because of their similar collective characteristics.

Mr. Tunui: Mr. Speaker, Sir, in view of the fact that all the Europeans were armed during the colonial days and Africans were not provided with arms, would the Assistant Minister consider disarming them, and let them reapply for firearms now that we are independent?

Mr. Nyamweya: Mr. Speaker, Sir, I do not wish to accept the suggestion made by the hon. Member, to disarm the Europeans simply because they are Europeans. Anybody who has a firearm and who uses it can be disarmed or his licence can be cancelled when he makes definite breaches under the Firearms Act.

Mr. Anyieni: Mr. Speaker, Sir, arising from the Assistant Minister's reply, and in view of the fact that being a European in the colonial days entitled one to a firearm and also in view of the fact that being a black man in the colonial days made a black man to be refused a licence to have a firearm, would the Minister again, though he has said something contrary to that, reconsider advising the Government to withdraw all the licences of those Europeans who received them because they were Europeans, and let them apply again so that those who are given licences will be given them because of merit and not because they are Europeans?

Mr. Nyamweya: Mr. Speaker, Sir, all persons who hold firearm licences hold them on the basis of merit and in future the licences will be given by the police when each and every case has been examined by the police and the police are satisfied beyond all reasonable doubt that the applicant is entitled to have a firearm licence.

Mr. Rurumban: Arising from the Assistant Minister's reply, Sir, that in 1965 two persons were wounded, will the Assistant Minister tell the House the grounds or the reasons which led to the shooting of those two persons?

Mr. Nyamweya: Mr. Speaker, Sir, I am not going to tell you because, as I said in my original reply, the matter is before the court. Any hon. Member who is interested to know the reasons or the circumstances under which these people were shot or wounded will be given the definite date when the two cases are to appear before the court, and he will then have a chance to know the reasons.

Mr. Ochwada: Mr. Speaker, Sir, can the Assistant Minister tell the House what qualities a person must have in order to receive a firearms licence?

Mr. Nyamweya: Mr. Speaker, Sir, this Specially Elected Member has not applied for a firearm and been refused and, if he has been

[Mr. Nyamweya] Service Commission may inflict any of the following punishments on the officer concerned, depending on the seriousness of the offence:—

- (1) dismissal;
- (2) reduction in rank or seniority;
- (3) stoppage of increment;
- (4) withholding of increment;
- (5) deferment of increment;
- (6) reprimand (including severe reprimand);
- (7) recovery of the cost or part of the cost of any loss or breakage caused by default or negligence on the part of a public officer; and
- (8) retirement of an officer in the public interest.

However, I should mention that every case is always investigated very carefully by the Department concerned before a decision is taken to refer it to the Public Service Commission.

**Mr. Odera-Sar:** Mr. Speaker, Sir, since the Government takes drastic steps against civil servants who involve themselves in politics, may we know from the Assistant Minister the reasons which led to a chief in Kisumu town being given notice to leave his work because he was involved in politics?

**Mr. Nyamweya:** Mr. Speaker, Sir, if the chief in Kisumu town was involving himself actively in politics, then, of course, he renders himself liable to the disciplinary action I have already outlined. I am not aware unless the Member for Ugenya is prepared to inform the House—that the chief of Kisumu town was actively involved in politics.

**Mr. Choge:** Mr. Speaker, Sir, I would like to know from the Assistant Minister what action he has taken against the District Commissioner I mentioned in the old House where we were, when I said that he was taking part in politics, which means he was blocking my way and, allowing the other politicians in Nandi District to suppress me because he has an interest in them?

**Mr. Nyamweya:** Mr. Speaker, Sir, you will recall that when the hon. Member for Nandi mentioned this serious allegation against the District Commissioner of Nandi, I challenged the hon. Member as a matter of fact, and I would like to look into this matter. It may be necessary for me to substantiate the charges against this

Further, I may add, for the interest of the hon. Member for Nandi South, that the Government does not necessarily act simply because there has been a clash between a civil servant and a politician.

**Mr. Choge:** On a point of order, may I clarify that, Sir?

**The Speaker (Mr. Slade):** Clarify what?

**Mr. Choge:** About what the Assistant Minister said.

**The Speaker (Mr. Slade):** Unless you are saying he misrepresented you, you cannot raise a point of order on this. I was going to ask another Member.

**Mr. Choge:** Can I ask a question?

**The Speaker (Mr. Slade):** If you are called again?

**Mr. Ndile:** Mr. Speaker, Sir, will the Assistant Minister tell the House how many cases of disciplinary action have arisen since December 1963?

**Mr. Nyamweya:** Mr. Speaker, Sir, this is a different question, and if the hon. Member would be prepared to table that question, I will certainly give him the necessary information.

**Mr. Nyaberi:** Mr. Speaker, Sir, arising from the Assistant Minister's reply, could he tell the House the right channel to follow if ever a civil servant was found dabbling so much in politics, so that one could give information? Through which channels could such a thing reach him?

**Mr. Nyamweya:** Mr. Speaker, I do not know whether I am supposed to give a lecture as to what official channels the hon. Members may use to air their grievances. They are known. If a chief is involving himself in politics, naturally one would expect that any politician who has a complaint would lodge it with the district commissioner of the area. If a district officer is doing the same, I suppose the district commissioner of the area would be informed. If a member of the district team, or even the district commissioner, were doing this, then, of course, the complaint would be registered with the provincial commissioner or the provincial head. And as to the provincial team, then, of course, the complaint should be registered with the Permanent Secretary of the specific Ministry concerned, after which the matter would be referred to the Minister of that particular Ministry.

**Mr. Kaggin:** Mr. Speaker, Sir, arising from the assurance from the Assistant Minister that civil servants are prohibited from indulging in politics, would he tell me why his office has not

[Mr. Kaggin]

taken action against a particular chief, and district officer in my constituency, about whom I have been complaining since 1963?

**Mr. Nyamweya:** Mr. Speaker, Sir, if the President's Office appears that it has not taken action, this does not necessarily mean that action has not been taken. Action can be taken without the world being any the wiser. If no drastic action, such as dismissal, has been taken by the President's Office, that shows the genuineness of the complaint which was lodged by the hon. Member.

**The Speaker (Mr. Slade):** I am afraid we have no time to hear all the individual grievances today. We must move on.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

#### UNSATISFACTORY REPLY TO QUESTION NO. 1: POLITICAL PARTICIPATION OF GOVERNMENT SERVANTS

**Mr. Ngala-Abok:** On a point of order, Mr. Speaker, this is a very important question and the replies have been very vague. I would, therefore, like to be allowed to raise this matter on adjournment.

#### ORAL ANSWERS TO QUESTIONS

##### Question No. 16

##### CHECK ON RISE IN PRICES

**Mr. Muruli** asked the Minister for Economic Planning and Development if he would tell the House what steps would be taken by the Government to check the rise in prices.

**The Assistant Minister for Economic Planning and Development (Mr. Kibaki):** Mr. Speaker, Sir, I beg to reply. When the Government introduced Sessional Paper No. 10 it undertook to "assume responsibility for holding down the prices of basic commodities" and to maintain a record of prices, consumer prices. He is quite right-in saying that because this particular index shows there has been a rise of 44 points during 1965. Now, some prices such as cigarettes, beer and textiles have risen as a result of tax increases introduced in the Budget, but the main reason for the rise in the index is the increase in the price of foodstuffs, particularly posho, in spite of the control we have in the price of maize. This, as hon. Members know, Mr. Speaker, has been due to the unfortunate situation where we had drought and we have not been able to introduce sufficient quantities of food.

Government is endeavouring to remedy the situation by encouraging greater planning during these short rains. We pray that they will be successful rains. We are, also, Mr. Speaker,

remedying that particular situation by imports of foodstuffs, particularly maize again, to ensure that supplies are adequate, in order that the profiteering that goes on because of the shortage is reduced.

In the end Mr. Speaker, the only way the Government is going to hold down prices is by ensuring sufficient supplies, and that is what is included in the Development Plan: to plant more.

**Mr. Muruli:** Mr. Speaker, Sir, the Assistant Minister's answer to my question is so vague that I would like him to tell me what specific steps the Government is taking to reduce the rise in prices.

**Mr. Kibaki:** Mr. Speaker, Sir, I thought that I had explained to the hon. Member the specific steps. We have imported maize. We have a programme right now for different areas, including the area the hon. Member comes from, to encourage greater planting during this rainy season so that next year the prices will be less in view of the fact that the supplies will be adequate. Mr. Speaker, Sir, this is what the Government is doing to ensure that the prices do not become excessive.

However, the point I might comment on in passing is that there is no intention of holding prices down still further. After all, the farmers who produce this stuff do have to live as well as anybody else, and they have to pay high prices for wages, etc.

I thought I had explained to the hon. Member the specific steps we had taken; unless he wants to ask a further question:

**Mr. J. M. Kariuki:** Mr. Speaker, Sir arising from the Assistant Minister's reply, as a result of the rise in prices throughout Kenya in 1963 was £792,109 whereas in 1964 it was only £521,465. That shows a drop back as a result of the prices not being stabilized.

**Mr. Kibaki:** Mr. Speaker, Sir, could the hon. Member explain the increases he is quoting?

**Mr. J. M. Kariuki:** Mr. Speaker, Sir, I take this opportunity to inform the hon. Assistant Minister for Economic Planning and Development that in 1963 the total exports, particularly those mentioned in the Question, was £792,109 whereas in 1964 it was £521,465. Does he not agree with me that this drop back is as a result of the rise in prices?

**Mr. Kibaki:** Mr. Speaker, Sir, if the hon. Member does some arithmetic he will see that there was less export in 1964 and, therefore, that is a clear indication that we had shortage of supplies.

## WRITTEN REPLY TO QUESTION

Question No. 28

## BETTER PAY FOR CHIEFS

Mr. Kamuren asked the President if he would tell the House the reason why all chiefs in the country had not been considered for better pay so as to enjoy the fruits of *Uhuru*.

## REPLY

The Assistant Minister, President's Office (Mr. Nyamweya): No, Sir. The salary structure for the chiefs in the country was reviewed very recently by the Pratt Salaries Commission which recommended higher salaries for chiefs. The Government accepted the Commission's recommendations and is now paying chiefs according to the new scales of salary.

Questions relating to chiefs' salaries have been raised in this House more than once before and appropriate replies given. I, therefore, wish to reiterate that the Government believes that chiefs

in this country are paid salaries which are considered to be commensurate with the responsibilities entrusted to them. It is considered that their salaries compare quite favourably with those payable to members of other branches of the Public Service. The Government cannot, therefore, see any justifiable reason why the chiefs' salaries should be expected to be higher than they are at present.

I wish, however, to correct one wrong impression created by the hon. Member in his question, which seeks to imply that civil servants should be paid higher salaries simply in order to make them enjoy the fruits of *Uhuru*. It is not the Government's intention to make only one section of its citizens, namely the Civil Service to enjoy the fruits of *Uhuru*; but the Government has formulated economic and other development plans for the country which are intended to better the living conditions of every citizen in this country. The Government firmly believes that the fruits of *Uhuru* should be enjoyed by all its citizens without any form of discrimination.

## Thursday, 4th November 1965

The House met at thirty minutes past Two o'clock.

[*The Speaker (Mr. Slade) in the Chair*]

## PRAYERS

## ADMINISTRATION OF OATH

The Speaker (Mr. Slade): Hon. Members, since we have quite a number of Oaths to administer again today, I think, as yesterday, we will depart from our usual practice and allow hon. Members to sit during the ceremony; and also allow strangers to remain seated in the galleries.

The Oath of Allegiance was administered to the following Members:—

Joseph Anthony Murumbi.  
Paul Joseph Ngei.  
Daniel Toreitch arap Moi.  
Charles Njonjo.  
Jesse Mwangi Gachago.  
Elisha Daniel Godana.  
Samuel Ithirai.  
Willy Rotich arap Kamuren.  
Josiah Mwangi Kariuki.  
Mwai Kibaki.  
Mwinyi Babu.  
Jonathan Wétangai Masinde.  
Masinde Muliro.  
Kariuki Karanja Njĩiri.  
James Nyamweya.  
Luke Rarieya Obok.  
John Odera-Sar.

## NOTICES OF MOTIONS

## WATER FACILITIES FOR MASAI

Mr. ole Tipis: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House urges the Government as a matter of urgency to introduce speedier measures of stabilizing the Masai way of life by providing them with water facilities in order to enable them to change their present nomadic way of life, and thus paving the way for the Masai people to contribute their fair share in the economic development of our nation.

## NAMES OF SUBVERSIVE PEOPLE TO BE MADE PUBLIC

THAT this House, being aware of numerous elements who are working to undermine the authority of our popularly elected Government, as stated by His Excellency the President during his speeches, urges the Government to name these people publicly so that people of this country may beware of their activities and refuse to deal with them in every way.

## RAILWAY FROM KEDOWA TO HCMA BAY

Mr. arap Soi: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT in view of the former developments in Sotik, Kisii District and Homa Bay, this House urges the Government to arrange for the building of the railway line from Kedowa through Sotik, Kisii to Homa Bay to cater for the farmers and traders along the route.

## ORAL ANSWERS TO QUESTIONS

Question No. 1

## POLITICAL PARTICIPATION BY GOVERNMENT SERVANTS

Mr. Odera-Sar asked the President if he would tell the House what disciplinary action he took against any Government or servants found indulging practically in political activities.

The Assistant Minister, President's Office (Mr. Nyamweya): Mr. Speaker, Sir, I am wondering whether the hon. Member for Ugenya would like to correct his question because as far as we are aware the President cannot exercise any disciplinary action against any Government; and, for that matter, the servants are not specified, as to whether they are Government servants or not.

The Speaker (Mr. Slade): Mr. Odera-Sar, is there a misprint here; would you like to explain exactly what you meant?

Mr. Odera-Sar: I meant Government servants, Sir.

The Speaker (Mr. Slade): The word "or" is

[Mr. J. M. Kariuki]

the Mover to reply. I am only appealing that instead of him doing so, Sir, he should have his fifteen minutes to reply, but the Ministers of the Government must appear themselves during the points when the Members are talking in order to respond and try to put right what the other Members are saying. That is my main point, Sir.

The Speaker (Mr. Slade): You are on a different point altogether, you see. Hon. Members must realize what we are discussing now. We are discussing now an alteration of the question which gives the Mover exemption as regards his reply only, instead of regarding both moving and replying. In effect, we are discussing whether or not we shall cut out the exemption for the Mover in moving the Motion. Mr. Kariuki is wanting to cut out all exemption, he does not want the Mover to have any particular length of time either for moving or replying. So he is really wanting to propose another question.

He was wanting to propose that all these words, excluding the Mover be left out of the question. That is another amendment, and we will have to deal with this one before we deal with others, Mr. Kariuki.

The Assistant Minister for Home Affairs (Mr. Nyagah): Mr. Speaker, Sir, I rise to support the amendment because I feel it is a very genuine and a very well put amendment. The speech that was given by the President yesterday no doubt was a comprehensive policy of the Government, emanating from all the Ministries. It was only given by one man, the Head of State and the Head of Government. It is only fair, if the Government decides to ask the Mover, who is the hon. Vice-President, to do likewise, combining all the points that have been raised by Members in his reply; the time he takes being at the discretion of the Speaker, that this should be accorded, and with these few words, Mr. Speaker, I would like to support the inclusion of the words in the amendment.

Mr. Ngala-Abok: On a point of order, Mr. Speaker, Sir, may I move that the question of the amendment be now put, because it appears that Members are in agreement with the

(Question that the

Mr. Ngala-Abok: On a point of order, Mr. Speaker, may I move that the mover be now called upon to reply, because we have exhausted debate on this particular Motion.

(Question that the Mover be now called upon to reply put and agreed to)

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, I must take this opportunity to express my thanks to the Members on the keenness which they have shown in debating this very important Motion and in ending may I put forward one observation. In many respects, the Members had asked for the extension of time and this was noticed during the Budget Debate, that sometimes you find that there is no quorum in the House and the House had to be adjourned earlier. This one reflects, as I see it, and I must repeat it, it reflects very badly on the House. I know that some Members have argued that the Ministers also are not here, but I should say that the Ministers normally, as you all know, have their important duties in this House and at the same time you have also given them some other equally important duties in the Ministries. They have been requested that at least one of them, either a Junior Minister or the Minister himself, must be here to make notes and to listen to all the points of deliberation, and when the time to reply comes, as you requested rightly, either the Minister or a Junior Minister should be here to reply, if there is something important to be replied to.

On my side we also take notes. What we could reply rather generally we will also take down and where we can also assist the Members to understand best the Government's policies, we will be able to do it, but we need real co-operation from all Members, from all walks, and we need that this time, as we start the new Session, the Members must show more keenness, because you can see that this House is worthy of it. It means that the Members should be more concerned with the activities here, in order to give a better impression to those people who come to the House of what we are doing.

[The Vice-President]

from all walks of life. Therefore, without labouring the issue, as I will have more time tomorrow to speak, I now beg to move this Motion.

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

Resolved accordingly:

THAT the debate on the Motion of Presidential Address be limited to a maximum of five days with not more than fifteen minutes for each Member speaking, excluding the Mover in reply.

#### MOTION FOR THE ADJOURNMENT

ADJOURNMENT OF THE HOUSE TO CONSIDER  
PRESIDENTIAL ADDRESS

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, I beg to move that the House do now adjourn until tomorrow, at 2.30 p.m.

The Speaker (Mr. Slade): I understand, Mr. Odinga, that the purpose of doing this is to allow yourself and other hon. Members a little more time before we embark on this debate.

The Vice-President (Mr. Odinga): Yes, Sir, that is exactly the reason. I am sorry that I did not explain this. This is as a result of a request by the Members.

The Assistant Minister for Home Affairs (Mr. Nyagah) seconded.

(Question proposed)

Mr. Khalif: Mr. Speaker, Sir, this sort of Motion was not anticipated and, as a matter of fact, I never thought that you were going to adjourn. Nevertheless, it is unfortunate, Sir, that arising from the fact that the Vice-President is not, perhaps, prepared to move the next Motion in respect of the public policy, that we have to adjourn.

Sir, there are so many times—and perhaps this is the first time this has been said by a Backbencher—there are so many times, Ministers, the Vice-President

Mr. Khalif: Yes, I think I understand the situation better, Sir. Nevertheless, Sir, perhaps in future, when a Motion like this of the Government, when it is more suggestible that such a Motion could not be discussed, then on the Order Paper I would suggest that another thing could be put, because now although I do not have a watch—that clock does not work—I hear that it is ten minutes to Six.

Therefore, Mr. Speaker, I would, in supporting, of course, have made up my mind very firmly that the machinery of setting up the Orders of Parliament, of the Chamber, in respect of any one day, that more care should be exercised—

The Speaker (Mr. Slade): Order! I think I must intervene and point out to the hon. Member that it is provided by our Standing Orders that a Motion for Adjournment of the House can be moved without notice and, when there is no notice, it means that the Clerk does not know it is going to be moved and therefore he cannot put it on the Order Paper. What we do, if we have actually notice from an hon. Member in time, particularly from the Government, that a Motion for the Adjournment of the House is intended, is that a note to that effect is put on the Order Paper. It is not put down as one of the Orders of the Day, but a note is put on the Order Paper. If there is not time to do that, then we do what I actually did today; perhaps Mr. Khalif was not here or was not listening, but when Mr. Odinga gave notice of this Motion for debate of the President's Address, I warned the House that he would be moving this Motion for Adjournment of the House when we reached this point. Perhaps Mr. Khalif was not here.

Mr. Malinda: On a point of order, Mr. Speaker, I was trying to find out, in view of the fact that the purpose of this Motion is quite well understood by Members, whether I would be in order in asking that the question be now put?

The Speaker (Mr. Slade): Order! Order! Since further discussion would bring us to the adjournment anyhow, I will put the question of the closure.

Mr. Kibuga: Mr. Speaker, Sir, now that we can continue speaking on the original Motion. I would like to say that during the period of five days we will find that the Ministers are all present here. We hope that they will be in order to answer for their own Ministries instead of making us wait to hear our questions answered by the Mover—

The Speaker (Mr. Slade): I am sorry, Mr. Kibuga, that is quite a different question. We are now discussing the duration of the debate.

Mr. Kibuga: Mr. Speaker, Sir, my question is that the time of fifteen minutes allowed is not sufficient. I do not see why we should be limited to this length of time. However, since I am not allowed to speak on this and say something in connexion with the presence of Ministers in the House, I support the Motion—

The Assistant Minister for Works, Communications and Power (Mr. G. Godana): Mr. Speaker, Sir, in supporting this Motion I would like to make a few remarks. One thing is that there is much to be done and every Member speaking should make his point clear to the remarks he intends to make.

I would appeal to hon. Members that there should be no repetition to the remarks they make in this debate. In case a Member is dissatisfied with some points that have been made then he can add something of his own, but Members should avoid repetition.

Mr. Speaker, the Motion is clear, hon. Members have spoken quite enough on it and, therefore, I beg to move that the Mover be called upon to reply.

Mr. Seroney: On a point of order, Mr. Speaker, I would like to propose a further amendment.

The Speaker (Mr. Slade): I would like to have it in writing.

Mr. Seroney: Yes, Sir, I would like to make a very slight addition of the words "in reply".

The Speaker (Mr. Slade): I have been very lax on this Motion. In future I will have to be far stricter. Amendments must be given in writing prior to their being moved. This time you may continue, Mr. Seroney.

Mr. Seroney: Mr. Speaker, Sir, I beg to move that the words "in reply" be added after the words "the Mover" at the end of the Motion.

I do this, Sir, because the President's speech is self-explanatory and does not require limitless time for debate. However, the Mover should be

given more time to reply. The Mover has the same amount of time as everybody else in which to move his Motion but he should have longer to reply because there are so many points that he will have to deal with.

Mr. Speaker, Sir, I beg to move.

Mr. ole Tipis: Mr. Speaker, Sir, I rise to second this amendment. Although the Vice-President is the Mover in this case, yet we expect to have all the Ministers here to answer the points raised in respect of their individual Ministries. We do not expect the Vice-President to answer everything on behalf of all his colleagues. Therefore, I do not wish that he should be given extra time in which to reply.

The Speaker (Mr. Slade): Mr. ole Tipis in view of what you have said I do not know whether you intend to second this Motion as amended. In the original Motion the Mover is given unlimited time in which to move and to reply. This amendment proposes that he has only unlimited time for his reply.

If you do not want to second the Motion I will have to find somebody else to do so.

Mr. Kibuga: On a point of order, Mr. Speaker, after looking at the Motion I would like to seek your clarification with regard to the fact that a little earlier you ruled me out of order when I was saying that the Ministers should be in the House apart from the Mover. I said I did not think that only the Vice-President should be here to reply to all the questions raised. I do not know why you ruled me out of order.

The Speaker (Mr. Slade): I thought I had made myself clear. However, I will make the point clear once again.

At the moment we are concerned in this debate with how long the debate shall last and how long each Member shall speak, and I cannot see that the necessity of Ministers being present affects that question of time. Your point was not relevant.

Mr. Gichoya: Mr. Speaker, in seconding this amendment I have one thing in mind, that is, that it is expected of the Mover—apparently he will be the Vice-President—to satisfy the Members on the questions they will be posing in their debates on Mzee's speech. If we limit the Mover in his reply, then, definitely, we will be left unsatisfied with the points we have put forward for clarification from the Government.

It is in that respect, that I am supporting that the Mover should not be limited when replying. Whether the Ministers will be here or not, what

[Mr. Gichoya]

will be more important is that the record of this House shall be the bible for every Ministry to know what the Members say and what they think. Consequently, the Ministers will be efficient in the running of their own Ministries.

If, on the other hand, they are not going to read what is recorded in the House, and they might not even be in the House, I will not be surprised. Mr. Speaker, Sir, if one day I am told by my people, go and move a Motion of no confidence in certain Ministers or no confidence in the Government. It is because of dissatisfaction and when we come and speak here freely, what we try to do, Mr. Speaker, is to avoid this question of saying, people are trying to wreck the Government. I try to wreck the Government if that is the case in this House, when I put a question across and the Minister sees the problem, and I am in a position to be corrected by the Minister on the spot, but when we come to this House—

The Speaker (Mr. Slade): Order! I am afraid, Mr. Gichoya, I was in error in allowing you to speak at all. You did speak, did you not, on the first amendment, and I did rule that the debate on the two should be combined. That means that you are not able to speak again in this debate. I still look for another Seconder of Mr. Seroney's amendment.

Mr. Malinda: Mr. Speaker, Sir, I rise to second this amendment because as the Motion stands now, it seems as though the Mover when the Vice-President comes before the House to move this Motion, he will have limitless time to speak on—

The Assistant Minister for Works, Communications and Power (Mr. G. Godana): On a point of order, Mr. Speaker, I am sorry to ask this question, but am I allowed to know what is the amendment, because I cannot follow what amendment is being discussed?

The Speaker (Mr. Slade): You will have the question of the amendment proposed as soon as Mr. Malinda has finished speaking, and you should wait for that if you have not heard it already.

Mr. Malinda: I was saying that when the Vice-President comes to move this Motion, it seems, according to the Motion in its original form that he will have limitless time in which to expound on what the President said in this House and is clearly printed in the statement which is going to be distributed amongst the Members. Mr. Speaker, I do not think it is necessary for the

Vice-President to spend more time than the fifteen minutes that is going to be spent by other Members in explaining what the President said, because it is in print and Members are able to read and understand it. But as the Mover of the amendment has pointed out, Members will have points, and Members will bring in to the notice of Government a lot of problems that face their own constituencies and it is at that time, Sir, that the Mover should have limitless time in which to reply and clarify a lot of the points, if that is possible, which are being raised by Members in their speeches. Mr. Speaker, with those few remarks I wish to support the amendment.

(Question of the amendment that the words to be added be added proposed)

The Speaker (Mr. Slade): As hon. Members have seen, that means that the Mover in reply is exempted from the limit of fifteen minutes, but not in moving.

I think in this case we must treat this in the usual way of amendments. We limit debate to the actual point of whether or not you want to give the Mover exemption only for his reply. Hon. Members who spoke in the debate, may speak again on that point because it is a new one, but no hon. Member will speak on any other point until we have disposed of this amendment.

Mr. J. M. Kariki: Mr. Speaker, I am rising to oppose that amendment. I am going to oppose with facts. If the hon. Members in this House have read the Presidential Speech yesterday, they have noticed that he has touched almost every Ministry, and it is the responsibility of the Ministers of the Government to be here when other Members are talking, in order to note the points raised by the Members and, in between, they should not refuse to stand and make clear the points raised by various Members about their own Ministries because we will be going from one Ministry to another and therefore it is their responsibility. My appeal would be to ask the hon. Vice-President to inform the Ministers that this is a very, very important speech which needs more attention, so as to make themselves available to the House.

The Speaker (Mr. Slade): What we are discussing now is whether the Mover should or should not be given exemption in moving the Motion. I do not quite see how what you say has a bearing on this.

Mr. J. M. Kariki: Mr. Speaker, Sir, I am only elaborating the reason why I do not see any necessity at all of adding more limitless time for



[Mr. Godia] is. But we need to extend the number of days from five to eight and that would give us sufficient time to tell the Government exactly what our people are thinking.

With these few remarks, Mr. Speaker, I support Mr. Anyieni's amendment.

Mr. Mbogoh: On a point of order, Mr. Speaker, I beg to move that the question of amendment to the amendment be now put.

The Speaker (Mr. Slade): I have not asked the House to decide this question yet, but it is reasonable that it be put at this stage, I think.

(Question, that the question of the amendment to the amendment be now put, put and agreed to)

The Speaker (Mr. Slade): Now I will put the question of the amendment to the amendment. This would mean that the amendment which we are discussing no longer proposed any alteration of the fifteen minutes and is limited to the exclusion of the figure five. In other words, that hon. Members wish the figure fifteen to remain.

(Question of the amendment to the amendment put and agreed to)

The Speaker (Mr. Slade): So the amendment, as now amended, is that the figure five be left out of the question. That is the question you are now debating.

(Question of amendment as amended proposed)

Mr. Gichoya: Mr. Speaker, Sir, although the time limit for a Member to speak has been accepted as fifteen minutes, the number of days, of necessity, should be more. I have reasons for saying this.

When one goes through this document, he sees that there are thirty-nine paragraphs and each paragraph means a lot, and, Mr. Speaker, Sir, anyone who was very observant yesterday when His Excellency the President was speaking could notice the way he was presenting it from the Throne, with vigour and he was emphasizing on every point. It means, therefore, Sir, that this is not an ordinary piece of paper. It means the directives of the Government given by the Head of that Government to the nation and we, as the custodians, in one way or the other, of the public, are supposed to scan every clause, every line and underline it and make it part of our day to day preaching. It would be wrong, Sir, if people adopted an attitude of rushing in to things in order to appease, I would say, certain matters. In this respect, Mr. Speaker, if we do not go more deeply into this document, we shall in the final analysis come to repent.

When one looks at it, in the first place, we see party being mentioned, just party in two lines. No elaboration, and it is here where the President said: "You, the Members of the National Assembly, must give directives to the Government of which I am the leader. I have given you the points which should be the guiding factors." Mr. Speaker, Sir, this is a skeleton and it needs flesh, and the flesh, for that matter, will come from this National Assembly.

In order to allow others to speak, I will be the first man to reject the mere rushing of such an important document, which talks of what the Government is planning to do or what the Government has already done. If we do not examine what the Government has already done, basing this on our own examination, perhaps an X-ray examination, on the facts presented here by His Excellency the President, then we shall fail in our duties as Parliamentarians of Kenya.

The number of days given; I would even say that this was as important as the Budget. We have for the Budget enough time for it to be scrutinized, so that every figure can be looked into, in order to run the services of this country. Equally true, this is the base on which the Budget of Kenya is budgeted by this House. It is on these points which are here, education—Mr. Speaker, if one looks at education—What I am trying to emphasize is this; that time is a factor for every person to find out whether this document, the so important document, the first one in the history of this country, as the Vice-President put it to us, which is the major speech by His Excellency the President after becoming both the Head of Government and the Head of State—That is the basis on which this document is very important.

I suggest, Mr. Speaker Sir, that those who feel that they are the only people who can speak in this House—I will allow them another day when they have time to do so, but I am entitled—as the Member for Gichugu—to express the views of the people of Gichugu and the national views as well, as a Member of the National Assembly. So, Sir, I would suggest that we have this document debated in the same way as we debate the Budget, that is fourteen days for it so that we are clear.

The Speaker (Mr. Slade): I understand that you are in favour of leaving out five days then?

Mr. Gichoya: Yes, Mr. Speaker.

Mr. Anyieni: On a point of order, Mr. Speaker, I thought that the question before the House was that we leave out five days and we

[Mr. Anyieni] substitute another number of days. Are we now merely, discussing the leaving out? I thought they should go together?

The Speaker (Mr. Slade): No, you are not used to our procedure, despite two and a half years in the House.

Mr. Warriithi: Mr. Speaker, Sir, I agree with what has been said by most of the previous speakers on the question of the number of minutes, and since we are now discussing leaving out five days, I would like to say at the outset that I do not support the view of leaving out the five days and my reasons are as follows.

It is true that the speech by the President from the Throne is very, very important, but my experience in this House during the last two and a half years is that hardly do we have a debate when we have more than 50 per cent of the Members speaking, either on this subject or any other major discussion. If you calculate fifteen minutes per speaker, for five days, that means about sixty Members speak. I know, from my own experience, that most Members will speak for five or ten minutes, and only quite a small number will speak to the end of fifteen minutes. So, if we calculate, we will see that we have at least, out of the five days, more than eighty Members—allowing for those who do not complete their full fifteen minutes. I know this Presidential address is very important indeed, but it is not as wide as one would expect when we speak on the Budget. So, personally, I would say that the Motion, as it was originally, is what I am supporting, and it is the one that should be passed by this House.

I would also like to remind hon. Members that a timetable for the whole Session, for the whole year, has already been published, and those who have taken the trouble to study that schedule or programme, will see that right from the time this was published, this speech was allocated five days. I am not saying that we cannot change that programme, it can be changed, but I am not convinced that the addition of more days is going to enable more Members than would normally speak on this Presidential statement to speak. We have just finished the Budget Session, when Members had the opportunity to explore all the possibilities to speak on anything or nothing about the Development Programme, and what not.

Mr. Speaker, what I am saying is that if Members would calculate and probably agree with my figures, that five days are sufficient

in that within those five days we get at least fifteen minutes to speak. And, with these few words, Mr. Speaker, I oppose the idea of leaving out the five days.

Mr. Mbogoh: On a point of order, Mr. Speaker, Sir, I wish to move that the question of the amendment be put.

The Speaker (Mr. Slade): I see no reason why the House should not consider the closure of this question now. I will put the question.

(Question, that the question of the first part of the amendment as amended be now put, put and agreed to)

The Speaker (Mr. Slade): Since an hon. Member desires a Division, and since I am in doubt as to the outcome, there is no need for him to be supported by the other Members. There will be a Division.

#### DIVISION

(Question put and the House divided)

Mr. Makone: On a point of order, Mr. Speaker, Sir, about five days, are Members allowed to speak twice in this Chamber, because calculating from the—

The Speaker (Mr. Slade): We cannot debate this now, while we are waiting for a Division, Mr. Makone.

I would ask the Serjeant-at-Arms that next time we have a Division and you receive an order to close the doors and lock the Bar, you must close all the doors and lock the Bar, in order to prevent any exit from the Division Lobby.

(Question negatived by 23 votes to 22)

Ayes: Messrs. Anyieni, Biy, Bonaya, Gichoya, Godia, Ithairi, Khalif, Kiamba, Kibuga, Kioko, Lorema, Masinde, Mate, Mbogoh, Ngala-Abok, Ochwada, Omweri, Sadalla, Seroney, Shikuku, Soi and Theuri.

Tellers for the Ayes: Messrs. Khalif and Nyagah.

Noes: Messrs. Babu, Gachago, G. Godana, J. M. Kariuki, Komora, Makone, Malinda, Murgor, Mwalwa, Mwendwa, Ndile, Njiri, Nyagah, Odinga, Onamu, Otiende, Pandya, Sagini, Tipis, Too, Waiyaki, Wamuthenya and Warriithi.

Tellers for the Noes: Messrs. Gichoya and G. Godana.

The Speaker (Mr. Slade): The debate now continues on the original Motion as you see it on the Order Paper.

(Resumption of Debate on original Motion)

[Mr. Khalif]

has already been released by Mzee Jomo Kenyatta, we have the copies and it has already been on the radio, in the newspapers, but I think that what is more important than that, is that it is being discussed in this Chamber and individual Members being given the chance to contribute individually because, Sir, I note that there are 129 Members in this Chamber and it would be very wrong to suggest that every Member should be given fifteen minutes and that the days should be limited to five days. Supposing that I make every effort in this Chamber to try and get a chance to speak and I do not get it within those five days because the speech itself is so important that every Member wants to speak, then it would really be unfortunate, because then my position in the Lower House as the hon. Member for Wajir North would then be doubted, because even though I am the Member for Wajir North I took the initiative to come to this Chamber and I see that the Speaker's eyes are being caught and that every Member wants to speak, then would it be my mistake that I did not get a chance to speak or would that be suggesting that my position as the legal representative in this Chamber of the regime of Wajir North is being doubted.

Mr. Speaker, Sir, I amongst all other hon. Members, attach great importance to the Presidential address and I want to point out, Mr. Speaker, that because this is the first Presidential address in the Chamber that is going to be discussed in Kenya that every importance should be attached to it and that we pass the hon. Shikuku's amendment without debate because I think I have put the points forward.

*(Question of the first part of the amendment that the word to be left out be left out proposed)*

The Speaker (Mr. Slade): I think it is better to allow general debate on the amendment and the main question. So that is what we will do.

Mr. Seroney: On a point of order, Mr. Speaker, I thought Mr. Shikuku's amendment was six days instead of five also.

Mr. Shikuku: I said 15 minutes to 20 and alter the figure five to six.

The Speaker (Mr. Slade): That is the difficulty of not having this amendment in writing, I did not even hear that. We will have to stick more rigidly to the ruling in future: but I will propose the question as now stated.

*(Question of the first part of the amendment that the word to be left out be left out proposed)*

Mr. Anyieni: Mr. Speaker, if you will excuse me, or if the Members will allow me, I do not exactly agree that we should make it twenty minutes. I think fifteen minutes would be sufficient. What I do think, however, Sir, should be done, in order to allow more Members to speak, is to allow more days. We have tried to calculate the time allowed in five days, Sir, and with about three hours a day it means that only sixty Members will be able to participate in this debate, if every Member speaks for fifteen minutes. Now, Sir, I think you should allow at least more than half of the Members of this House to have a chance to speak; it would be unfair for less than half the Members to be given an opportunity to speak.

Therefore, as I have already notified you, I would like to support the fifteen minutes: I think fifteen minutes is quite enough for a Member who has something to say. But I think we should allow as many Members to express their views as possible. I am moving an amendment that, instead of making it five days, it should be eight days, which would be two solid weeks.

The Speaker (Mr. Slade): Yes, I do not think you quite understand where we have got to, Mr. Anyieni. The question now before the House is simply that we leave out five and we leave out fifteen. Now you agreed that we leave out five, but when we get to the point of deciding what we insert you will propose eight instead of six days. At this point you agree with the amendment to this extent, but you do not agree that the fifteen should be left out.

Now what you want to do is to move an amendment to the amendment as regards the words we leave out, and you are wanting to move that the figure fifteen be deleted from the amendment.

Mr. Anyieni: Then, Sir, shall I move two short amendments? That the fifteen minutes mentioned on the Order Paper remain on the Order Paper and that the five days mentioned should be deleted and eight days inserted in their place.

The Speaker (Mr. Slade): No, Mr. Anyieni, the question now before the House is that the figure five and the figure fifteen be left out of the question. That is what is now before the House. You agree with the figure five being left out of the question but not with fifteen being left out. You therefore want to move an amendment that the question now before the House be amended by deleting the figure fifteen only, leaving the figure five to be left out. You do not want to interfere with the figure fifteen.

[The Speaker]

Well, I will have to frame your amendment for you! Have you any more to say on this?

Mr. Anyieni: Oh, Mr. Speaker, I thought you would give me a further chance to speak later on, when moving the amendment. So I do not want to say much more now.

Mr. Ngala-Abok: Mr. Speaker, Sir, I do not know whether you will have to remind me exactly what is now before the House!

The Speaker (Mr. Slade): Order! I am assuming you are seconding Mr. Anyieni? That the figure fifteen remains? That is what we are discussing at the moment, we are not discussing eight days or six days.

Mr. Ngala-Abok: Yes, that is what I wanted to say. Now, Sir, I think the two hon. Members who are asking for twenty minutes to be inserted instead of fifteen have failed to appreciate the position of the Members here. In fact, the arguments they put forward were absolutely contradictory because they talked about the figure being 129 Members in the House, and that therefore they should have a chance to speak. Looking at that argument, one could not see any reason in it whatsoever. If you want more Members to speak then you must speak for fewer minutes, then more Members will have time to speak. Even if you have more days for the debate, if you allow more minutes for each Member to speak, then it will be found that many Members will still not have the chance to speak.

I think the only reasonable argument here is that fifteen minutes should remain as it is, but that we increase the days by three, so that there are eight days in which we can debate this very important policy statement. I am very much in favour of leaving fifteen, and I could even reduce it to ten, because, in fact—I am giving the reason so that Members can see the need for leaving the fifteen minutes as it is; and, in fact, one could even advocate reducing it, because anyone listening to the policy statement or the statement of the President on the radio or just by looking at the newspapers today will see that it was merely gauging the direction the Government is thinking of; there was nothing absolutely positive that one could compare with the notes one may make in one's own constituency—

The Speaker (Mr. Slade): I should keep that for the debate.

Mr. Ngala-Abok: Therefore I do not see any reason for going home to study the speech of the President or anything like that. If other Members, who have been touring other continents and

nations, come back and have not been to their constituency for five weeks, then they should go home straightaway, instead of pretending that they want to go back—

Mr. Shikuku: On a point of order, Mr. Speaker, is the hon. Member in order to insinuate that because I asked for an amendment and since I have been out of the country for quite a while I am out of order, and that the President's speech has been so unimportant that we do not need time to study it? Am I out of order to ask whether he is out of order to insinuate that I am out of order?

The Speaker (Mr. Slade): I cannot see what you are raising a point of order on.

Mr. Ngala-Abok: Without saying much, Mr. Speaker, or elaborating on what I am saying now, the hon. Member definitely has not been back to his constituency, he has been touring other places, and he would like to go back to his constituency—

The Speaker (Mr. Slade): I should leave him alone, if I were you, and get on.

Mr. Ngala-Abok: I think I wish to support the amendment put forward by the hon. Mr. Anyieni, that fifteen minutes remain and five days become eight days, Mr. Speaker.

The Speaker (Mr. Slade): I will propose the question of the amendment to the amendment. The original amendment is that the figure five be left out and the figure fifteen be left out. The question to be proposed now is that the question of the amendment be altered so that only the figure five be left out. In other words, that the question of the amendment be amended by leaving out any reference to the figure fifteen.

*(Question of the amendment to the amendment proposed)*

The Speaker (Mr. Slade): Does anyone want to speak on this? I think it might simplify things if we cleared the decks a little. Possibly other hon. Members want to speak on this amendment to the amendment. We are now concerned only with the fifteen minutes, whether or not you want to alter that.

Mr. Godia: Mr. Speaker, Sir, I think what we need is time for each Member to express himself regarding the Presidential Speech, and therefore the larger the number of Members who speak, the greater number of days we need. Therefore, it would not be necessary for us to extend the time from fifteen minutes onwards. I think the fifteen minutes should remain as it



Mr. Lorema: Mr. Speaker, Sir, is the Assistant Minister aware that Rift Valley Province is well over a third of the whole country in Kenya and as such it requires bigger representation?

Mr. Mutiso: Mr. Speaker, Sir, the question of representation in the Scholarship Board does not necessarily depend on the size of a province and I have already stated that as far as the Rift Valley Province is concerned, there are two members and I must say particularly in Western Kenya we have also in the Western Province two members, Rift Valley two members, and this was due to the fact that we did consider quite fairly, and I do not see any reason why this number should be increased.

Mr. amp Soli: Mr. Speaker, Sir, would the Minister give us the names of those two from Rift Valley and Western Provinces?

Mr. Mutiso: Mr. Speaker, Sir, in Nyanza we have the hon. Odero-Jowi, and in Western Kenya we have the hon. Masinde Muliro and the hon. Martin Shikuku.

Mr. Shikuku: On a point of order, Mr. Speaker, I have just heard my name being mentioned as a member of the Commission. Unfortunately, I am not, is that in order?

Mr. Mutiso: Mr. Speaker, Sir, I think maybe the hon. Member was not aware. This is the Scholarship Board, Selection Board of which he is a member.

Mr. Shikuku: On a point of order, Mr. Speaker, I am aware of what he is talking about I am not on the Central Selection Board.

The Speaker (Mr. Slade): Order! Order! This is a conflict of evidence which we cannot iron out in this House, I am afraid, we will have to examine it afterwards.

The Assistant Minister for Labour and Social Services (Mr. Odero-Jowi): On a point of order, Mr. Speaker, being a member of the Scholarships Board I remember having sat with the hon. Shikuku on several occasions on the Scholarship Board.

The Speaker (Mr. Slade): I think the House is going to get rather bored with this argument, if you excuse the pun.

Mr. Mutiso: Mr. Speaker, I was saying that in Nyanza we have the hon. Odero-Jowi and in the Western Province we have the hon. Masinde Muliro, the hon. Martin Shikuku and the Rift Valley we have the hon. W. K. Chirchir and the hon. J. ole Tipsi, and Central Province we have the hon. C. H. Wariithi and the Coast Province we have the hon. R. S. Matano, Eastern Province we have the hon. J. Njeru, North-Eastern Province we have the hon. A. S. Khalif.

Mr. Ngala-Abok: Mr. Speaker, Sir, to justify better representation on the Scholarship Board, will the Assistant Minister demonstrate to the House how the scholarship applications are processed, because I have enough evidence to prove that there is ferrible inefficiency on this particular board and better representation is required. Nyanza needs another member.

The Speaker (Mr. Slade): I think we have had enough provincial wrangling now.

#### POINT OF ORDER

##### CEREMONIES IN THE CHAMBER WHICH ARE, NOT SITTINGS OF THE HOUSE

Mr. Seroney: On a point of order, Mr. Speaker, are we to regard the playing of the National Anthem and the sounding of the fanfare in yesterday's proceedings as a precedent for future State or other occasions in this House.

The Speaker (Mr. Slade): Oh, no. I think hon. Members will realize that the proceedings during which we had the fanfare and the National Anthem were not a sitting of the House; it was a special ceremony for the opening of the new building, quite detached from any sitting, and very clearly marked out as a separate ceremony, because there was that interval in between. Hon. members will recall that we had not got the Mace with us during that ceremony, whereas we had the Mace with us for the sitting when we had the State Opening of the House. Perhaps hon. Members will recall other occasions when the Chamber has been used for something other than an actual sitting of the House, such as the occasion when hon. Members met the Emperor of Ethiopia. That occasion was not a sitting of the House, although it was a meeting in the Chamber. We do have occasions for playing the National Anthem in the precincts of the building on any State occasion. When His Excellency the President comes to open a new Session, we have the Anthem from the Guards of Honour, and we have it again when the President enters and leaves the reception for our visitors; but there is no intention, so far as I am concerned, of having the National Anthem played while the House is actually sitting.

#### MOTION

##### LIMITATION OF DEBATE: PRESIDENTIAL ADDRESS DEBATE

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, I beg to move the following Motion:—

THAT the debate on the Motion on the Presidential Address be limited to a maximum of

#### [The Vice-President]

five, days with not more than fifteen minutes for each Member speaking, excluding the Mover.

This, Mr. Speaker, is rather a formal Motion and it is the usual practice in this House that after a Presidential address, such as the one of yesterday, the Members are given an opportunity to express themselves on various points which were raised on the policy matters and in actual fact previously we have had it to be ten minutes in order to give as many Members as possible time to speak, but this time we considered, being our first time and this being the first Presidential address since we became a Republic, that the hon. Members should have fifteen minutes, another five minutes more, to express themselves, but we know this is the maximum. It could be that some Members will express themselves in five minutes or in three minutes, some in ten minutes and so on and so on, and that probably would give more Members time to speak within the limited time of five days. Without wasting the time of the House, Mr. Speaker, Sir, I beg to move.

Dr. De Souza seconded.

#### (Question proposed)

Mr. Seroney: On a point of order, Mr. Speaker, what does the phrase "excluding the mover" imply in the wording of the Motion.

The Speaker (Mr. Slade): It is not really for the Speaker to interpret Motions. It is for hon. Members to attach their own meanings to it; but as this is procedural, I would have to give a meaning to it if it were resolved, and the meaning I would give is that the mover has unlimited time to move and to reply.

Mr. Shikuku: Mr. Speaker, Sir, while agreeing with the Vice-President's Motion, I am of the opinion that he attaches great importance to the speech by the President of the Republic of Kenya and naturally we also attach great importance to it and we automatically, therefore, I should think, require more time to read the speech, to study the speech, so that when we come here, we shall have enough to contribute as such and if, as it is stated here, we are supposed to have this Motion debated, and whereas in actual fact I got the President's speech only yesterday, it was not even in my pigeon-hole the day before yesterday. I am therefore, Mr. Speaker, without wasting any time, objecting to the debating of the speech of the President until such time, and I suggest we should have five days to study the speech of the President before we come and debate it here, because personally—

The Speaker (Mr. Slade): Order! Order. That is quite another question, as to whether we should have this debate today or another day. As you have heard, the Vice-President is actually going to move the Adjournment of the House. The subject of this motion is limitation of time for the debate and speeches. We must stick to that.

Mr. Shikuku: I agree with your ruling, Mr. Speaker, I am sorry I went a bit too far.

But still, as far as the fifteen minutes is concerned, Mr. Speaker, I was of the opinion we should have more, because when it came to the question of debating or contributing to this policy statement, some of us have a lot of things to say and particularly personally, Mr. Speaker, if I may say so, taking into account the Butere troubles, I require about half an hour, but if we could have a round figure of twenty minutes it would be far better for some of the hon. Speakers here when it come to the question of those Members who have nothing to say, that is a different thing, but this House has 129 Members, so if you multiply that by fifteen, even if some people do not speak, there are some people who can even cover this up an have the debate going on even for two weeks. Therefore, Mr. Speaker, I beg to move that we should have twenty minutes and not fifteen minutes, and that will be six days instead of five days. With these few remarks, Mr. Speaker, I beg to move.

The Speaker (Mr. Slade): You know, Mr. Shikuku, that strictly under our Standing Orders if you want to move an amendment you have to hand it in writing to the Clerk before you move it. This is such a simple one that I think the House will dispense with that formality, so I will accept this as your having moved that the figure fifteen be left out and the figure twenty be substituted. Does anyone second that?

Mr. Khalif: Mr. Speaker, in seconding that, although I previously thought that the days should have been fourteen instead of five, now I think in terms of seconding Mr. Shikuku's amendment, because really he is not being extreme, in other words all he did was to add one day on the total of five to make it six and five minutes on top of the fifteen to make it twenty. Now, Sir, surely the Vice-President has put it right, has called a speech made by the President a Presidential address, in other words Government policy and surely, as a matter of fact, I would have thought that when we called a policy the Government policy and we give it the honour of calling it the Presidential address or major governmental policy, then, Sir, we should also attach importance to it being discussed in this House. Sir, this speech

The Speaker (Mr. Slade): I must have your written notice of this.

Mr. Rurumban: On a point of order, Mr. Speaker, in view of the fact that I represent part of Baringo East, and in view of the fact that my hon. friend, Mr. Kamuren, is not present, am I not entitled to ask Question No. 28 on his behalf?

The Speaker (Mr. Slade): Only if you are authorized by him to do so. Otherwise, as I have said, you will have to wait until he gets his written reply and you will see that published in HANSARD. Then you will have your information.

Is any hon. Member authorized by Mr. Oselu-Nyalick to ask his question?

Mr. Godla: Mr. Speaker, Sir, I would like to ask Question No. 24 on behalf of my colleague, the hon. Mr. Oselu-Nyalick.

#### ORAL ANSWERS TO QUESTIONS

##### Question No. 24

##### SECONDARY SCHOOLS FOR POOR AREAS

Mr. Godla, on behalf of Mr. Oselu-Nyalick, asked the Minister for Education, having regard to those areas where people were so poor that it would prove almost impossible for them to raise any substantial sums of money required to embark upon a self-help secondary school, what plans had the Minister for such areas, so that they should not lag behind educationally so far as secondary education was concerned.

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, I beg to reply:—

It is the Ministry of Education's concern that children from all areas, who qualify for secondary education, shall have the opportunity of entering Form I, either in a local day school, in one of the boarding schools in each province, or in a national school. Consequently, the Ministry's development plan aims at providing as nearly equal opportunities as possible for eligible children of all areas by increasing the number of maintained day and boarding places in relation to the predicted number of candidates coming forward from each province.

Mr. Godla: Arising out of the Assistant Minister's reply, Mr. Speaker, Sir, would he tell the House the percentage increase of intake to Form I for next year, which he proposes to bring into effect, in comparison to what the percentage was this year?

Mr. Mutiso: Mr. Speaker, Sir, it is difficult at the moment to reply to that question adequately, but if the hon. Member wishes to know the percentage I could work this out and give him the answer later.

Mr. Ngala-Abok: Mr. Speaker, Sir, in view of the awareness by the Ministry that some areas need assistance, and need this assistance urgently, will the Assistant Minister say how many of these areas, what districts, he has in mind to help in this way? In other words, how many primary and secondary schools, and on which sites are these schools going to be established? In how many areas are they going to be established? We want to know all this because we do not want statements which cannot be substantiated.

Mr. Mutiso: Again, Mr. Speaker, I think I would like notice of that question.

Mr. Shikuku: Mr. Speaker, Sir, arising from what the Assistant Minister has said, that there are places which are poor and students who cannot get secondary education there can go to other provinces, is the Assistant Minister aware that there are areas which are trying to establish their own secondary schools but they are so poor that they cannot afford to do so? Hence students from such areas have had to seek admittance in schools in neighbouring areas but even here they have not been able to secure this admission because these schools are full with the rich students and there is no room for the poor students of these particular provinces. What is he going to do for the poor students of Butere who cannot secure admission in other provinces?

Mr. Mutiso: Mr. Speaker, Sir, this is the problem which the whole country is facing as far as education is concerned. I am sure the hon. Member posing this question is well aware of this problem. This is a problem which we have to expect for quite a while.

However, as far as admission of pupils to these schools is concerned, I will say that all schools, particularly those which are aided, are National Schools and there is no question of pupils of nearby areas being given preference. I am sure that the hon. Member knows very well that before pupils sit for the Kenya Preliminary Examination they have to give an indication of which schools they would like to go to, and this is taken into consideration when the allocations are made. So, there is no question of favouritism.

Mr. Mute: Mr. Speaker, Sir, in view of the fact that secondary education is so important in Kenya, and that some areas are prepared to help themselves, in the spirit of *Harambee*, what policy has the Government in helping those who can do, say, 75 per cent of putting up a school for themselves? For example, Muthambe in Meru or Ikoji in Meru, where people have done 75 per cent of the work and Government should do something to help them.

Mr. Mutiso: Mr. Speaker, Sir, as far as this question is concerned, I think this afternoon I have tabled a Paper here. The Kenya Education Commission Part II and all these problems and questions are discussed in that Report. When it comes for discussion, then these will be clearly answered.

Mr. arap Soi: Mr. Speaker, the Minister referred to problems which the Ministry is facing, what specific steps is the Minister taking to solve the problems which are obvious to them?

Mr. Gichoya: Mr. Speaker, Sir, arising from one of the Assistant Minister's replies, that the secondary schools which are built by people on self-help arrangements will have to cater for all students, does it mean that the lazy districts have been allowed to exploit the districts that have really thought of making a sacrifice in order to give a place to their own pupils who are in the primary schools? Does it mean—

The Speaker (Mr. Slade): The question is quite clear, you need not go on with it Mr. Gichoya.

Mr. Mutiso: Mr. Speaker, I was about to raise a point of order. I think the hon. Member is misrepresenting me. I never said the schools which are built by self-help should be considered in the same way as the national schools, I think he is confusing between the self-help schools and the national schools or Government-aided schools.

Mr. Gichoya: Mr. Speaker, Sir, I can make it clear to him, Sir.

My problem, Mr. Speaker, is this, that the Assistant Minister put it very clearly that aided schools and boarding schools which are aided by the Government after being established on the basis of self-help arrangements, will have to cater for everybody and the local population which really put up those secondary schools will not be considered or be given priority, in terms of filling up those schools with students. Does that not mean it is exploitation of the people who have accepted the self-help arrangements principally by those people who are waiting for the Government to do something for them?

Mr. Mutiso: No, Sir. I think that principle is entirely wrong, Mr. Speaker, because the moment a school becomes Government-aided, or becomes a national school, it automatically ceases to become an area school or a school which is run by a group of people. If there are some people or some areas who are fortunate enough to put one hundred schools in one locality and as time goes on one of these schools is taken over by the

Government, then I am sure the hon. Member would not like to see only the children of the parents who built that school benefit from that school since the school will by then be run on the taxes collected throughout the country.

The Speaker (Mr. Slade): I think we have had long enough on this question now.

#### NOTICE OF MOTION FOR THE ADJOURNMENT

##### UNSATISFACTORY REPLY TO QUESTION NO. 24: SECONDARY SCHOOLS FOR POOR AREAS

Mr. Godla: On a point of order, Mr. Speaker, in view of the unsatisfactory reply to this question, may I be allowed to move this as a Motion on the adjournment?

Mr. Lorema: On behalf of my colleague, the Member for East Pokot, I beg to ask Question 28.

The Speaker (Mr. Slade): Were you authorized by him to ask any questions? You are too late on Question 28 anyhow. You can ask No. 29 if you are authorized to do so.

Mr. Lorema: No. 28.

The Speaker (Mr. Slade): Too late. You can ask Question 29 if you like. We have passed Question 28, and you did not stand up then with Mr. Kamuren's authority. We are not going back to it now, but we still have Question 29, and if you are authorized by him to ask that, ask it now.

#### ORAL ANSWERS TO QUESTIONS

##### Question No. 29

##### SCHOLARSHIP BOARD REPRESENTATION IN RIFT VALLEY PROVINCE

Mr. Lorema, on behalf of Mr. Kamuren, asked the Minister for Education whether he would consider increasing representation of the Rift Valley Province on the Scholarship Board, having regard to the size of the Province.

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, I beg to reply:—

I wish to assure my colleagues that, when appointing members to the Scholarships Board, serious and fair consideration was given to the size of representations from all the provinces. It so happened, as a matter of fact, that the Rift Valley Province has bigger representation than all the other provinces. In other words, two members were appointed to the Board to represent the Rift Valley Province as compared to one member to represent each of all the other provinces. In any case, there does not seem to be any cause for increasing representation for any of the provinces, much less so for the Rift Valley Province.

## Question No. 28

## BETTER PAY FOR CHIEFS

The Speaker (Mr. Slade): Is any hon. Member authorized by Mr. Kamuren to ask his question, No. 28?

Mr. Mbogoh: Mr. Speaker, Sir, on a point of order, there is a point here on which I feel dissatisfied and I would like your clear ruling. For example, the questions are intended to give information to Members. When an hon. Member stands up and asks a question and then a Minister replies with a question and then you finish that and say, "Let us go on to the next question", would you think that that goes as far as the questioner thinks it should go or how will we go about that?

The Speaker (Mr. Slade): Somebody has to decide to move on, if we are not going to spend all afternoon on questions, and it is one of the Speaker's responsibilities.

Is anyone authorized to ask Mr. Odero-Sar's question?

## POINT OF ORDER

## ASKING QUESTIONS IN MEMBERS' ABSENCE

Mr. Onar: On a point of order, Mr. Speaker, I rise to seek your guidance because on many occasions the hon. Members whose questions appear on the Order Paper are not present and probably they do not authorize someone to ask their questions on their behalf. Now what would happen, Mr. Speaker, if a Member is absent and another Member in the Chamber has an interest in that particular question? Could he ask it on his behalf?

The Speaker (Mr. Slade): No, he could not, unless he had been authorized to do so. If there is no Member authorized—

Mr. Ngala-Abok: On a point of order, Mr. Speaker—

The Speaker (Mr. Slade): I am already dealing with a point of order.

If there is no Member authorized by the absent Member to ask the question, the absent Member gets the answer in writing, and the interested Member could see it too, of course. And it is in HANSARD.

Mr. Ngala-Abok: I would ask you to excuse me, Mr. Speaker, and I would say that I was authorized to ask that question of Mr. Odero-Sar's. Unfortunately, you mentioned it twice and I did not listen clearly to the name you mentioned.

The Speaker (Mr. Slade): Mr. Kamuren's question or Mr. Odero-Sar's?

Mr. Ngala-Abok: Mr. Odero-Sar's.

The Speaker (Mr. Slade): Yes, you ask that now then.

## Question No. 2

## STUDENTS WHO WENT TO RUSSIA

Mr. Ngala-Abok, on behalf of Mr. Odero-Sar, asked the Minister for Education if he would tell the House the racial and tribal breakdown of the two hundred students who recently left Kenya for Russia.

The Assistant Minister for Education (Mr. Mutiso): Mr. Speaker, Sir, I beg to reply.

It has been the policy of the Kenya Government to select students for overseas studies on the basis of merit and the qualifications required by the country which offers scholarships and, with this policy in mind, Government does not select students on racial or tribal groupings.

However, Government does consider, to some degree, even distribution of these scholarships throughout the country, and the Central Selection Board has been given instructions to see to it that all parts of Kenya are taken into consideration.

On this basis, Sir, the Board allocated the 200 Union of Soviet Socialist Republic's scholarships as follows:—

Central Province	27
Nyanza Province	33
Coast Province	28
Western Province	27
Rift Valley Province	37
N.E. Province	20

No attempt was made to break these allocations down by tribes, and Government's determination to build one Kenya Nation would be contradicted by such an attempt.

Mr. Anyieni: Mr. Speaker, Sir, is the Assistant Minister aware that some of the subordinate officers in his department, who were supposed to write to the applicants and invite them for interview, did not do so and, as a result, special people were picked and were called for interview, even though they had few qualifications than those who did not receive letters inviting them for interview?

Mr. Mutiso: Mr. Speaker, Sir, I am not aware of this. All that I know is that there was some misunderstanding, especially when the Soviet experts, who came to interview students, arrived in the country. As far as the advertisements of the scholarships are concerned, there were notices given throughout the country.

Mr. Ngala-Abok: Mr. Speaker, Sir, is the Assistant Minister aware that the majority of these letters sent to the Ministry in the form of applications for these scholarships were not replied to, and is he aware that it is a great injustice, particularly to those who may be better qualified, that they did not receive a reply asking them to come for interview, and yet those who had fewer qualifications did come for interview through machinery which had, in some cases, not even replied to their letters?

Mr. Mutiso: Mr. Speaker, I am sure the hon. Members are aware that when such scholarships are advertised—especially these 200 scholarships offered by the Soviet Government, which were very adequately published throughout the country—we received a lot of applications. In this case, Mr. Speaker, if I remember rightly, we had about 6,000 applications to sort out. So, in fact, we had to take a shortcut measure, that is, to reply only to those whom we consider could qualify. We ignored the applications of those whom we saw would not qualify, even if they were called for interview.

Mr. Gichoya: Mr. Speaker, Sir, arising from the Assistant Minister's reply, that qualifications were the criterion and the demand of the donors, could the Assistant Minister tell me what caused Central Province to have only twenty-seven people, whereas somewhere like Nyanza Province had thirty-three and Rift Valley thirty-seven and other places? Furthermore, was it that the people of Central Province did not matter, so far as the qualifications needed were concerned?

Mr. Mutiso: Mr. Speaker, Sir, I am rather surprised by the attitude of the hon. Member because it has often been said in this Chamber that we should give scholarships to the less developed or less advanced areas of the country. As far as education is concerned, Central Province is one of those already developed areas, perhaps more than what is required in other provinces. Mr. Speaker, this is one of the criteria we applied to allocate these scholarships.

Again, Mr. Speaker, I must add that in the Central Selection Board we have representatives from each province and these are the people who also guided us in making our decisions.

Mr. Komora: Mr. Speaker, Sir, what has the Assistant Minister to say about the five boys in the Tana River District who were called for an interview and on their return home they were not told whether they were successful or otherwise? Mr. Speaker, Tana River District is one of the less developed areas.

Mr. Mutiso: Sir, I cannot say straightaway what happened to the five boys. However, if the students appeared before the Central Selection Board and later did not hear anything from the board it is clear that the board did not consider them to be suitable.

Mr. Mbogoh: In view of the fact that some Government donors lay down a certain standard of education, and say, "We are giving scholarships for Kenya Preliminary Examination students", does the Assistant Minister not agree with me that when it comes to that the Kenya Preliminary Examination is the Kenya Preliminary Examination, whether in Nyanza or the Eastern Province? Does he not agree with me that, therefore, the board should now look into districts and not qualifications?

Mr. Mutiso: Mr. Speaker, this is precisely what I said, that in view of the fact that there are some advanced provinces in the country, allocations were to be made on the understanding that these less developed provinces were to be given priority.

However, as far as the Kenya Preliminary Examination qualifications are concerned, I must state here that we do not often get offers from friendly Governments for Kenya Preliminary Examination qualifications. This is the first one we have had in the past few years from a foreign Government, and we did consider the allocation fairly. We gave preference to the less developed areas of the country.

Mr. arap Bly: Mr. Speaker, Sir, will the Assistant Minister agree with me that even though these scholarships were given to the less developed provinces, some districts, particularly in the Rift Valley, were not considered at all, such places as Masai, Samburu, Turkana, etc.? Does he not consider this to be unfair?

Mr. Mutiso: Mr. Speaker, Sir, I totally disagree with that allegation and I can prove it here. On this particular occasion there were eleven boys chosen from Masailand and they went to the Soviet Union.

The Speaker (Mr. Slade): I think we must move on now.

## NOTICE OF MOTION FOR THE ADJOURNMENT

## UNSATISFACTORY REPLY TO QUESTION No. 2: STUDENTS AND SCHOLARSHIPS

Mr. Anyieni: On a point of order, Mr. Speaker, in view of the fact that this question has not been satisfactorily answered, may I be allowed to raise this matter on adjournment?

[The Minister for Commerce and Industry] prices are higher than cassava, whereas yield per acre is generally less. It follows, therefore, that if Kenya is to establish an economically viable starch industry it must be based on cassava and be situated in an area where this product is readily available. We have also been thinking of starch manufacturing from maize, but due to the current maize shortages that programme has had to be temporarily shelved in favour of cassava. I would like to suggest, therefore, that the hon. Member encourages his constituents to consider the establishment of a potato-chip factory or to increase the quality and yields of the potatoes they produce so that surplus production can be exported at a fair price to ready markets such as Aden.

(b) I am sorry we do not collect in my Ministry such minute detailed information as how many bags of potatoes were sold to every individual trader in Kenya, but if, as it appears, the hon. Member is not happy about the dealer named in the question purchasing potatoes, I would suggest that he organizes a co-operative in his area to market potatoes and other produce through the Horticultural Co-operative Union or the Kenya Produce Marketing Board.

Mr. urap Sol: Mr. Speaker, Sir, as the Minister referred to maize being one of the things used for making starch, and in view of the fact that the maize around the area is plentiful, even now, and the potatoes contain a little starch, would it not be right for a starch factory to be established in Bomet?

Dr. Kiario: Mr. Speaker, Sir, under the current shortage of maize, I do not really think we should divert that product for starch manufacturing at present. We have adequate supplies of cassava.

Mr. Ndile: Mr. Speaker, Sir, would the Minister tell the House whether it is possible to get synthetic starch from other substances, other than potatoes and maize?

Dr. Kiario: Mr. Speaker, Sir, before we think of synthetics, let us first of all take care of our cassava.

Mr. urap Sol: Mr. Speaker, Sir, the Minister said that if there was enough or more potatoes around the area, a way would be found to export it. Is he aware that there are too many potatoes in the area that most of them are going bad, and even though we are sending them here to Nairobi, the price is too low?

Dr. Kiario: Mr. Speaker, Sir, I was not aware of that very unfortunate situation which I am sure the hon. Member and all others in this House would try to correct.

Mr. Mate: Mr. Speaker, Sir, since the Minister says that cassava would be a better prospect for starch production, what area has the Minister in mind for encouraging this kind of thing, a factory—

The Speaker (Mr. Slade): We are getting rather away from the question now.

Mr. urap Biy: Mr. Speaker, Sir, would the Minister consider controlling the potato price so that those people who produce potatoes could do it successfully?

The Speaker (Mr. Slade): That is another question.

#### Question No. 11

##### ROAD CONSTRUCTION IN LAIKIPIA

Mr. G. G. Kariuki asked the Minister for Works, Communications and Power if he would tell the House whether he was prepared to send his experts to Laikipia to examine the possibilities of constructing a road between Ol Arabel through Ngerecha and Baringo Districts.

The Assistant Minister for Works, Communications and Power (Mr. Bomett): Mr. Speaker, Sir, I beg to reply. Any future road from Ol Arabel to the Baringo District will presumably be a Minor Road, at least in the first instance, and as such would be the responsibility of the local authorities in whose areas it falls to construct and maintain.

I therefore suggest you contact the County Councils of Central Rift and Laikipia giving some indication of the alignment you have in mind, the purpose the road will serve and the type of traffic and numbers of vehicles you envisage may use the road if it is constructed.

Mr. ole Tips: Mr. Speaker, Sir, arising from the Assistant Minister's reply, could we know from the Assistant Minister in view of the fact that the county councils he referred to are financially bankrupt and in view of the necessity to open up new roads and roads of access for development of the remotest parts, what subsidy, if any, this Government is prepared to give in order to alleviate the difficulties in communications?

Mr. Bomett: Mr. Speaker, Sir, that is a very good question, and the county councils, some of them, of course, have no money to construct roads, but if the roads, for example, the one which has been mentioned by the hon. Member deserve a status of secondary road, then this matter would be taken to the Provincial Engineer, Nakuru, who would then examine and if he finds

[Mr. Bomett]

that there is need for a road which would be given status of a secondary road, then this request will come to the Central Road Authority which would consider it along with other requests, for roads in the whole of the country, and if it is found that there is an urgent need for that particular road, then my Ministry gives funds for the construction.

Mr. Tanni: Mr. Speaker, Sir, arising from the Assistant Minister's reply, and in view of the fact that the Assistant Minister speaks of the county council as far as roads are concerned, and in view of the fact that this road is very important, because it leads to a very remote area, namely the East Pokot, can the Assistant Minister tell us what steps he is taking to make sure that this road is opened soon to enable maize transportation from Thomson's Falls to these people who are badly hunger-stricken?

Mr. G. Godana: Mr. Speaker, Sir, on a point of order, the hon. Member referred to the Assistant Minister as having said, he was speaking on behalf of county councils. I believe the Assistant Minister is speaking on behalf of the Ministry of Works, but not the county councils. That is not relevant to this question.

The Speaker (Mr. Slade): It is quite correct, of course, that Ministers speak in this House on behalf of their Ministry and the Government as a whole, but they are also expected to tell this House what other authorities are doing, and I think it is rather a fine distinction that we should not worry about too much, when it is suggested that they are speaking on behalf of the local authority. When they are explaining the activities of a local authority, it is very nearly the same thing.

Mr. Bomett: Mr. Speaker, on that particular point, I am very much in sympathy and I would be the first one to request that this road be built, because on the other hand it helps people in settled areas who have a surplus of food to market it easily. I know for sure that there are thousands of roads that require construction, in this country, but we cannot give this priority just by taking it aside. It has to come through the Engineer, Rift Valley, and to the Central Road Authority, as I said before, who will then decide whether it will get priority, and if so, it will get funds.

Mr. Mbohoh: Mr. Speaker, Sir, according to a reply by the Assistant Minister to one Member's previous question, he explained to the hon. Members what steps are taken to go to the

Provincial Engineer and all those channels. Does the Assistant Minister then agree that those steps should be taken by his Ministry since he knows the problem right now which should go to the Provincial Engineer, and then to present the opinion of the people and send them engineers to go and survey that road?

Mr. Bomett: Mr. Speaker, Sir, is the hon. Member seriously trying to suggest that the Members should not contribute to the development of this country?

#### Question No. 12

##### EXPANSION OF RURAL BUS SERVICES

Mr. Murni asked the Minister for Works, Communications and Power to tell the House what steps he was prepared to take to help the expansion and maintenance of rural bus services.

The Assistant Minister for Works, Communications and Power (Mr. Bomett): Mr. Speaker, Sir, I beg to reply. As my Ministry does not manage or finance the purchase of any passenger buses, I cannot take any steps to assist in the actual provision, maintenance or experience of rural bus services. As the hon. Members are aware, my Ministry is only responsible for the licensing of passenger and goods vehicles throughout the country and all that my Ministry can do is to request the Transport Licensing Board to ensure by means of licensing that rural areas are adequately served with buses. It is, however, up to individuals or individual firms to apply to the Transport Licensing Board for passenger service vehicle licences.

Mr. Omar: Mr. Speaker, Sir, arising from that reply, is the Assistant Minister not aware that there were some Africans who made applications to get licences to operate bus services in rural areas and that they have been refused licences? And so what is he doing in order to get these licences for Africans to operate in such areas?

Mr. Bomett: Mr. Speaker, Sir, if any licences have been refused, they have only been refused on the grounds that the bus operators have to make a profit. If you have a fleet of buses on a given road and they then start cutting their own throats, this is not in the interests of the economy of this country.

Mr. Rumban: Mr. Speaker, Sir, will the Assistant Minister tell the House whether his Ministry has any provision for loans which they could give to any person or people who want to start to operate a bus service in the rural areas?

Mr. Bomett: That is not my Ministry.

[Mr. Saglaj]

he did what the hon. Member wanted, but I have admitted there was a misunderstanding because the district commissioner was trying to do a good job to get taxes in order to run the county council.

Mr. Kagga: Arising from the Minister's reply, Mr. Speaker, when he admitted that there was a misunderstanding, and in view of the fact that so many people have been refused treatment, does not the Minister agree with me that this treatment has made the Government's offer of free medical service meaningless in that period?

Mr. Saglaj: I do not want to answer this one, Mr. Speaker, it is a highly controversial issue.

The Speaker (Mr. Slade): We will go on now.

Mr. Shikuku: On a point of order, Mr. Speaker, is the Minister walking out in protest, or what?

The Speaker (Mr. Slade): It is not a point of order to know the reason why an hon. Member leaves.

#### Question No. 5

##### THE LANDLORD AND TENANT ACT, 1965

Mr. Kagga asked the Minister for Commerce and Industry whether he would tell the House why the date of commencement of the Landlord and Tenant (Shops, Hotels and Catering Establishments) Act of 1965 had not yet been announced as promised by the Minister.

The Minister for Commerce and Industry (Dr. Kiario): Mr. Speaker, Sir, I beg to reply. I think this Question is a bit too late. The Tribunal was appointed on 1st October 1965, as promised by me to this House. As Kenya Gazette Notice No. 3882 of 26th October 1965 has already announced, application of the Act in the Nairobi Area started on 1st November 1965. Announcement for making the Act effective in many other areas of Kenya will be made subsequently when all the necessary arrangements, such as rent books, are completed.

Mr. Kagga: Mr. Speaker, Sir, while accepting the Minister's answer, and in view of the fact that this Bill was passed so many months ago, and during which time some tenants had been evicted from their premises, will the Minister tell the House what protection these people had during this time?

Dr. Kiario: Mr. Speaker, Sir, I do not know what the hon. Member has in mind, because the law is effective as soon as it has been approved by both Houses of the National Assembly.

Mr. Kagga: Mr. Speaker, Sir, I think it has been more than seven months since this Bill was passed here, and that is why I want to know from the Minister whether he has any machinery for protecting those tenants who might have been evicted during the time before the effect of the Bill.

Dr. Kiario: Mr. Speaker, Sir, I am sure the hon. Member was just guessing when he used the figure seven, because it is not seven months since both the Lower House and the Upper House approved this Bill and, furthermore, Sir, much as I would agree with the sentiments of the hon. Member, we cannot prosecute people for actions they did prior to the passage of an Act of this House.

Mr. Balala: Mr. Speaker, Sir, in view of the fact that the application of this Act does not cover Mombasa or places other than Nairobi at this time, what will the Minister do to those landlords who at this time, after the passing of the Act, did issue notices to tenants to quit their places or who asked for increases of rent?

Dr. Kiario: Mr. Speaker, Sir, I will have made the law effective in all urban areas within a very short time. Meanwhile, if the hon. Member will see me tomorrow, I will see what partial application I can make to protect the tenants in Mombasa.

Mr. Ekitella: On a point of order, Mr. Speaker, is it right for the Minister to abuse the hon. Members, could I have your ruling on this?

The Speaker (Mr. Slade): I do not quite understand what I am expected to rule on. I think we had better go on.

Mr. Anyien: On a point of order, Mr. Speaker, we have not had your ruling on this.

The Speaker (Mr. Slade): If I could understand what there was to be ruled on, but I could not find anything to be ruled on from what Mr. Ekitella said.

Mr. Anyien: Mr. Speaker, the hon. Minister referred to a Member as being an "ordinary Member", and the hon. Ekitella was raising the point as to whether the hon. Minister meant hon. Member, and whether he deliberately mispronounced it and it sounded as if it was "ordinary" Member.

The Speaker (Mr. Slade): I think hon. Members were just mishearing the Minister, I did not hear this word used.

Mr. Khalif: Mr. Speaker, Sir, arising from one of the Minister's replies when he said that as soon as a law is passed by the Lower House and the Senate, is the Minister aware that a Bill does

[Mr. Khalif]

not become law—even if it is passed by the Lower House and the Senate—until it is signed by the President, and if he is aware of this, would he tell the Chamber whether this Bill did not become law, notwithstanding the fact that it was passed by the Lower House and the Senate, because perhaps there was a delay in the signing by the President?

Dr. Kiario: Mr. Speaker, Sir, I hope the hon. Member is not trying to say that I should not apply the law now. The law is already legal.

#### Question No. 14

##### PAYMENT TO INDIVIDUALS BY COMPANIES

Mr. Murrill asked the Minister for Commerce and Industry whether he would take steps to provide that companies should make public all payments made to individuals in the companies' employ and to its directors; such statements should include any special arrangements entered into by the company with each such individual.

The Minister for Commerce and Industry (Dr. Kiario): Mr. Speaker, Sir, I beg to reply:—

All companies are required to submit balance sheets and profit and loss accounts to the registrar of companies and from these returns any interested person can obtain consolidated figures showing the company's expenditure on directors' fees, directors' commission, wages and salaries paid to all employed staff and the total amount used to cover travel, subsistence, entertainment, and other general expenses. It is considered that the provisions of Part I and Part II of the 6th Schedule to the Companies Act, which makes disclosure of such information mandatory, is sufficient to enable a close watch to be kept on the operations of all private and public companies in Kenya.

Mr. Muliro: Mr. Speaker, Sir, would the Minister make arrangements with the companies to send that information to Members of Parliament?

Dr. Kiario: Mr. Speaker, I do not think that is necessary. If any hon. Member is interested—

Mr. Anyien: On a point of order, Mr. Speaker, just a minute ago this Minister did refer to hon. Members as "ordinary" Members. Is he supposed to use "ordinary" Members? He is supposed to say hon. Members.

The Speaker (Mr. Slade): It did not sound to me on that occasion as if the hon. Member said "ordinary" Members. I am sure it is a slip of the tongue, you meant to say hon. Members, I take it, Dr. Kiario?

Dr. Kiario: I have been saying "hon. Member" all the time, Sir.

The Speaker (Mr. Slade): It sounded very like "ordinary" Members, so one cannot complain of the point of order; but it is all clear now. Mr. Muliro: On a point of order, Mr. Speaker, is the hon. Member in order to call the hon. Minister "this Minister"?

The Speaker (Mr. Slade): There is no harm in that extra courtesy of referring to a Minister as an hon. Minister, but the "honourable" is taken for granted actually, and you do not have to refer to Ministers with the prefix of honourable.

Mr. Muliro: I think the Minister had not finished answering, Sir.

The Speaker (Mr. Slade): Had you not finished your answer, Dr. Kiario? Please continue.

Dr. Kiario: I had not finished what I said, and if hon. Members did not hear the way I said it, I had no intention at all of considering them "ordinary", since we are all ordinary in this House.

Mr. Speaker, I had said hon. Member and if my pronunciation is not the same as a Kisii speaking the English language, that is not my fault.

What I did want to say, however, was that it is not necessary to make it mandatory for the companies to supply all this information, since the law requires that this information be made public to the interested parties.

#### Question No. 21

##### POTATO FACTORY FOR BOMET

Mr. arap Soi asked the Minister for Commerce and Industry:

(a) whether he was aware that the people of Bomet District grew enough potatoes every year to warrant a starch or other suitable factory; and

(b) if he could tell the House how many bags of potatoes Bachual Popatal bought from farmers in 1964 and this year to date.

The Minister for Commerce and Industry (Dr. Kiario): Mr. Speaker, Sir, I beg to reply:—

(a) The manufacture of starch in Kenya is a subject on which a great deal of investigation has been carried out. Although it is a fact that potatoes contain starch, the actual starch content is lower than that of cassava. Furthermore, potatoes are a useful food crop and normally

Mr. Malinda: On a point of order, Mr. Speaker, I do not know what measure there is for one to take when his name is misspelt in a lot of these notices. My middle name has been misspelt from about six months after we were elected.

The Speaker (Mr. Slade): Have you informed the Clerk?

Mr. Malinda: I have, Sir.

The Speaker (Mr. Slade): Well, you should continue to do so until he gets it right, and then tell me if he does not next time.

#### COMMUNICATIONS FROM THE CHAIR

##### SENATE AGREEMENT TO BILLS

The Speaker (Mr. Slade): I have to inform hon. Members that I have received the following messages from the Senate, that they have agreed to the following Bills without amendment:—

The National Social Security Fund Bill on Tuesday, 26th October 1965.

The Kenya Red Cross Society Bill and the Unit Trusts Bill on Wednesday, 27th October 1965.

The Widows' and Children's Pensions Bill and the Public Archives Bill on Thursday, 28th October 1965.

##### DAMAGE TO BENCH PANELS: APPLAUSE

I have also an informal Communication to make to hon. Members, in the light of certain damage to the benches which occurred yesterday. I have noted, and hon. Members have remarked today, that some of the panels, from the enthusiasms of hon. Members, were stoved in, whereas in the other Chamber our seats stood up for twelve years to this form of applause. We shall have to do something about strengthening the benches.

I certainly have no intention of suggesting to hon. Members that we should abandon this traditional form of applause, but until we have strengthened the benches, I would ask hon. Members to be gentle with them. I think you will find that if you aim your heels at the very bottom, instead of at the panels, even these seats will stand up to it.

##### PAPER LAID

The following Paper was laid on the Table:—

Kenya Education Commission Report, Part II.  
(By the Assistant Minister for Education (Mr. Mutiso) on behalf of the Minister for Education (Mr. Koinange))

#### NOTICES OF MOTIONS

The Vice-President (Mr. Odinga): Mr. Speaker, Sir, I beg to give notices of the following Motions:—

##### APPOINTMENT OF THE SESSIONAL COMMITTEE

THAT this House Nominates the following Members to be Members of the Sessional Committee for this Session:—

The Vice-President (Chairman).

The Assistant Minister, President's Office (Vice-Chairman).

The Minister for Economic Planning and Development.

The Minister for Internal Security and Defence.

The Minister for Co-operatives and Marketing.

The Minister for Information, Broadcasting and Tourism.

The hon. F. R. S. de Souza (Deputy Speaker).

The hon. S. M. Amin.

The hon. Makokha.

The Hon. W. M. K. Malu.

The hon. F. M. G. Mati.

The hon. Masinde Muliro.

The hon. R. G. Ngala.

The hon. T. Okelo-Odongo.

The hon. J. K. ole Tipsis.

##### THANKS FOR THE PRESIDENTIAL ADDRESS

THAT the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on the 2nd November 1965.

The Speaker (Mr. Slade): With reference to that notice of Motion and today's Order Paper on which the Motion appears for debate today, I think it is the intention of the Vice-President to move that the House do adjourn before embarking on that debate, so as to give himself and other hon. Members until tomorrow to prepare for it. That being so, it is just as well that hon. Members should be informed of that immediately.

##### AMENDMENT TO THE LAND REGISTRATION (SPECIAL AREAS) ACT

Mr. Kaman: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT, in view of the fact that during the period dealing with the Emergency years up to 1960, when many people were in detention and

[Mr. Kaman]

prisons, land consolidation was carried out in their absence and their lands were misappropriated, this House urges the Government to amend the Land Registration (Special Areas) Act (No. 283) so as to enable these people to put their cases properly in order to regain their land, or to be compensated by Government for the loss of their land.

#### POINT OF ORDER

##### COPIES OF THE PRESIDENTIAL ADDRESS

Mr. Gatuguta: On a point of order, Mr. Speaker, with regard to the President's speech, most hon. Members do not have copies of this speech as originally given in the House. Therefore, I am wondering whether arrangements could be made for hon. Members to have copies of this speech in order that they can study it and debate it.

The Speaker (Mr. Slade): Yes, I had hoped that hon. Members were already in possession of copies of this speech. If not, we shall arrange for this at the earliest possible moment.

We will not move to the next Order. It is Questions, I think.

#### POINT OF ORDER

answering Questions in Member's absence

The Assistant Minister for External Affairs (Mr. Matano): On a point of order, Mr. Speaker, if we are dealing with Questions now, may I ask whether we have to answer Questions put by Members who are absent?

The Speaker (Mr. Slade): Yes, we are dealing with Questions now. Questions have been called. We come back at the end to Questions to be asked on behalf of hon. Members who are not here; but first we deal with hon. Members who are here.

#### ORAL ANSWERS TO QUESTIONS

##### Question No. 4

##### PATIENTS AT LOCAL GOVERNMENT HOSPITALS IN MURANGA

Mr. Kagga asked the Minister for Health and Housing if he was aware that patients attending Local Government Hospitals and Clinics in Muranga County were required to produce Personal Tax receipts before receiving any treatment.

The Minister for Local Government (Mr. Sagini): Mr. Speaker, Sir, I beg to reply. This Question has been referred to me by the Minister for Health and Housing and the answer is that there was a misunderstanding of a direction

given by the district commissioner. The matter has now been put right and patients attending Local Government Health Centres and Clinics are no longer required to produce Graduated Personal Tax receipts before treatment.

Mr. Kagga: Mr. Speaker, Sir, I am glad to hear the answer of the Minister, but in view of the fact that many people who are sick have been inconvenienced by this treatment, what is the Minister doing to see that those who misinterpreted his instructions are punished?

Mr. Sagini: Mr. Speaker, I am not prepared to go into that.

Mr. Shikuku: Arising from the Minister's reply, Sir, that he cannot do anything about it, is he aware that, in view of the fact that he has agreed that there was a misunderstanding, it is high time that these people were punished or something done about them, so that they will read their instructions from the Ministry properly in future?

Mr. Sagini: Mr. Speaker, I have given the answer. Even if this is to be done, it must be found out who have been badly hurt or who have died, and it is not a question of punishment; it is a long subject.

Mr. Kibuga: Mr. Speaker, Sir, arising from one of the answers by the Minister, in view of the fact that most of the patients still have the impression that they cannot be treated without producing their tax receipts, could the Minister tell us what he is going to do to publish the reply?

Mr. Sagini: Mr. Speaker, the question came from an area that is pretty sophisticated, and I am sure the Members of Parliament will talk to their people about it.

Mr. Gichoya: Mr. Speaker, arising from one of the Minister's replies, that a mistake was really noticed by the Government and he is not prepared to make those who made that mistake feel that they did make a mistake, what solution do we have so as to make the civil servants interpret the policy of the Government correctly?

Mr. Sagini: Mr. Speaker, Sir, actually, the District Commissioner was doing this in good faith. When the county council members were to collect the tax, a lot of county councils went bankrupt, as the hon. Member knows. Later on, we asked the Provincial Administration to do it and you know that the other day the President, just like something from the blue, said, "You will have this." He did announce it very quickly and



**Mr. Shikuku:** On a point of order, Mr. Speaker, is it according to Parliamentary procedure that there must be a distinction between the Ministers, Assistant Ministers and—above all—between the Ministers, one being senior to the other in the House? Why could we not have it done in the way in which we used to do it, where we had the Ministers in the Front Bench, or is it better for this House to decide what should be done, rather than having somebody tell us what to do in this Chamber?

**The Speaker (Mr. Slade):** We have always regarded Government as being in possession of the front row, even though there are sometimes some intruders to be observed; and that being so, I think it is quite open to Government to decide in what order they would like to sit among themselves in that row. It will be much more convenient, I think, for everybody to know where to look for any Minister at any given time, to see whether he is here or not here, and if they want to address a question to him, where to look to address that question. I think it quite in order.

#### POINT OF ORDER

##### SENIORITY OF MINISTERS AND SEATING ON THE FRONT BENCH

**Mr. Gatuguta:** On a point of order, Mr. Speaker, Sir, could you tell us who are the senior Ministers and senior Assistant Ministers, and so on? Members are not quite clear, and also I am not quite clear, who are the Senior Ministers in the Kenya Government and what the criteria are.

**The Speaker (Mr. Slade):** There is, I understand it, an order of precedence among Ministers; in fact, the order in which you find their names given on the list of Ministers and other Members of this House which we all have. I understand we are desired, by Government, to go by that list in the allocation of seats.

**Mr. Kamau:** Mr. Speaker, Sir, on a point of order, I think it is not the intention of the Members to create an impression that the hon. Members are against all the Ministers or Junior Ministers, but the reason why you see Members asking you this, Mr. Speaker, Sir, is that in a country like this, we call it African Socialism system, where we come to have distinctions in this House, class will come, clan will come, tribe will come and probably later on, Mr. Speaker, Sir, we will be confused, because we will also demand that we, hon. Members of the Back-benchers should be classified with our seniority in this House.

Therefore, Mr. Speaker, Sir, we should know the position clearly.

**The Speaker (Mr. Slade):** I think this is more a matter for debate than for Order, but the fact is this; that we have at present established by Government a certain order of seniority among the Ministers, and, of course, we have distinctions, for instance, between the Ministers and Assistant Ministers, and no one can escape that, nor has it been ever escaped in any country, I think, that for purposes of office, one is regarded as ranking, even if ever so slightly, above the other. I do not think you will ever get away from it. Whether you would like to get away from it or not, that is the position today, and I cannot alter it as a matter of Order.

**Mr. Mbogoh:** On a point of order, Mr. Speaker, Sir, when we were in the other Chamber, you ruled that anybody could sit anywhere, as long as those people who were sitting next to him were not offended and now having monopolized this line for all the time in the other Chamber, then we feel that when the Government wants Ministers to come to sit on his side, we are offended, how can we go against that Government decision?

**The Speaker (Mr. Slade):** I do not think you can. I think we have to accept certain conventions of the House, and one has been that, as I said, Government are in possession of the Front Bench. When we have had parties, that has meant that the Front Bench on the right, but when we have no parties it must mean the Front Bench all round. In fact, if you look carefully and count, you will find that the total number of Ministers and Assistant Ministers combined will take up the whole of both benches and those seats at the end in the front row. If one wanted to give Ministers and Assistant Ministers priority and then allow Back-benchers to use the remaining seats, there would be no remaining seats in the Front Bench. I think hon. Members must accept a little discipline in matters of this kind.

**Mr. Gichoya:** On a point of order, Mr. Speaker, according to the Constitution, the Parliament has supreme power. But we now have a confused situation whereby a decision taken by the Government is being disputed by the Parliament—

**The Speaker (Mr. Slade):** No, no, Mr. Gichoya. We will not go on with this one. We are not going to turn this into a debate, I am afraid.

**Mr. Ochwada:** Mr. Speaker, Sir, with due respect to the architect and the other contractors responsible for this Chamber, you will, I think, have noticed that, after yesterday's meeting, a number of panels under the seats were broken. Could we be directed as to how we can express our great gratitude for a statement or a speech by a Member in this House?

**The Speaker (Mr. Slade):** I had intended to deal with that very point by a Communication from the Chair after the Administration of Oath, and I think that is the right time to deal with it. According to our ordinary practice, the Administration of Oath precedes any other business, so I think we ought to proceed with that now.

#### ADMINISTRATION OF OATH

The Oath of Allegiance was administered to the following Members:—

Ajuma Oginga Odinga.  
Bruce McKenzie.  
Mbiyu Peter Koinange.  
Joseph Daniel Otieno.  
Lawrence George Sagini.  
Julius Gikonyo Kiano.  
Ramogi Achieng-Oneko.  
Samwel Onyango Ayodo.  
Osman Mohamed Abdirahman.  
Sayid Mohamed Amin.  
Peter Andrew Areman.  
Zephaniah Mogunde Anyieni.  
Mark Barasa.  
Alexander Kiplangat arap Biji.  
Adam Wako Bonaya.  
Simeon Kiptun Choge.  
Fitzval Remedios Santana De Souza.  
Alexander Harry Dingiria.  
Abraham Lucky Gaciata.  
Joseph Kararaha Gatuguta.  
Kamau Njiru Gichoya.  
Galgallo Godana.  
Stanley Imbanga Godia.  
Mohamad Jubat.  
Bildad Magano Kaggia.  
John David Kali.  
Wairo Kamau.  
Godfrey Githai Kariuki.  
Alfred Kiprato arap Kerich.  
George Henry Kerre.  
Abdi Sirad Khalif.  
Edward Kari Khasakhala.  
David Itumo Kiamba.  
James Njagi Kibuga.  
Samuel Omweri Kibwage.  
Simeon Musau Kioko.  
Christopher Kiprotich.  
Jacob Pkerie Lorema.  
Benjamin Chacha Maisori-Iumbo.  
Christopher Crowther Makokha.  
Ombose Makone.  
William Mbolu Kiteki Malu.  
Robert Stanley Matano.  
Bernard Mate.  
Frederick Mbiti Gideon Mati.  
Gerichon John Mbogoh.

Jonathan Muruli.  
Gideon Munyao Mutiso.  
Thomas Musyoka Mwalwa.  
Kassim Bakayi Mwangandi.  
Julius Japhet Mwatsama.  
Julius Kyengo Ndiile.  
James Njeru.  
Clement Beyder Ngala-Abok.  
Joseph Oseru Nyaberi.  
Philip Nyaga.  
Jeremiah Joseph Mwaniki Nyagah.  
Ahmed Abdi Ogle.  
John Henry Okwanyo.  
Sammie Tsolwambi Omar.  
Harry James Onamu.  
Thomas Okelo-Odongo.  
Anantprasad Jagannath Pandya.  
Paul Letano Rurumban.  
Marie John Seroney.  
Joseph Martin Shikuku.  
Alfred Kimunyi arap Soi.  
Job Kibichii Kibet arap Tanui.  
Dawson Mwanyumba.  
Joseph Kiboi Theuri.  
Justus Kangdet ole Tipis.  
Vincent Komen arap Too.  
Francis Bobi Tuva.  
Frederick Lawrence Munya Waiyaki.  
Anderson Kangeri Wamuthenya.  
Henry Clement Warithi.  
Joseph Odero-Jowi.  
Salim Mohamed Balala.  
Eric Kibet Koras Bomet.  
Willie Kipto arap Chirchir.  
Mohamed Jahazi.  
Joseph Gijo Komora.  
George Kanoronyang Ekitella.  
Jan Mohamed.  
Thomas Nzioko Malinda.  
Arthur Aggrey Ochwada.  
Daniel Naibei Chepnei Moss.  
Shem Kipng'ok arap Koech Sadalla.  
Marcelli Charles Maati ole Tialal.  
William Chorop Murgor.  
Eliud Ngala Mwendwa.

**(His Excellency the President)** is to be enlarged even further. We shall continue to encourage horticultural production to serve overseas luxury markets.

But I wish to emphasize one thing to the House and the country: Everything that is marketable is in effect a cash crop. Farmers can grow such varied products as bananas, wheat, chillies, coconuts, tobacco, castor seed, groundnuts, onions, potatoes, tomatoes, millet. All these products are valuable and saleable. They all add to our total supply of national wealth.

Apart from crops, we shall continue as well to expand and diversify our livestock industries. We need high-quality cattle for milk and dairy produce, and for beef, built from stock improvement schemes assisted by expanding A.I. services. We aim at a great increase in sheep production for meat and wool. And there is a great scope for controlled expansion of our pig and poultry enterprises. Our home economics extension programme is now served by a network of instructors and field workers throughout the country. Their task is to show the people how best to exploit the results of harder work. They will also show how to improve family diets through such products as vegetables, milk and poultry. And I cannot urge more strongly the importance of keeping back enough of the produce of the farm to improve the living standards of the family.

The Government's settlement programme will continue next year. More and more emphasis will be placed on agricultural development, to build up the ordered flow of high-quality produce from all these schemes.

There continues to be in Kenya an ever-growing demand for land consolidation. This is widely regarded as the fundamental basis of modern agricultural development. I shall tell hon. Members now that the Government has

set a target period to complete this work, in regard of land considered suitable for registration.

It will be of the greatest importance to pursue all pending developments in the context of a proper land-use policy. The Government has a fundamental duty to conserve our natural resources in land and water reserves and protective vegetation, so as to ensure that a rapidly growing population in our country can do more than just survive. Our children will expect as a heritage far more from us than the heritage with which we began. And we have a further duty, in our economic planning, to adjust where necessary all inherited ideas, and so bring into use scientifically and fruitfully all the resources and capacities of Africa.

Speakers and hon. Members. I commend the programme of my Government to the National Assembly and to the country. Much will now depend on the vitality and character of our people, in whom I have much faith. Let us all now devote ourselves to our tasks and to our challenges, in the spirit of *Harambee*.

#### ADJOURNMENT OF THE SENATE

**The Speaker of the Senate (Mr. Chokwe):** It is now His Excellency's pleasure to take his leave. The Senate is adjourned until Tuesday, 9th November, at 2.30 p.m.

#### ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

**The Speaker of the House of Representatives (Mr. Slade):** The House of Representatives is now adjourned until tomorrow, Wednesday, 3rd November, at 2.30 p.m.

*(His Excellency the President in procession left the Chamber)*

*The National Assembly rose at Twelve noon.*

**Wednesday, 3rd November 1965**

The House met at thirty minutes past Two o'clock.

*(The Speaker (Mr. Slade) in the Chair)*

#### PRAYERS

#### COMMUNICATION FROM THE CHAIR

##### ADMINISTRATION OF OATH

**The Speaker (Mr. Slade):** Before we administer the Oath, I would explain to hon. Members that this is the result of a question which Mr. Anyieni asked just at the end of the last session, and which at that time neither the Vice-President nor I were able to answer.

On investigation it has been discovered that, indeed, there are many Members of this House, including myself, who have never taken any Oath of Allegiance other than an Oath of Allegiance to Her Majesty, the Queen of the United Kingdom. Although, apparently, that was constitutionally sound even after we became a Republic, it is obviously inappropriate, and it is most desirable that all hon. Members should take an Oath of Allegiance to the President and the Republic. Some of us, in fact all Ministers and Assistant Ministers, have already taken the Oath and other Members who became Members for the first time after Kenya became a Republic, took the right Oath. So it is for the rest of us to take this Oath, and it is my intention that every day, until we have worked through all hon. Members, we shall have the Administration of Oath for those who have not yet taken it.

As it may be rather a long procedure, contrary to usual practice, I suggest that hon. Members should sit while others take the Oath, and we will relieve strangers from the obligation of standing during this ceremony. I think I am the only Member who will have to stand throughout.

The Clerk has now pointed out to me, that although Ministers and Assistant Ministers have taken an Oath of Allegiance to the Republic, the wording of the Oath has since, by very recent order, been changed slightly to include the President, as well as the Republic; and so I think it would be appropriate if Ministers and Assistant Ministers should also take the Oath of Allegiance in its present form.

#### POINT OF ORDER

##### BOWING TO THE CHAIR

**The Minister for Agriculture and Animal Husbandry (Mr. Mackenzie):** On a point of order, Mr. Speaker, Sir, I wonder if you could explain

to us where it is necessary to bow, because now we have a new system of chairs facing the other way and I notice some hon. Members bow as they open the door, some half way down, some here, and some, I notice, do not even bow.

**The Speaker (Mr. Slade):** Yes, it was something that I noticed only about three days ago, that the architect had overlooked the line on the floor which marks the bar. It is, of course, at the bar that hon. Members should bow and there will soon be drawn on the floor a line to guide their feet, but they can see—if they look carefully—where the bar begins, and that is the point at which hon. Members should bow.

#### ADMINISTRATION OF OATH

The Oath of Allegiance was administered to:—

Humphrey Slade (Speaker of the House of Representatives).

#### POINT OF ORDER

##### SEATING IN THE CHAMBER

**The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko):** On a point of order, Mr. Speaker, it is proper for you at this stage to explain the sitting arrangements, because we would like to avoid the confusion which we had in the small Chamber?

**The Speaker (Mr. Slade):** Yes, I think it is a very good thing that Mr. Onoko should ask this today.

I did refer to the Vice-President for the opinion of the Cabinet as to where Ministers and Assistant Ministers should sit in this new Chamber, in view of the fact that we have now gone away from the disposition of a House that represents two parties. I have been advised by the Vice-President that the Cabinet and the President would like Ministers to sit on either side, and Assistant Ministers further down. Ministers up this end, Assistant Ministers down in the front row to occupy eventually the seats that run across; and, I understand further, that the most senior Ministers are to sit on the right here, the less senior Ministers on the left. That would also apply to Assistant Ministers. In order to avoid any difficulty, we shall as soon as possible, I think tomorrow, mark the names of the Ministers and Assistant Ministers on their respective seats.

I did also raise the question through the Parliamentary Group as to whether other hon. Members would like to have their seats fixed, instead of moving around the Chamber, and I have received the answer that I hear now; no.



**[His Excellency the President]**

million pounds over the next four years, on the development of lodges and of access roads. The new Tourist Development Corporation will participate in various projects, either alone or in association with local or overseas companies.

It is vital to our future economic strength and employment potential that we supplement agricultural effort now by every possible kind of commercial and industrial enterprise. To this end, the Government is preparing an industrial development plan for every province. I can reveal that, in the private sector, some twenty important industries are expected to begin production in the coming year, and expansion is planned in many others. The Development Finance Company is now investigating the part it can best play in the promotion of twenty-five new and major industries. The Industrial and Commercial Development Corporation, which has already approved industrial loans to the extent of more than fifty thousand pounds since July, will be concerned henceforth both with promotion and training. Apart from work at the Industrial Training Centre in Nakuru, the Government is preparing further schemes for educating African businessmen in technical and managerial skills. The National Trading Corporation has made useful progress, and will increasingly direct its operations towards the benefit of small African traders, even in remote rural areas. Reorganization of the scheme for traders' loans has almost been completed, and a number of newly-employed Trade Development Officers will be posted to the districts. It has been decided to establish five industrial estates during the period of the development programme, on which fully serviced plots and buildings may be taken up, enabling the less experienced man with relatively small capital resources to start some profitable enterprise. A necessary Bill will be submitted to re-introduce a form of traders' licensing, and arbitration machinery under the Landlord and Tenant Act will henceforth ensure that businessmen are not exploited by unscrupulous landlords.

Roads may be regarded as among the prime movers of industrial and commercial activity. Within the present development period, Kenya will have a full tarmac road between Nairobi and Mombasa. Other vital stretches brought to tarmac standard will be between Isesuru and Tororo, to complete the link with Uganda, and between Athi River and Namanga, to complete the link with Tanzania. Apart from these major trunk routes, the programme will include new tarmac roads in Western Kenya, and the improvement or reconstruction of many others. The Government

will pay particular attention to roads which serve tea development, expansion of the sugar industry, and tourism. It is also proposed to extend facilities at Nairobi Airport, and to expand Mombasa Airport for use by jet aircraft on international services.

Nothing is more important than that all Government policies should be executed by a loyal and effective civil service. The House and the country may be assured that my Government will continue to pursue Africanization of our whole administrative structure. But we cannot now move more rapidly than the supply of Africans with suitable qualifications and training will permit. The position today is that, out of a total of 51,000 civil servants, about 44,000 are Africans. We have allotted more than half a million pounds for the running of four training institutes and the provision of bursaries for in-service training. This is a symbol of our determination to proceed, but always on the basis of necessary standards and improved efficiency.

The security and welfare of all our people is uppermost in the mind of the Government. Ever since my speech in this House in February 1964, on the whole issue of Somali aggression and *Shita* unrest in Northern Kenya, we have pursued a policy based on defence of our rights and our territory, human tolerance and understanding, and belief that justice and patience would together bring about a return to normal conditions. But appeals are no longer enough. My Government can and will no longer tolerate a position whereby almost one-third of Kenya's land areas exists virtually under a state of siege. We can no longer permit the complete frustration of economic and social development in this huge area. My Government now requires and expects the co-operation of all the people of North-Eastern Province to bring about a full development of this area in a climate of peace. And if such co-operation is not forthcoming, then whatever measures are required to subdue or remove the remaining criminal elements will be initiated and enforced.

Honourable Members must clearly understand that further rapid Africanization of our economy can only spring from more domestic savings. And in our own independent Republic, everything we budget for must be paid for with our own money. In the period since Independence, the Government has effected a remarkable restoration of business and financial confidence. This year, we have been able to budget for the largest annual development expenditure in the history of Kenya. The Government has also succeeded in financing without subsidy an expanding recurrent budget. But climatic

**[His Excellency the President]**

conditions this year will reduce Government revenue and call for a strict control of expenditure. Any growth in recurrent budgetary expenditure henceforth will have to be related to the growth in the National Income.

The principal financial highway to future development must lie along the route of restraining consumption and increasing savings for investment. To step up the capacity for domestic savings, a number of provisions have been or will be introduced.

Following the announcement of the East African Currency break-up, Kenya instituted a sound and flexible system of exchange control, which has already played its part in the restoration of financial confidence. We have every confidence in our ability henceforth to maintain the stability of Kenya currency, to assist in the promotion of further development. As the House is aware, the three East African Governments have set up a working party to look into existing common market problems and recommend ways of strengthening East African co-operation.

Finally, I wish to turn again to a call that has sometimes quite suitably been described as "Back to the Land." Full development of the bounty of our land is the basic issue in Kenya today. We seek by this means not only to reduce urban unemployment, but to work the land as the springboard of national welfare. We understand our land. It is not like complicated machinery and it has always been our way of life.

All Government policies in this field are directed towards serving the individual farmer, by increasing his initiative and capacity. My Government will seek by every means to sustain and encourage the farming family. But honourable Members and the country should clearly understand that there must be determined response from the people.

The share of smallholders in Kenya's total agricultural production has been growing rapidly, and will continue to expand. The vigour and prosperity of small farmers must and will give agriculture in the Republic a whole new shape, with the African becoming dominant in the production, marketing and processing of output. But this policy must be matched by a constant effort to raise productivity. And quality production will always be of critical importance.

Members of this Parliament have a most important duty in the rural areas, to urge their people to follow the advice of technicians. Modern methods and techniques of husbandry,

and careful selection of equipment and materials, could treble productivity on small farms almost overnight. And it is particularly vital for younger people to realize that agriculture in Kenya is now a modern industry. We must all work together to capture their imagination, and to see that they are interested and trained.

The Government will be expanding the agrarian loans scheme, to give the hard-working small farmers access to better seed, improved stock, new implements and fertilizers, or to help with building *bomas* or dips. Already we are seeing the early fruits of a revolution in the use of fertilizers in many districts. Another major advance in the efficiency of agriculture will come through proposed large-scale mechanization schemes.

It was unfortunate that, when our preparations for self-sufficiency in staple foodstuffs were all but complete, the country was stricken by drought. This created immediate problems, and threw an ordered programme out of balance.

A crash programme for the planting of Gathano maize in suitable areas should result in the planting of 33,000 acres in the current short rains.

If professional advice is followed, we then expect to be self-sufficient in maize next year, and a review of maize prices has already started.

In the longer term, apart from improvements in cultivation techniques and higher yields through the use of fertilizers, our programme will be based on supplies of better and selected seed for maize production in three main areas. For commercial maize production west of the Rift, a high-yielding hybrid maize is now freely available. We shall be setting up a research station at Embu to produce improved seed for use in areas of customary shortage east of the Rift. And for the difficult and marginal areas, seed of Katumani maize is already being bulked.

My Government will promote further schemes to diversify the cash crop economy, to supplement tradition and still important foundations of coffee, sisal and pyrethrum. The tea acreage in Kenya will be doubled within the next five years. Major developments are pending in sugar production, and cotton is rapidly expanding to become a major crop. A new scheme will now justify the doubling of smallholder production of pineapples for an assured market. The passion fruit crop can now be expanded to six times its present level of output. The cashew nut crop is being successfully extended and developed at the Coast. The Mwea-Tebere rice irrigation scheme

## STATE OPENING OF NEW SESSION

*(His Excellency the President (Mr. Jomo Kenyatta) escorted by the Speakers and accompanied by the Maces of the Senate and of the House of Representatives returned to the Chamber at ten minutes past Eleven o'clock)*

*(His Excellency the President (Mr. Jomo Kenyatta) took the Chair)*

*(The Maces of the Senate and of the House of Representatives were placed on the Table)*

## PRESIDENTIAL ADDRESS

**His Excellency the President (Mr. Kenyatta):** This is the first State Opening of Parliament since Kenya became a Republic. It is also the first sitting of the National Assembly in this new Chamber. Our business here, in accordance with the manifesto of our Party, is to fulfil the aspirations of our people. The Parliament of Kenya is elected by the people, as a law-making body to administer the affairs of the State. Today I address you as the Head of State. But our people have the right to elect a Parliament to serve them not only as a forum, or as a council of elders, but also as an executive instrument. We therefore believe that no part of the Republic's Government should be outside our Parliament. Our Constitution provides that all members of the Government, including the President in his capacity as Head of Government, should be Members of the Lower House.

The Republic is the people. So we feel it proper that the right of final sanction for all our country's laws should reside in the representatives of the people. Moreover, as hon. Members are aware, final control over the conduct of the Government is exercised by Parliament through the allocation of public funds. I mention such matters today because only a strong and fully representative Government could thrive in such a system. The Republic needs a strong Government. The whole process of nation-building rests upon the service and dedication of such a Government.

But it is equally true that the Government must be able to count on the maturity and vigour of our Parliament. The Members of Parliament do not simply have a narrow responsibility to their constituencies. They have an overriding duty to the State. Each Member is a link binding the Republic to the people. And in each direction there is an obligation both to guide and to lead.

It must be the purpose of this Parliament to wield supreme power in a truly national spirit. This means not only that each Member must understand the true meaning of each item in the Government's legislative programme. It means

also that each Member must understand the position of the Government, and strengthen the whole institution of Parliament in the eyes of the people.

I now wish to say just a word about the position of Kenya as a one-party State. The Government does not intend to submit legislation to Parliament on this matter.

In other independent States of Africa, there exist a number of other constitutional experiments or practices. We shall continue to watch these developments with brotherly interest and goodwill.

We can both learn and benefit from our own approaches to this matter, and our own achievements. Kenya has no need to copy some alien ideas. We have our own concept of *Ujamaa*, springing from our own culture here. Our whole constitutional structure is rooted in our African traditions. These give our people the right to select and to strengthen our council of elders, that is today called the Kenya Parliament. And by these traditions, national unity may endure as something we have fought for and won.

Our Party must always be the instrument of the people, guiding and guarding their interests. It must never come to be manipulated by a few. And while I need not elaborate the point today, the whole strength of our Party must be based on this argument.

At this point, I should outline to the House something of the Government's forward programme in the most important fields. I shall deal first with those social services which figure in our advance towards a Welfare State. Then we may come to the means of increasing our national wealth to support our welfare policies.

But I must remind hon. Members that our revised Development Plan is about to be published. This will contain all the Government's policies and projects, in the fullest detail. Today, therefore, I can touch only briefly each item.

My Government will be increasingly concerned with housing, as a basis of family welfare and self-respect. The provision of proper homes is now a most critical need. Apart from creating a new company to finance house purchase, and encouraging housing co-operatives, the Government will introduce legislation to set up a National Housing Authority. This new body will be empowered to lend money to local authorities for housing schemes, and also to build and administer its own housing estates.

The Government recognizes that the health of every citizen is of immediate importance, and that on the health of the nation will depend the outcome of our resolve for development. Further announcements can be expected on the abolition

**[His Excellency the President]**

of in-patient fees for all those admitted to general hospital wards, and our Development Plan will give details of new hospital construction. Legislation is shortly to be introduced for comprehensive hospital insurance schemes. My Government has now agreed to the establishment of a full undergraduate medical school in Nairobi in 1967, and medical students from Kampala are already attending the Kenyatta National Hospital for their fifth year of clinical teaching. New training schools for nurses are also to be built.

Education is perhaps the greatest single foundation of effective nation-building. Today, on the road to our African Socialism and true prosperity, we have well over a million pupils attending primary schools in Kenya, with a curriculum common to all. To stabilize this position, and with further expansion in mind, a commission will shortly examine matters relating to the whole primary education structure. Secondary education will be seen to have the highest priority in the amended Development Plan. The Government will keep progress in this field under constant review, and seize any opportunity of stepping up the intake of pupils. It has already been announced that there will henceforth be free secondary education for all pupils within Form V and Form VI. By 1970, we shall have more than 6,000 primary school teachers in training, and as from next year 200 prospective secondary school teachers will be enrolled annually for training. The Government has decided to recognize and improve trade schools, and we shall continue to expand and encourage all possible higher education opportunities for our people.

The enrolment of Kenya students in the East African University will increase by 50 per cent in the coming session, and today over 4,000 Kenya students are engaged on post-secondary studies in nearly twenty countries overseas. Parliament has been asked to approve the setting up of an Adult Education Board, and we shall be receiving further assistance from Unesco with our programme of adult literacy work.

One of the most heartening features of today is the still growing enthusiasm for self-help schemes. Construction of more than a hundred *Harambee* schools is but a single example, alongside water schemes, road development, and hospitals. But a problem for the Government is co-ordination of individual projects with the overall Development Plan. To meet this, seminars are now being held in every province, seeking to direct the enthusiasm of the people into schemes, which will best speed up development in every district or location. Community development staff

are now hard at work in twenty-six districts of the Republic, and further officers will be engaged. Under the national plan for community development, we propose also to set up multi-purpose training centres in every district.

By 1970, it is estimated that the co-operative sector of Kenya's economy will be responsible for up to 20 per cent of our gross national product. At present, the co-operative movement is concentrated on agricultural marketing, but the Government recognizes the need to enlarge the number and scope of co-operative enterprises. Societies at village level are now being consolidated into more soundly based organizations, and the first of a number of district co-operative unions has now been established at Nyeri. The Government has decided that provincial co-operative training will be undertaken at six farmers' training centres, in addition to the Central Co-operative College.

My Government is totally committed to serving the people, by increasing the initiative and improving the living standards of every family. Such an aim greatly depends on the effective operation of local government. In this regard we deplore a position in which people in many areas are blaming their local authorities for inefficiency, while the councils blame the local people for not paying taxes that are due. All this means in effect that thousands of families are unable to enjoy all the services they need. We shall therefore continue to examine the whole local government position, and see how present difficulties can best be met and put right.

The conservation and development of natural resources is a long-term process, having equal standing with all other developments and services as a key to Kenya's future. In the coming year, my Government will announce a new policy for a more effective programme of water development. We have recently noted a change of attitude by Kenya's people, who now increasingly support the Government's efforts to create and develop forest areas. The Government has allocated funds to expand and develop the fishing industry in three major lakes and at the Coast. We shall increase our efforts to educate our people in the importance of wildlife conservation and management. In parts of many districts, complete wildlife management projects may represent the highest form of land-use, and bring the maximum benefits in revenue, employment and trade.

Tourism is an industry which may rapidly help Kenya to diversify the whole economic pattern. We confidently estimate that by 1970 tourism will be employing more than sixty thousand people directly. We shall be spending nearly two

**[The Speaker of the House of Representatives]**

First, I would congratulate Your Excellency on the national pride and imaginative foresight that you and your Government have displayed in resolving, when extension of our Parliament Buildings became necessary, that there should be no false economy in the quality or scale of these new buildings, but that they should be of the utmost beauty and dignity and sufficiently spacious, not only to accommodate all Members and staff of the present National Assembly but also to allow for expansion as the years go by. That was a decision which posterity will applaud, perhaps even more than we applaud it today.

Next must be acknowledged the debt that we owe to Mr. Amvas Connell, the Architect of these new buildings. We have been more than fortunate that he, who shared in the design of the original buildings some twelve years ago, was with us still to design this further work. He is so well known both here and abroad that he needs no introduction, nor is it necessary for me to point out the originality, the beauty, the utility or the ingenuity of what he has given to us in these buildings. Only I would mention one hidden example of his ingenuity: this Chamber has elastic sides, walls under the boxes on either side which can be moved outwards by way of encasement on the Division Lobbies, if and whenever expansion of our House of Representatives requires more seats to be installed. For the rest, as was said of Sir Christopher Wren, "If you seek his monument, look around you."

Then there are the Quantity Surveyors—Messrs. Armstrong and Duncan—on whose accuracy of calculation much has depended. There is no spectacular task, nor did it allow any room for imagination; indeed, Quantity Surveyors who exercise their imagination, as opposed to hard calculation, are obviously to be avoided! But it still requires some imagination on our part to realize the full degree of their responsibility and the full scale of their achievement in accurate assessment of all the materials required for such a building as this.

Then we have to thank the Contractors, Messrs. Bansal Brothers for the skilful and conscientious manner in which they have executed this work. Their chief representative on the site, Mr. Mohan Singh, who was a fine figure of a man when this work started two years ago, has been seen to shrink day by day under the lash of the Architect, the Clerk of Works, and sometimes even a Speaker; but I hope that now the satisfaction of his achievement will restore him to his former stature.

There are many others to whose art or skill also this building owes much. I can only mention a few. Mrs. Margaret Connell, wife of the Architect, and Miss Ruth Yudelowitz together designed, and Messrs. I. R. N. Spillimbergo of Italy executed, under their supervision, the beautiful mosaics which adorn the approach to this Chamber; mosaics which were a special gift to the Kenya National Fund from H.H. the Aga Khan Shia Imami Ismailia Community of Kenya. Mr. Michael Croydton, of University College, designed and executed the sculpture of twelve giant figures, representing *Harambee*, on the Southern exterior of this Chamber, another special gift to the Kenya National Fund from the Shell Company of East Africa Limited. Mr. Gessengeleif is the structural engineer who has been responsible for the strength of this building, and on whom we depend for its longevity; one feature of particular interest being the curved suspension roof of this Chamber. Mrs. Connell has again designed and executed the sculptured Coat of Arms of Kenya above the main entrance to the lower. Miss Robin Anderson, well known for her paintings of this country, has painted the landscape of peace on the Eastern wall of the Chamber of Meditation, which Chamber, including that painting, was a special gift to the Kenya National Fund from the Estate of the late William Harold Edward Edgley of Nairobi. Mr. Peter Greensmith is in course of completing, with his usual skill and imagination, the gardens in and around these new buildings; which gardens represent yet another special gift to the Kenya National Fund from B.A.T. (Kenya) Ltd.

The artists, technicians and craftsmen who have made their contribution to these buildings, working either for Government Departments or the Contractors or Sub-Contractors, are many more than I can name, but we are deeply grateful to all of them. And, though there are no African names among those whom I have mentioned so far, I must emphasize that a very large part of the work on these buildings—skilled as well as unskilled—has, in fact, been accomplished by our own indigenous people; that is exemplified by these exquisite carving on the canopy above the Chair and around the door, which are the work of a Mkamba, Joseph Ndolo.

I must now record that the people of Kenya have voluntarily subscribed, through the Kenya National Fund, including the special gifts which I have already mentioned, no less than £100,000 towards the cost of these buildings: that is, more than a quarter of the total cost. People of all races, ages and walks of life, rich or poor, from

**[The Speaker of the House of Representatives]**

all parts of Kenya, have built up that magnificent contribution, to prove their patriotism, their national pride and their acceptance of the responsibilities—as well as the benefits—of independence. That, perhaps, will be recognized as the most significant, if not the greatest, contribution of all.

At the same time, I am requested by the Trustees of the Kenya National Fund to emphasize that this is not the end of the Fund. We still have another £100,000 to raise for Community Self-Help Schemes, and we look to the people of Kenya to achieve that target also. We are sure that we shall not look in vain.

Now, your Excellency, it remains only for me to say, on behalf of all honourable Members of both Houses of the National Assembly, how deeply grateful we are to Your Excellency and to the people of our country for having provided us with buildings of such splendour, dignity and comfort in which to discharge our duties. This is the strongest possible evidence of the importance which you and they attach to the institution of Parliament and of your confidence in that institution. Mr. Speaker of the Senate and I have received a cable of congratulations from the Chairman of the General Council of the Commonwealth Parliamentary Association, who recently visited Kenya and saw these buildings in course of construction. He says, "So magnificent a building should be encouragement to all Commonwealth Parliamentarians: Parliamentary Democracy will surely flourish in such a setting."

Your Excellency, it will be a sacred trust for us and for those who come after us, that Parliamentary Democracy shall, indeed, in such beautiful surroundings, achieve and maintain its consummate glory.

*(Prayers were then said by the following: Chief ole Sangale, the Vicar General of East Africa, the Very Reverend The Provost and the Head of the Muslim Faith)*

*(The Key to the New Front Door was then presented to the President by Mr. Amvas Connell and Mr. Doulat Singh)*

**His Excellency the President (Mr. Kenyatta):** Mr. Speakers, Honourable Members, Judges, Your Excellencies, Distinguished Guests, Ladies and Gentlemen, this is a great and significant occasion in the history of Kenya. The ceremony of handing over this key marks the completion of our principal national building and it is proper that the Parliament of our Republic should be the finest work undertaken in Kenya since achieving independence.

Our congratulations and thanks must go out to all who have contributed their labours to this magnificent building and, I take great pride in the national spirit which led so many people to contribute so generously towards the cost. A dignified building of this kind can exert a great influence on those who are privileged to use it. Many men throughout history have been inspired by their surroundings. It is my belief that Ministers and politicians, perhaps more than anyone else, need some degree of all this dignity and beauty to remind them of their duty and their place.

The people of the Republic can take pride now in the appearance of their national forum, but what is even more important is that the conduct of this Parliament must also be a source of pride. The Members have a high duty to perform; they must approach their task in a spirit of absolute loyalty to the State and must never allow their judgment to be clouded by emotion or sectional advantages. The Constituency Members, in particular, must remember at all times that Kenya is one nation and that policies or Bills are now directed to the good of all. This Parliament represents our Republic and the Republic is the people. We must here set examples of hard work and integrity, of constructive planning and debate, of usefulness and pursuit of Kenya nationalism. Only then can we be worthy of our calling.

The Members of a Parliament are in a position of trust. They need premises in which to discharge their responsibility honourably, and in reasonable comfort. All facilities that can ever be needed are now provided here. It is my hope and belief that this building will endure for many centuries as the seat of the Parliament of Kenya, increasing constantly its store of wisdom and its record of achievement.

I commend to all Honourable Members those assembled now, those to follow and those yet unborn—the words now carved above the entrance to this Chamber, directing Parliament towards the "welfare of society and the just government of men". In this spirit and with deep personal feeling, I now declare this new building open for transaction of the business of our land.

#### DEPARTURE OF HIS EXCELLENCY THE PRESIDENT

*(His Excellency the President (Mr. Jomo Kenyatta) escorted by the Speakers left the Chamber at eleven o'clock. Hon. Senators and Members remained in their places.)*

## CEREMONIAL OPENING OF EXTENSION TO PARLIAMENT BUILDINGS

Tuesday, 2nd November 1965

Members of the National Assembly met in the new Chamber of the House of Representatives at five minutes past Ten o'clock.

His Excellency the President (Mr. Jomo Kenyatta) in procession and preceded by the Judges of the High Court also in procession and followed by hon. Members of the National Assembly arrived in the Chamber.

His Excellency the President then took the Chair. The Speaker of the Senate (Mr. Chokwe) took the Chair on the President's right and the Speaker of the House of Representatives (Mr. Slade) took the Chair on the President's left.

The Speaker of the Senate (Mr. Chokwe): Your Excellency Mr. President, Mr. Speaker of the House of Representatives, My Lords Justices, Hon. Members of the National Assembly, Young Heads of State, Distinguished Guests, Ladies and Gentlemen, it gives me great pleasure to have the honour to welcome you to this memorable opening of our National Assembly building extensions.

It is not be out of place if I recall the days when our nationalists used to cram in a small room, in a small building called Kiburi House, down Grogan Road, under the chairmanship of His Excellency Mzee Jomo Kenyatta. This small place happened to be owned by Africans, may be the only building then owned by our people; the only place that we could find shelter to plan our future. Those were dark days indeed for we lived in constant fear.

Governing the people means that the Government must have an opportunity to assess the wishes of the governed; yet the denial of that opportunity of being consulted meant that the Government did govern without knowing what was good for its subjects.

When Parliamentary life was the preserve of the colonial rulers, they argued in world forums that the African was incapable of understanding what was good for himself. All these theories have been proved wrong many times. Today, after having taken over the reins of Government, our people have proved beyond all doubt that they are not only capable to match but they excel in all arts of Government, as can be seen today in this Chamber. The acceptance of office has been a great challenge to our people. They have accepted Parliamentary democracy

and, under the great leadership of our Mzee, it has been possible to welcome you all here to see what the African people are capable of achieving and giving a lead to others where necessary.

In the new Chamber, our legislators will comfortably deliberate the affairs of our country and the affairs of the world free from the fear of oppression.

Your Excellency, knowing very well that this is but a part of your great call of *Harambee*, now that the first phase of our struggle is over, the second phase—that is, the phase of nation-building needs the moral support of this National Assembly. The sacrifice being made by our people and the hard work that is demanded of them require peace and stability, sobriety emanating from our Chambers of the National Assembly should provide that peace and stability we are asking for.

The Clock Tower of our National Assembly can be seen in faraway places, making a path between two very important landmarks; the Tower which holds Big Ben of the Houses of Parliament in Westminster is being used as the next visible landmark between East Africa and Europe after leaving Nairobi, and one of the airlines is using this in its advertising posters as a mark of attraction.

We expect that the representatives of our people will not relax in trying to improve our lot, so that in turn we can give this very guidance to those who need it, and there are many in Africa today. This is the first step and *Harambee* demands that together we do not relax our vigilance.

I, on behalf of all our Members and staff, must welcome you to our National Assembly buildings out of which our great aspirations are channelled and which are a shining monument throughout the world.

The Speaker of the House of Representatives (Mr. Slade): Your Excellency Mr. President, Mr. Speaker, My Lords Justices, Distinguished Guests, and Hon. Members of the National Assembly, on this great occasion, when we of the National Assembly of Kenya are so honoured by the presence of Heads of State and other distinguished representatives of neighbouring countries, as well as diplomatic representatives of the many other countries with whom we have friendly relations, and also many of those who serve or have in the past served our own country, it is fitting that tribute be paid to all who have shared in the creation of this splendid building.

LIST OF MEMBERS—(Contd.)

Constituency Members—(Contd.)

93. ||OKELO-ODONGO, THE HON. T., M.P., Kisumu Rural.
94. OKWANYO, THE HON. J. H., M.P., Migori.
95. ||OLOITIPITIP, THE HON. S. S. OLE, M.P., Kajjado.
96. OMAR, THE HON. S. T., M.P., Mombasa Island South.
97. OMWERI, THE HON. S. K., M.P., Wanjare-South Mugirango.
98. ||ONAMU, THE HON. H. J., M.P., Nakuru West.
99. OSELO-NYALICK, THE HON. L. W., M.P., Winam.
100. ||OSOGO, THE HON. J. C. N., M.P., Ruwamba.
101. § OTIENDE, THE HON. J. D., M.P., Vihiga.
102. PANDYA, THE HON. A. J., M.P., Mombasa Island North.
103. RURUMBAN, THE HON. P. L., M.P., Korossi.
104. § SAGINI, THE HON. L. G., M.P., Kiutu West.
105. SERONEY, THE HON. M. J., M.P., Nandi North.
106. SHIKUKU, THE HON. J. M., M.P., Butere.
107. SOI, THE HON. A. K. ARAP, M.P., Bomet.
108. SOMO, THE HON. A., M.P., Lamu.
109. TANUL, THE HON. J. K. K. ARAP, M.P., Baringo South.
110. THEURI, THE HON. J. K., M.P., Nyeri.
111. TIFIS, THE HON. J. K. OLE, M.P., Narok East.
112. TOO, THE HON. V. K. ARAP, M.P., Marakwet.
113. TUYA, THE HON. F. B., M.P., Malindi.
114. TUWEI, THE HON. J. K., M.P., Uasin-Gishu.
115. ||WAIYAKI, THE HON. DR. F. L. M., M.P., Nairobi North-East.
116. WAMUTHENYA, THE HON. A. K., M.P., Mathira.
117. WARITHI, THE HON. H. C., M.P., Othaya-South Tetu.

Specially Elected Members:

1. ALEXANDER, THE HON. R. S., M.P.
2. BALALA, THE HON. S. M., M.P.
3. ||BONETT, THE HON. E. K. K. ARAP, M.P.
4. CHIRCHIR, THE HON. W. K. ARAP, M.P.
5. JAJAZI, THE HON. M., M.P.
6. KOMORA, THE HON. J. G., M.P.
7. MALINDA, THE HON. T. N., M.P.
8. § MCKENZIE, THE HON. B. R., D.S.O., D.F.C., M.P.
9. ||MOHAMED, THE HON. J., M.P.
10. OCHWADA, THE HON. A. A., M.P.
11. SADALLA, THE HON. S.-K. ARAP KOECH, M.P.
12. TIALAL, THE HON. M. C. M. OLE, M.P.

Total: Ex Officio	1
Elected Members	117**
Specially Elected Members	12
	130

LIST OF MEMBERS—(Contd.)

The Speaker:

THE HON. HUMPHREY SLADE, M.P.

The Deputy Speaker and Chairman of Committees:

THE HON. DR. F. R. S. DE SOUZA, PH.D., M.P.

Acting Clerk of the House of Representatives:

MR. C. R. COELHO

Clerk Assistant:

MR. J. O. KIMORO

Acting Serjeant-at-Arms:

MR. J. BARASA

Assistant Serjeant-at-Arms:

MR. E. O. OLUOCHI

Speaker's Secretary:

MRS. J. FRYER

Hansard Editor:

MRS. J. D. RAW

Hansard Staff:

MISS M. Z. FONSECA, MRS. M. H. GORDON, MISS D. A. POTTER, MRS. R. ALI

\* His Excellency the President.

† The Vice-President.

‡ The Deputy Speaker and Chairman of Committees.

§ Already included in the list of Ministers.

¶ Already included in the list of Assistant Ministers.

‡ Died on 7th December 1965.

\*\* One vacancy in Elgon Central—caused by death of Member.

LIST OF MEMBERS—(Contd.)

Assistant Ministers—(Contd.)

MINISTRY OF LOCAL GOVERNMENT (The Hon. K. K. Njiri, M.P.).  
 MINISTRY OF COMMERCE AND INDUSTRY (The Hon. S. S. Oloitiptip, M.P.).  
 MINISTRY OF WORKS, COMMUNICATIONS AND POWER (The Hon. E. K. K. Bomett, M.P., and the Hon. G. Godana, M.P.).  
 MINISTRY OF LABOUR AND SOCIAL SERVICES (The Hon. J. Odera-Jowi, M.P., and The Hon. F. P. K. Kubai, M.P.).  
 MINISTRY OF INFORMATION, BROADCASTING AND TOURISM (The Hon. H. J. Onamu, M.P., and The Hon. J. Njeru, M.P.).  
 MINISTRY OF LANDS AND SETTLEMENT (The Hon. J. M. Gachago, M.P.).  
 MINISTRY OF NATURAL RESOURCES AND WILDLIFE (The Hon. Jan Mohamed, M.P.).  
 MINISTRY OF HOME AFFAIRS (The Hon. J. J. M. Nyagah, M.P.).

Constituency Members:

1. ABDI-RAHMAN, THE HON. O. M., M.P., Garissa North.
2. ACHIENG-ONEKO, THE HON. R., M.P., Nakuru Town.
3. AGAR, THE HON. E. O., M.P., Karachuonyo.
4. AMIN, THE HON. S. M., M.P., Mandera.
5. ANGAINE, THE HON. J. H., M.P., Meru West.
6. ANYIENI, THE HON. Z. M., M.P., Majoge-Bassi.
7. AREMAN, THE HON. P. A., M.P., Turkana North.
8. ARGWINGS-KODIEK, THE HON. C. M. G., M.P., Gem.
9. AYODO, THE HON. S. O., M.P., Kasipul-Kabondo.
10. BABU, THE HON. M., M.P., Mombasa Mainland.
11. BALA, THE HON. O., M.P., Nyando.
12. IBARASA, THE HON. M., M.P., Elgon-East.
13. BIY, THE HON. A. K. ARAP, M.P., Buret.
14. BONAYA, THE HON. A. W., M.P., Isiolo.
15. CHOGE, THE HON. S. K. ARAP, M.P., Nandi South.
16. DE SOUZA, THE HON. DR. F. R. S., PH.D., M.P., Nairobi North-West.
17. DINGIRIA, THE HON. A. H., M.P., Taveta Voi.
18. EKITELLA, THE HON. G. K., M.P., Turkana South.
19. GACHAGO, THE HON. J. M., M.P., Kiharu.
20. GACIATTA, THE HON. A. L., M.P., Nyambene South.
21. GATUGUTA, THE HON. J. K., M.P., Kikuyu.
22. GICHIOYA, THE HON. K. N., M.P., Gichugu.
23. GICHURU, THE HON. J. S., M.P., Limuru.
24. GODANA, THE HON. E. D., M.P., Rondille.
25. GODINA, THE HON. G., M.P., Marsabit-Moyale.
26. GODIA, THE HON. C. S. I., M.P., Hamisi.
27. ITHIRAI, THE HON. S., M.P., Nyambene North.
28. JAMAL, THE HON. A. H., M.P., Kisumu Town.
29. JUBAY, THE HON. M., M.P., Garissa South.
30. KAGGIA, THE HON. B. M., M.P., Kandara.
31. KALI, THE HON. J. D., M.P., Nairobi East.
32. KAMAU, THE HON. W., M.P., Githunguri.
33. KAMUREN, THE HON. W. R. ARAP, M.P., Baringo East.
34. KARIUKI, THE HON. G. G., M.P., Laikipia-Nanyuki.
35. KARIUKI, THE HON. J. M., M.P., Aberdares.
36. KASE, THE HON. J. Z., M.P., Tana River.
37. KENYATTA, THE HON. MZEE J., M.P., Thika-Gatundu.
38. KERICH, THE HON. A. K. ARAP, M.P., Belgut.
39. KERRE, THE HON. G. H., M.P., Elgon Central.
40. KHALIF, THE HON. A. S., M.P., Wajir North.
41. KHASAKHALA, THE HON. E. E., M.P., Emukhaya.
42. KIAMBA, THE HON. D. L., M.P., Machakos Central.
43. KIANO, THE HON. DR. J. G., PH.D., M.P., Kangema.

LIST OF MEMBERS—(Contd.)

Constituency Members—(Contd.)

44. KIBAKI, THE HON. M., M.P., Nairobi Doonholm.
45. KIBUGA, THE HON. J. N., M.P., Ndia.
46. KIOKO, THE HON. S. M., M.P., Machakos East.
47. KIPROTICH, THE HON. C., M.P., Kericho East.
48. KOINANGE, THE HON. M., M.P., Kiambaa.
49. KONCHELLAH, THE HON. J. L. N. OLE, M.P., Narok West.
50. KUBAI, THE HON. F. P. K., M.P., Nakuru East.
51. LOREMA, THE HON. J. P., M.P., West Pokot.
52. MAISORI-ITUMBO, THE HON. B. C., M.P., Kuria.
53. MAKOKHA, THE HON. C. C., M.P., Elgon South-West.
54. MAKONE, THE HON. O., M.P., Kitutu East.
55. MALU, THE HON. W. M. K., M.P., Machakos West.
56. MASINDE, THE HON. J. W., M.P., Lurambi.
57. MATANO, THE HON. R. S., M.P., Kwale West.
58. MATE, THE HON. B., M.P., Meru Central.
59. MATI, THE HON. F. M. G., M.P., Kitui North.
60. MBAI, THE HON. P. N., M.P., Kitui South.
61. MBOGOH, THE HON. G. J., M.P., Embu North.
62. MBOYA, THE HON. T. J., M.P., Nairobi Central.
63. MOI, THE HON. D. T. ARAP, M.P., Baringo North.
64. MOSS, THE HON. D. C. N., M.P., Mount Elgon.
65. MULAMA, THE HON. A. O., M.P., Mumias.
66. MULIRO, THE HON. M., M.P., Trans Nzoia.
67. MUNGAI, THE HON. DR. N., M.P., Nairobi West.
68. MURGOR, THE HON. W. C., M.P., Elgeyo.
69. MURULI, THE HON. J., M.P., Ikolomani.
70. MURUMBI, THE HON. J. A., M.P., Nairobi South.
71. MUTISO, THE HON. G. M., M.P., Yatta.
72. MWALWA, THE HON. T. M., M.P., Kitui East.
73. MWAZANDI, THE HON. K. B., M.P., Kwale East.
74. MWANYUMBA, THE HON. D., M.P., Wundanyi.
75. MWATSAMA, THE HON. J. J., M.P., Kilifi North.
76. MWENDWA, THE HON. E. N., M.P., Kitui Central.
77. NDILE, THE HON. J. K., M.P., Machakos South.
78. NGALA, THE HON. R. G., M.P., Kilifi South.
79. NGALA-ABOK, THE HON. C. B., M.P., Homa Bay.
80. NGEI, THE HON. P. J., M.P., Machakos North.
81. NJERU, THE HON. J., M.P., Tharaka.
82. NJIRI, THE HON. K. K., M.P., Kigumo.
83. NYABERI, THE HON. J. O., M.P., North Mugirango.
84. NYAGA, THE HON. P., M.P., Meru South.
85. NYAGAH, THE HON. J. J. M., M.P., Embu South.
86. NYAMWEYA, THE HON. J., M.P., Nyaribari.
87. OBOK, THE HON. L. R., M.P., Alego.
88. ODERO-JOWI, THE HON. J., M.P., Lambwe.
89. ODERO-SAR, THE HON. J., M.P., Ugenya.
90. ODINGA, THE HON. A. O., M.P., Bondo.
91. ODUYA, THE HON. G. F., M.P., Elgon West.
92. OGLE, THE HON. A. A., M.P., Wajir South.

- 949 Under Notice of Motion for Adjournment. *Insert* title of: "Unsatisfactory Reply to Question No. 115: Employment through Embu Labour Office"
- 962 *Insert* the word "Assistant" before "Minister", where Mr. Argwings-Kodhek speaks.
- 973 Under Motion of "Railway from Kedowa to Homa Bay", read "Mr. arap Soi", for "Mr. arap Moi" in italics.
- 1008 Delete "The Speaker who seconds this" and "The Assistant Minister for Education seconded".
- 1012 & 1013 For "Mr. Nyagah", read, "Mr. Nyaga".
- 1021 For Assistant Minister for Labour and Social Services at top of column, read, "The Assistant Minister for Home Affairs".
- 1027 Top of column. Read "Mr. Oduya", before the passages in italics.
- 1044 *Insert* "(Question proposed)" after the Assistant Minister for Education seconded.
- 1055 Title to Question No. 70 should read "Scholarships for Coastal Africans".
- 1056 For Question No. 71 (a), read Question No. 71.

# THE NATIONAL ASSEMBLY HOUSE OF REPRESENTATIVES

## LIST OF MEMBERS

(1st Assembly—3rd Session—1963-1964-1965)

### Ministers:

THE PRESIDENT (His Excellency, The Hon. Mzee Jomo Kenyatta, M.P.).  
VICE-PRESIDENT AND MINISTER WITHOUT PORTFOLIO (The Hon. A. Oginga Odinga, M.P.).  
MINISTER FOR FINANCE (The Hon. J. S. Gichuru, M.P.).  
MINISTER FOR EXTERNAL AFFAIRS (The Hon. J. A. Murumbi, M.P.).  
MINISTER FOR ECONOMIC PLANNING AND DEVELOPMENT (The Hon. T. J. Mboya, M.P.).  
MINISTER FOR INTERNAL SECURITY AND DEFENCE (The Hon. Dr. N. Mungai, M.P.).  
MINISTER FOR AGRICULTURE AND ANIMAL HUSBANDRY (The Hon. B. R. McKenzie, D.S.O., D.F.C., M.P.).  
MINISTER FOR EDUCATION (The Hon. Mbiyu Koinange, M.P.).  
MINISTER FOR HEALTH AND HOUSING (The Hon. J. D. Otiende, M.P.).  
MINISTER FOR LOCAL GOVERNMENT (The Hon. L. G. Sagini, M.P.).  
MINISTER FOR COMMERCE AND INDUSTRY (The Hon. Dr. J. G. Kiano, Ph.D., M.P.).  
MINISTER FOR WORKS, COMMUNICATIONS AND POWER (The Hon. D. Mwanjumba, M.P.).  
MINISTER FOR LABOUR AND SOCIAL SERVICES (The Hon. N. Mwendwa, M.P.).  
MINISTER FOR INFORMATION, BROADCASTING AND TOURISM (The Hon. R. Achieng-Oneko, M.P.).  
MINISTER FOR LANDS AND SETTLEMENT (The Hon. J. H. Angaine, M.P.).  
MINISTER FOR NATURAL RESOURCES AND WILDLIFE (The Hon. S. O. Ayodo, M.P.).  
MINISTER FOR HOME AFFAIRS (The Hon. D. T. arap Moi, M.P.).  
MINISTER FOR CO-OPERATIVES AND MARKETING (The Hon. P. J. Ngei, M.P.).

### Ex Officio Member (ranking as a Minister):

THE ATTORNEY-GENERAL (The Hon. C. Njonjo).

### Assistant Ministers:

PRESIDENT'S OFFICE (The Hon. J. Nyamweya, M.P.).  
VICE-PRESIDENT'S OFFICE (The Hon. Dr. F. L. M. Waiyaki, M.P.).  
MINISTRY OF FINANCE (The Hon. T. Okelo-Odongo, M.P.).  
MINISTRY OF EXTERNAL AFFAIRS (The Hon. R. S. Matano, M.P.).  
MINISTRY OF ECONOMIC PLANNING AND DEVELOPMENT (The Hon. Mwai Kibaki, M.P.).  
MINISTRY OF INTERNAL SECURITY AND DEFENCE (The Hon. C. M. G. Argwings-Kodhek, M.P.).  
MINISTRY OF AGRICULTURE AND ANIMAL HUSBANDRY (The Hon. J. C. N. Osogo, M.P., and The Hon. W. C. Murgor, M.P.).  
MINISTRY OF EDUCATION (The Hon. J. Konchellah, M.P., and The Hon. G. M. Mutiso, M.P.).  
MINISTRY OF HEALTH AND HOUSING (The Hon. D. Moss, M.P.).

CORRIGENDA TO THE OFFICIAL REPORT OF THE HOUSE OF  
REPRESENTATIVES (VOLUME VII)

- Col. No.
- ✓ 22 For Eric Kibet Koras Bomet, under Administration of Oath, read "Bomett".
- ✓ 25 Delete title "ORAL ANSWERS TO QUESTIONS", and insert in place thereof, title of: "Point of Order: Answering Questions in Member's Absence".
- Insert title of "ORAL ANSWERS TO QUESTIONS" immediately before "Question No. 4".
- 30 & 33 Insert title of "Assistant Minister for Works, Communications and Power" immediately before Mr. G. Godana.
- 60 For Vive-President, read, "The Vice-President".
- 101 Mr. Shikuku speaking for "quite", read "quiet".
- 136 Under title of Notices of Motion for the Adjournment, delete "Question No. 24" before title of "Secondary Schools for Poor Areas".
- 136 Before "Ruling on Motion for Exemption of Standing Orders", insert main title of "Considered Ruling".
- 145 Speaker speaking, for "Flor", read "Floor".
- 174 End of Speaker's speech under "Considered Ruling" insert "(Resumption of debate on Motion)".
- 212 For "Mr. Makonde", read Mr. Makone.
- 225 For "Mr. Kahlif" at bottom of column, read Mr. Khalif.
- 313 Top of column. Delete the word "Assistant" from heading of person speaking which should read "The Minister for Labour and Social Services".
- 376 Before Mr. ole Kouchellah speaks, insert, "The Assistant Minister for Education".
- 395 Three-quarters of the way down after Speaker, "... some other good excuse," insert "(Resumption of debate)" before Mr. Lorema speaks.
- 407 Top of column. For "The Vice-President" speaking, read, "The Minister for External Affairs".
- 413 Top of column. For "The Assistant Minister, President's Office", read, "The Assistant Minister, Vice-President's Office".
- 569 Top of column. For Mr. Lorema speaking, read, "The Minister for Internal Security and Defence".
- 725 Top of column. Delete the word "Assistant" and read, "The Minister for Local Government".
- 733 Top of column. Insert the word, "Assistant" and read, "The Assistant Minister for Natural Resources and Wildlife".
- 810 Delete "The Attorney-General seconded" and "(Question proposed)" beneath.
- 811 Insert (Question proposed) after Attorney-General has finished speaking.
- 867 For "Mr. Nyagah", read, "Mr. Nyaga".
- 883 Under Point of Order. Insert "The Assistant Minister for Internal Security and Defence", before Mr. Argwings-Kodhek speaks.
- 891 Title of Motion should read, "Amendment to Standing Order 23: Government Business".
- 895 Title of Motion should read "Amendment to Standing Order 30: Notices of Motion".
- 916 Title of Motion should read: "Amendment to Standing Order 168A: Seating in the Chamber".



## DAYS OF SITTING

<i>Day</i>	<i>Column No.</i>
Tuesday, 2nd November .. .. .	1-16
Wednesday, 3rd November .. .. .	17-62
Thursday, 4th November .. .. .	65-133
Friday, 5th November .. .. .	135-190
Tuesday, 9th November .. .. .	193-272
Wednesday 10th November .. .. .	273-352
Thursday, 11th November .. .. .	353-418
Friday, 12th November .. .. .	419-488
Tuesday, 30th November .. .. .	489-564
Wednesday, 1st December .. .. .	565-646
Thursday, 2nd December .. .. .	647-716
Friday, 3rd December .. .. .	717-776
Tuesday, 7th December .. .. .	777-858
Wednesday, 8th December .. .. .	859-942
Thursday, 9th December .. .. .	943-972
Friday, 10th December .. .. .	973-1054



REPUBLIC OF KENYA

---

THE NATIONAL ASSEMBLY  
HOUSE OF  
REPRESENTATIVES  
OFFICIAL REPORT

---

FIRST PARLIAMENT INAUGURATED  
7th JUNE 1963

Vol. VII

---

*Third Session*  
*Tuesday, 2nd November 1965*  
*to*  
*Friday, 10th December 1965*