

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Thursday, 12th March, 2015

*The House met at the Senate Chamber,
Parliament Buildings, at 2.30 p.m.*

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

PRAYERS

MESSAGE FROM THE NATIONAL ASSEMBLY

CONCURRENCE OF THE SENATE ON THE ORDER OF PRECEDENCE AND TITLES BILL (NATIONAL ASSEMBLY BILL NO.11 OF 2014)

The Speaker (Hon. Ethuro): Hon. Senators, I wish to report to the Senate that pursuant to Standing Order No.40 (3) and (4), I received the following message from the Speaker of the National Assembly regarding the approval by the Assembly of the Order of Precedence and Titles Bill (National Assembly Bill No.11 of 2014) with amendments, today, Thursday, 12th March, 2015.

Pursuant to the provisions of Standing Orders Nos.41 and 142 of the National Assembly, I hereby convey the following Message from the National Assembly:-

“Whereas the Order of Precedence and Titles Bill (National Assembly Bill No.11 of 2014) which was published in the Kenya Gazette Supplement No.32 of 21st March, 2014 as a Bill originating in the National Assembly to provide *inter alia* for the order of precedence for officials, diplomatic, official and social state functions within Kenya and abroad and the official titles of designated office holders was passed with amendments by the National Assembly on Wednesday 18th February, 2015; whereas the Bill as passed by the National Assembly now concerns county governments;

Now, therefore, the National Assembly seeks the concurrence of the Senate in accordance with the provisions of Article 110 (4) of the Constitution and Standing Order No.142 of the National Assembly Standing Orders.”

Hon. Senators, pursuant to Standing Order No.148 of the Senate, I now direct that the Bill be read the First Time on Tuesday, 17th March, 2015.

I thank you.

NOTICE OF MOTION

ESTABLISHMENT OF NACC COUNTY OFFICES

Sen. Leshore: Mr. Speaker, Sir, I beg to give notice of the following Motion:-

THAT, cognizant that the core mandate of the National AIDS Control Council (NACC) is to develop strategies, policies and guidelines relevant to the prevention and control of HIV/AIDS in Kenya; noting that the operational structures of NACC have not been aligned to the Constitution of Kenya (2010); acknowledging the objects of devolution as set out under Article 174 of the Constitution, recognizing that under the Fourth Schedule the health function has been devolved, except for the health policy and referral hospitals; concerned that an estimated 1.2 million Kenyans are infected with HIV/AIDS and 100,000 are infected annually; recognizing the need to achieve an AIDS free society by stepping up the fight against the pandemic at the county level; the Senate urges the national Government to set up the NACC county offices in all the county headquarters with the national headquarters providing overall coordination and that resources allocated for the fight against HIV/AIDS be disbursed and managed at the county level.

STATEMENTS

TRANSFER OF FUNDS TO PERSONS WITH SEVERE DISABILITY

Sen. Omondi: Mr. Speaker, Sir, I wish to seek for a Statement from the Chairperson of the Standing Committee on Labour and Social Welfare, pursuant to Standing Order 45(2) (b), relating to cash transfer of funds to persons with severe disability. In my Statement, I would like the Chairperson to explain:-

(a) why despite the requirement that cash transfer disbursement to persons with severe disability be done every two months; it is now taking six months for the payment of the same to the beneficiaries.

(b) to state whether he is aware that the delay greatly inconveniences this category of Kenyans who are unable to fend for themselves; and,

(c) explain what the Government is doing to rectify this anomaly.

The Speaker (Hon. Ethuro): Where is the Chairperson?

Sen. Wangari: Mr. Speaker, Sir, I want to undertake on behalf of my Committee and my Chairman, that we should be having that response in two weeks, that means 26th March, 2015.

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

REVENUE COLLECTION FROM SAMBURU NATIONAL GAME RESERVE

Sen. Leshore: Mr. Speaker, Sir, I wish to seek a Statement from the Chairperson of the Standing Committee on Finance, Commerce and Budget. The Statement relates to revenue collection from Samburu National Game Reserve. In the Statement, I would like the Chairman to:-

- (a) state the amount of money collected from Samburu National Game reserve for the last two years;
- (b) explain how revenue collection at the game reserve was privatized; and,
- (c) explain the plans that the Government has put in place to promote tourism in Samburu County and other counties with high tourism potential.

INSECURITY IN SAMBURU NORTH, SAMBURU COUNTY

I wish to seek a second Statement under Standing Order 45(2) (b) from the Chairperson of the Standing Committee on National Security and Foreign Relations. The Statement relates to insecurity in Samburu North, Samburu County. In the Statement, I would like the Chairperson to:-

- (a) state whether he is aware of an incident where two people were killed and livestock stolen in Sujana area of Samburu North in Baragoi by suspected cattle rustlers on 9th, March, 2015;
- (b) state the action taken to recover the stolen livestock and extend support to the victims of the said incident, and,
- (c) explain the long term measures the Government is taking to stop recurrent conflicts in Baragoi in Samburu North, Baringo North and Turkana South region to bring to an end the problem of cattle rustling.

The Speaker (Hon. Ethuro): Where is the Chair or Vice Chair of the Committee of National Security and Foreign Relations?

Sen. Adan: Mr. Speaker, Sir, I request Sen. Leshore to give us two weeks to respond to his Statement.

The Speaker (Hon. Ethuro): It is so ordered. Is there any other request?

SENATORS GENERAL STATEMENT UNDER STANDING ORDER No.45(2)(a)

SYMPOSIUM IN HONOR OF AN EMINENT KENYAN SCHOLAR: PROF. MICERE MUGO

Sen.(Prof.) Anyang'- Nyong'o: Mr. Speaker, Sir, I want to make a Statement pursuant to Standing Order N0. 45(2) (a) on an issue of general tropical concern regarding a symposium in honour of an eminent Kenyan scholar, Prof. Mugo, as she retires from a distinguished service of 15years at Syracuse University in the United States of America (USA), which I shall be attending at the beginning of next month.

Prof. Mugo served with distinction as a professor of literature particularly, in the area of orature. She was the pioneer of the study of orature; that is, oral literature in Africa. Having worked as colleagues at the university in the late 1970s, at that point in time, it was unthinkable to elect a woman and particularly an African woman as a dean of any faculty. Prof. Mugo had also distinguished herself in the struggle for the second liberation and for that matter, she was often incarcerated in police cells. I remember at one time, she was even incarcerated in Central Police Station with a baby girl of less than six months, which was quite an arduous experience.

It is because of that bravery to stand against authoritarianism at a time when it was thought to be an anathema for anybody from the *Agikuyu* Community to stand against Mzee Jomo Kenyatta's regime because as a child of the home or *nyumba*, you were expected to toe the line. Prof. Mugo, Prof. Ngugi wa Thiong'o and Koigi Wamwere, were the people who stood for human rights and democracy at a very difficult time and gave us the courage to follow in their footsteps.

Therefore, in 1980, we as young scholars in the faculty at the University of Nairobi decided to campaign for Prof. Mugo as our dean against the grain of established scholars who thought that they were fountains of wisdoms at the university. We succeeded and she was enthroned as the first woman Dean of Social Sciences Faculty almost in the whole of Africa. Subsequent to the attempted coup in 1982 and the detention of even more scholars, myself having escaped to Mexico just before that tragic event, people like Chief Justice Willy Mutunga, Mukaru Ng'ang'a were then detained but Prof. Mugo and Prof. Ngugi wa Thiong'o managed to escape to abroad and they have never come back to this country as scholars.

Prof. Mugo has come here occasionally but she has continued for many years to serve as a scholar in Zimbabwe and in the USA in two distinguished universities, Cornell University and Syracuse University. Therefore, the Americans, unlike us, who recognized quality and scholarship are going to honour her at this symposium to which world scholars have been invited to honour and say goodbye to Prof. Mugo as a member of the faculty. She will now become professor *emeritus* and she intends to come back to Kenya and offer her services to her nation as professor *emeritus* Faculty of Humanities and Social Sciences from Syracuse University.

Mr. Speaker, Sir, I beg this House to salute Prof. Mugo and all our scholars abroad who have distinguished themselves in scholarship and remind this country that they too are worth the recognition of this nation.

I beg to honour.

Sen. Murkomen: Mr. Speaker, Sir, I want to congratulate Prof. Mugo; I also want to congratulate Sen. (Prof.) Anyang'-Nyong'o for taking this very important step of making a Statement of recognition of Prof. Mugo for her work. Sen. (Prof.) Anyang'-Nyong'o himself strikes me as an amazing person who is a combination of a politician and a scholar. Going forward, we should, as a country, have a proper roll of honor for our scholars because one of the biggest problems in this country is that there is too much emphasis on being elected to be a politician than being smart in whichever area you are; whether in scholarship, art or in any other talent.

As a country, it should be a great shame for us to watch our very own being recognized elsewhere in the world and yet we have not even recognized them back home. I think it is important for this House to think through a process of creating a roll of honor for scholars. In America, they have all kinds of things; they have rolls of honor for people acting in the film industry, those who are in the music industry and even those who are inducted to the hall of fame because of their contribution in the arts. We must create a hall of fame for scholars in this country and once that is done, one of the candidates I believe merits being listed is Sen. (Prof.) Anyang'-Nyong'o, who has an amazing combination. I thank him for bringing that Statement here in recognition of Prof. Mugo, and I wish him well as he travels there. As a country, I think we must turn back and look at how we will recognize our scholars.

Thank you, Mr. Speaker, Sir.

Sen. Karaba: Thank you very much, Mr. Speaker, Sir, for allowing me also as the Chairperson of the Committee on Education, to salute Prof. Micere Mugo through what Sen. (Prof.) Anyang'-Nyong'o has told this Senate about her.

Mr. Speaker, Sir, Prof. Micere Mugo is from Kirinyaga and, therefore, I have a lot of interest to declare. When we hear that she is in that shape, I salute Kirinyaga County for producing such a scholar in the name of Prof. Micere Mugo. She is also the sister to the Kenyan Ambassador in Washington, hon. Njeru Githae, who was with us here last time.

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

Sen. Sang: Mr. Speaker, Sir, is the Senator for Kirinyaga in order to localize an international academician by congratulating his village and county, yet this is an international person who we are recognizing as Kenyans? Is he in order to localize that Professor?

The Speaker (Hon. Ethuro): Order! Order, Senators! Indeed, the Chairperson of the Committee on Education is perfectly in order. The Senator who is out of order is Sen. Sang himself, because Sen. Karaba did not localize an international scholar; he just owned up that his county has produced that international scholar.

Sen. Karaba: Thank you very much, Mr. Speaker, Sir, for giving me that kind of protection. Prof. Micere Mugo is known to us; she even taught in a local school called Kabare Girls Secondary School. She taught quite a number of people, including my wife, and it is only proper for her to be where she is.

Syracuse University is one of the best universities in the world; it ranks among the top ten. Having been given that scholarly award, we, as Kenyans, are proud to be associated with her. This is something that we should probe in the Kenyan system; why such big, renowned scholars cannot be given a corner in Uhuru Gardens. We have lost very eminent scholars and literary writers like Prof. Odhiambo, Prof. Mungai and many others. These are the people we would like to be proud of when we go to Uhuru Gardens. They should have one corner dedicated to them.

Mr. Speaker, Sir, I beg to support the Report.

Sen. (Dr.) Kuti: Thank you, Mr. Speaker, Sir. I join my colleagues in congratulating Prof. Micere Mugo and also Sen. (Prof.) Anyang'-Nyong'o for bringing up the matter. When Sen. (Prof.) Anyang'-Nyong'o attends that function, he should not go as himself, but with knowledge that Prof. Micere Mugo is also recognized by the Senate of Kenya. He should, therefore, pass our commendations to her and to the congregation on our behalf

Thank you, Mr. Speaker, Sir.

Sen. (Dr.) Zani: Thank you, Mr. Speaker, Sir. I also take this opportunity to honour Prof. Micere Mugo especially from the angle of her being a woman academician. When you are a woman academician, the difficulties one faces become even more difficult and getting to the top becomes more difficult because of the issues of the glass ceiling. She has set an example for reaching the top with a lot of humility and, therefore, she has given a good role model image to other women who might want to go across the same ladder to where she has gotten to.

Mr. Speaker, Sir, climbing that ladder to become a professor is not easy; there are a lot of hurdles across the line at every stage and you have to work so hard in making

presentations, especially in getting publications done. Prof. Mugo is very well published in various areas and she has done a lot in terms of disseminating knowledge. As she gets this honour, we appreciate and even encourage more like her to be professor *emeritus* in the universities where they serve so that even the student community can continue to gain from people like her.

Mr. Speaker, Sir, I honour her for her humility and courage.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Ethuro): Proceed, Sen. (Prof.) Lesan. I guess this is the day for professors!

(Laughter)

Sen. (Prof.) Lesan: Thank you, Mr. Speaker, Sir. I also wish to take this opportunity to join Sen. (Prof.) Anyang'-Nyong'o for having brought up the Statement of recognition for Prof. Micere Mugo. I had the opportunity, as a student at the University of Nairobi, to have a first-hand experience of Prof. Mugo as a lecturer in the early 1970s. I am glad that this recognition has been done, not post-humously as we have often done; when we have waited until professors are no longer able to hear us make commendations. I am glad that this has been done now when Prof. Mugo is alive and well and I do hope that when she comes back to her country, she is going to be the link between the University of Nairobi, where she started her career and the University of Syracuse in the US. This will go a long way to assist this country reach the level of professorship in careers in this country.

Mr. Speaker, Sir, I beg to support this commendation.

Thank you, Mr. Speaker, Sir.

Sen. Wangari: Thank you, Mr. Speaker, Sir. I also want to join Sen. (Prof.) Anyang'-Nyong'o in honouring Prof. Mugo. I should be allowed to localize her to the women constituency. I want to note that it is not easy to breastfeed in a prison or in a police detention. The works of Prof. Mugo that we read – those of us who did not interact with her – can only speak volumes and they say a lot about her and her personality.

I think as a country, when these things happen outside the country, we tend to come together. As I honour Prof. Micere Mugo, I also want to honour Lady Justice Joyce Aluoch in the same boat for becoming the Vice-President of the International Criminal Court (ICC). These are steps that we have made as women, as Kenyans and I hope that we will get more role models so that as we take our daughters to school, they can see the reason to go to school because they see that professors came from the same schools they attend.

So, I want to join Sen. (Prof.) Anyang'-Nyong'o in honouring Prof. Micere Mugo, and I hope that he will also take our greetings and commendations to her. We are looking forward to her return so that we can also benefit as maybe she does lectures in universities and other engagements in the country because she has a wealth of knowledge that we would like to benefit from. I thank you again and wish you well as you travel to the United States of America (USA).

Thank you.

The Speaker (Hon. Ethuro): I will allow the last two contributions from Sen. Mutula Kilonzo Jnr. and Sen. (Prof.) Lonyangapuo.

Sen. Mutula Kilonzo Jnr.: Thank you Mr. Speaker, Sir. I am not a professor yet.

(Laughter)

The wife of Bill Gates, that is Belinda Gates; the wife of the former President of the USA, that is Hillary Clinton and the daughter, Chelsea have launched a book that talks about recognition of women. In their book, they are saying that it is quite depressing that in 2015, the number of women in leadership in the world is still below 10 per cent. Back home, it is good that we have a person who is recognized out there in the international scene because as we have done in this country, we have a bad culture of not recognizing women. We have treated women as if they are second class citizens yet we know the role they play.

The country is still grappling with the third gender rule and men are worried that if we have a third of women in leadership, something might go wrong, yet we all go home to either our mothers or our wives. Therefore, if a country can recognize a lady like Prof. Micere Mugo, it is, in fact, a lesson to us. At every national holiday when you look at the people that the President recognizes with all his medals, people like Sen. (Prof.) Anyang' Nyong'o, Sen. (Prof.) Lonyangapuo or even Sen. (Prof.) Lesan who have done do much for the education sector are never awarded these medals. We just give the medals to politicians, people who do showbiz and the ones who entertain us. Therefore, I think this is a recognition and as leaders, other than even send Sen. (Prof.) Anyang'-Nyong'o with recognition or good words, we should show leadership in recognizing scholars like him and what they have done to the education sector.

Thank you.

Sen. (Prof.) Lonyangapuo: Thank you, Mr. Speaker, Sir. I want to join my colleagues in congratulating and thanking Sen. (Prof.) Anyang'-Nyong'o for being keen enough to know what is taking place outside Kenya, that has a lot of significance and impact in the lives of Kenyans. Prof. Micere Mugo would easily not be recognized at home, just as many have been forgotten. But what a pity for us that bells are ringing outside Kenya in celebrating a Kenyan while here, we are not doing so. It is a challenge to us that we need to be keen to know what Kenyans have done right here at home. There are so many men and women of substance who have contributed significantly to the promotion of the welfare of the people of the world and Kenya in particular, yet we do not recognize them. We talk about being recognized and ranked among the top and very easily here and the Chairperson of the Committee on Education is listening - they have just killed the ranking of schools and the competitive spirit that was supposed to allow Kenyans to close and narrow at the top.

(Laughter)

What a challenge, that we must recognize those who have excelled. Look at the leadership awards; the other day our retired President Kibaki was among the shortlisted candidates for a big award outside Kenya. It is a challenge to all of us here; we should create an award that recognizes what people have done to change the lives of the people of Kenya. Retired President Moi did a lot in the education sector but what award have we set aside for such men of honour who have done a lot?

There is no sufficient time for me to mention the many Kenyans who are in the field of academia outside this country, for example, the best surgeons in the USA, the United Kingdom (UK), South Africa and so on, and so forth, not to mention the fellow who brought peace and harmony in South Africa was also a Kenyan who we need to recognize. The University of Nairobi has many retired professors who were very significant Cabinet Ministers, Permanent Secretaries (PSs) and Vice-Chancellors, but do we remember them after they have left office? It is a challenge.

Sen. (Prof.) Anyang' -Nyong'o, convey our greetings and we will hear from you when you come back.

Thank you.

Sen. Mugo: Thank you, Mr. Speaker, Sir, for the opportunity to also add my voice in congratulating Prof. Micere Mugo, a gallant woman leader. We tend to look at leadership only at the political level, but Prof. Micere Mugo is definitely one of the greatest leaders in our country and in the region, if not the world for women especially, who the girls and other women would like to emulate. I salute Prof. Micere Mugo; she is not only an academician who also won the Nyerere Academic Award, where she gave a fantastic lecture in Dar es Salaam but she also came here and gave a lecture in the University of Nairobi. She is also a devoted mother who has cared very well for her family. She raised two wonderful girls and they have excelled just like her. Unfortunately, she lost one of them but also even at the time of Ms. Njeri's death, she had reached very high heights and worked in Japan.

I am proud to be associated with her, not only as a woman leader, but she also happens to be my sister-in-law. I share a name with her; her husband is my husband's younger brother. I have admired Prof. Micere Mugo from way back; even when she had a lot of difficulties in her career, with the administration and the Government, she never lost herself. She remained dignified, admirable, caring for family and friends and even when she lived out there, she still kept in touch with her family. I want to also ask my colleague here to pass our congratulations when he goes to the USA. I hope that when she comes back, our Government will recognize and honour her as an outstanding scholar, leader and a good role model for this country, not just for women, but for the men as well.

Thank you.

The Speaker (Hon.) Ethuro: Yes, Senator, I saw the name Mugo and I thought you might have something to do with it.

(Laughter)

Finally, proceed, Sen. (Dr.) Khalwale.

Sen. (Dr.) Khalwale: Thank you Mr. Speaker, Sir for giving me a chance to join my colleagues in appreciating Prof. Micere Mugo. When I joined the University of Nairobi in 1982, one of the first things I went through was a lecture at *Taiifa Hall*. Thereafter, we assembled in the prep-court. Prof. Micere Mugo was one of the lecturers who welcomed us into the university and shortly after there was a coup and many of us were discontinued from the university.

There is one thing that Micere Mugo said to Cable News Network (CNN) when she was asked where her home was. She said; "I am a child of the universe. I have lived

in almost all the continents of the world.” What pushed her not to mention Kenya is unknown to colleagues in this House. In 1982, after the coup, the then dictatorial Government stripped Prof. Micere Mugo of her citizenship as a citizen of Kenya. She fled to Zimbabwe and could not travel to the USA. It is after living in Zimbabwe in 1984, that she was given Zimbabwean citizenship after which she could travel and pursue her academic excellence in the USA. As we speak now, Professor has lived in the USA as a Zimbabwean citizen. If she, indeed, comes back, Prof. Anyang’-Nyong’o, tell her that we will fight for her so that one day she will enjoy to hear that those who stripped her off her citizenship say the words “I am sorry.”

Finally, because this is a matter of record, allow me to put on record some of the top achievements of Prof. Micere Mugo. Prof. Micere Mugo received the award of being one of the top 100 most influential women in the 20th Century in the Republic of Kenya. She also received the distinguished Africanist Scholar Award in 2007; The Courage Award; Girl Scout Council of the Central New York; she has received the award of the President of the United Women of Africa; the CNY, Women of Distinguished Award in 200; the Lifetime Community Service Award, Beyond Community recognition Award in 2004; the Human Rights Award that she got in 2004; and the---

The Speaker (Hon. Ethuro): Order, Sen. Khalwale. You are the only ones who has exceeded the three minutes.

Sen. (Dr.) Khalwale: Mr. Speaker, Sir, in half a minute, I will have finished all the awards because it is important that they go on record.

The Speaker (Hon. Ethuro): Order, this is not a citation.

Sen. (Dr.) Khalwale: Mr. Speaker, Sir, I am proud to be associated with her. Thank you for awarding me the opportunity.

Sen. (Dr.) Machage: Thank you, Mr. Speaker, Sir. As we recognise the honour that the daughter of Kenya has been given, we also remember her achievements in our country. In 1976, when I was a first year student at the University of Nairobi, Prof. Micere was a lecturer. I had the honour of being taught by her husband in biochemistry.

I knew her a little as an academician; a very straightforward, focused person and she was destined to make this country proud. I congratulate her.

The Speaker (Hon. Ethuro): Do we have responses to statements?

PAPER LAID

BUSINESS FOR THE WEEK COMMENCING
TUESDAY, 17TH MARCH, 2015

Sen. (Prof.) Lonyangapuo: Thank you, Mr. Speaker, Sir. I stand on behalf of the Senate Majority Leader to give the Senate business of the week commencing 17th March, 2015 pursuant to the provisions of Standing Order No.45.

Hon. Senators, pursuant to the provisions of Standing Order No.45, this is to present the Senate business for the week commencing on Tuesday, 17th March, 2015.

The Rules and Business Committee (RBC) will meet on Tuesday, 17th March, 2015 at midday to schedule business of the Senate for the week. Subject to further direction by the RBC, the Senate will continue with business that will not be concluded in today’s Order Paper focusing on debate on Bills at the Second Reading. On Wednesday,

18th March, 2015, the Senate will continue with the business that will not have been concluded during the Tuesday's sitting. Bills that will have been concluded at Second Reading will be considered at the Committee of the Whole. The Senate will also consider any other business scheduled by the RBC.

On Thursday, 19th March, 2015, as Senators are aware, the RBC resolved to prioritise debate on Motions every Thursday. Consequently, the Senate will consider the following Motions by;

(a) Sen. (Dr.) Agnes Zani on reclassification of all secondary schools as county schools;

(b) Sen. (Dr.) Wilfred Machage on review of existing legislation to take care of dementia patients; and,

(c) Sen. Beatrice Elachi on establishment of Rescue Centres in Kenyan Missions Abroad and Improvement of Registration Processes for National Identity Cards especially for orphaned and vulnerable children.

Time allowing, the Senate will also consider pending Bills at the Second Reading and the Committee of the Whole and any other business scheduled by the Rules and Business Committee. Let me take this opportunity, once again, to thank you for continued participation in disposing of business in the Senate in the past one week.

I thank you and hereby lay the Paper on the Table.

*(Sen. (Prof.) Lonyangapuo laid the document
on the Table)*

The Speaker (Hon. Ethuro): Order, how come I cannot see any requisition?

REVENUE COLLECTION FROM SAMBURU NATIONAL RESERVE

Oh yes, I am beginning to see them now. The Chairman of the Committee on Finance, Commerce and Budget should respond to the request by Sen. Leshore. Is there any Member of the Committee here?

Sen. Mutula Kilonzo Jnr.: Mr. Speaker, Sir, I thought the issue was the last one on "e"?

The Speaker (Hon. Ethuro): Before then, there was a request on Revenue Collection from Samburu National Park.

Sen. Mutula Kilonzo Jnr.: I thought that was directed to the Committee on National Security and Foreign Relations.

The Speaker (Hon. Ethuro): That was another one. Anyway, you were given two weeks to respond to it.

Sen. Mutula Kilonzo Jnr.: Yes, Mr. Speaker, Sir. Fourteen days will be adequate.

The Speaker (Hon. Ethuro): Please, proceed with the next one.

Sen. Mutula Kilonzo Jnr.: Mr. Speaker, Sir, we had a meeting with the relevant organizations the day before yesterday. I request that you allow us seven more days to respond to "e". That will give us enough time to prepare the report. So, next Thursday, we will have the report ready.

The Speaker (Hon. Ethuro): The explanation you have given has nothing to do with seeking extension of time.

Sen. Mutula Kilonzo Jnr.: Mr. Speaker, Sir, the extension of time is to the extent of giving the Report. Otherwise, we have been given the information we require on ceilings on budgets in all counties. We have the information. I thought that the Chairman would be here because the report ideally, ought to be here today. We finished dealing with the matter yesterday.

The Speaker (Hon. Ethuro): On the basis of your own admission, you do not need a whole week. Let us do it on Tuesday given the importance of the matter. Now, proceed since you have your own statement under “b”.

LIFTING OF MORATORIUM ON TIMBER HARVESTING
BY THE CS FOR ENVIRONMENT, WATER AND
NATURAL RESOURCES

Sen. Kivuti: Thank you, Mr. Speaker, Sir. I rise to respond to a request for a Ministerial Statement sought by Sen. Wangari.

The Speaker (Hon. Ethuro): Order! That is not by Sen. Wangari. You are confusing your neighbour with the request.

Sen. Kivuti: Mr. Speaker, Sir, I think we are having a problem here. The Statement which we were about to give yesterday was a different one from this one and even when I saw the Order Paper, since it was left as the last Statement yesterday, I came with the Statement which was sought by Sen. Wangari. I do not want to disagree with the Chair but I beg your indulgence so that I may check if we have received the one for Sen. Mutula Kilonzo Jnr. I am sure we had not received it as of yesterday.

The Speaker (Hon. Ethuro): So, whom are you checking with?

Sen. Kivuti: Mr. Speaker, Sir, I have to check it with our clerks because as of yesterday, the Statement for Sen. Mutula Kilonzo Jnr. was not ready. However, we had another one for Sen. Wangari, which I promised to give about three days ago.

Sen. Mutula Kilonzo Jnr.: Mr. Speaker, Sir, the answer is not satisfactory. The last time you gave them some indulgence – I must say you actually extended a large indulgence to them – four weeks. The reason you gave them those four weeks is because you thought – I do not dispute your discretion – that that Statement required a lot of work. As the Chairman is wondering whether the Statement is here, the logging on forests in our country is going on. One week is too long to wait when the national Government has lifted the ban on logging of national forests. I beg that you use your power to cause that Statement to be brought the next time we sit.

Sen. Kivuti: Thank you, Mr. Speaker, Sir. I quite agree with Sen. Mutula Kilonzo Jnr. and I must say we have had three or four Statements from the Ministry of Environment, Water and Natural Sources. Even the one which I had brought yesterday was from the same Ministry. Maybe you could give me until Tuesday. From here, I am going to contact the Cabinet Secretary (CS) so that we have that answer.

The Speaker (Hon. Ethuro): Tuesday, it is.

Let us move to Statement 2(c) on the Order Paper. Where is the Chairman of the Committee on Agriculture, Livestock and Fisheries or any Member of the Committee?

CLOSURE OF LIVESTOCK MARKETS IN
WEST POKOT COUNTY

Ordinarily, when the Chairman or a Member of a Committee are absent, then we turn to the Senate Majority Leader. In this case the one who requested the ---

(Sen. Madzayo stood up in his place)

Oh! There is a Member. Proceed.

Sen. Madzayo: Mr. Speaker, Sir, I am a Member of this Committee and I do not have specific instructions on this matter. I would suggest, with your kind indulgence, if we could hold it until Thursday next week; we will respond.

The Speaker (Hon. Ethuro): Order, Senator! When the Statements are listed here, it means this is the time you agreed to provide the Statement. It is not just enough to seek more time without explaining why you need more time or telling us why you do not have the brief. Once an undertaking has been made by the Chairman, it is applicable to the entire Committee.

Sen. Madzayo: Mr. Speaker, Sir, as I said earlier, I do not have specific instructions to address and respond to this statement. That is why I said I may need up to next week after consulting the Chairman. If he does not come, I will take that responsibility to respond.

The Speaker (Hon. Ethuro): What is it, Sen. (Prof.) Lonyangapuo?

Sen. (Prof.) Lonyangapuo: Thank you, Mr. Speaker, Sir. You are, indeed, right to tell them that it is listed in the Order Paper, which means they already have even the written answer. Kindly direct them to give me a copy of the answer so that I also go through it and also abide by the deadlines in future.

(Sen. Madzayo stood up in his place)

The Speaker (Hon. Ethuro): Order, Sen. Madzayo! It was directed to me and not you. I direct that you respond on Tuesday and also avail a copy of the Statement to the Senator.

Let us move to Statement 2(d) on the Order Paper.

REBUILDING OF SCHOOLS DESTROYED BY FIRE,
WIND OR STORMS IN KISII COUNTY

Sen. Karaba: Mr. Speaker, Sir, I have already consulted with Sen. Obure, and told him the problems we are facing from that end to receive some information required for this Statement. I promise him that as soon as we get those details from Kisii, that information will be availed on Tuesday next week.

Sen. Obure: Yes, Mr. Speaker, Sir. Indeed, he discussed this matter with me and explained the difficulties they are experiencing in obtaining all the information as sought. We also appreciate that some of the issues relate to matters of policy and so on. We have generally accepted that if he can provide the information next week, it would be perfectly in order, with your approval.

The Speaker (Hon. Ethuro): It is so ordered.
The last Statement by Sen. (Prof.) Lonyangapuo.

SCRAPPING OF SCHOOL AND STUDENT RANKING BY
GOVERNMENT AND CONFUSION IN ADMISSION
OF STUDENTS TO FORM ONE

Sen. (Prof.) Lonyangapuo: Mr. Speaker, Sir, there has been a pending Statement that I had asked about the ranking of schools. Sen. Karaba, the Chairman of the Committee on Education, has arrived in style and has brought a very big document for me to go through. He says he is not ready until next week when he can issue it. So, I have accepted that I will go through it and then he can present it next week.

The Speaker (Hon. Ethuro): Order, Senator! The Statement is not even on today's Order Paper. You should make a polite and respectful request to the Chair and not just stand as if it is by right. I know we have taken you seriously especially today, since you are reading the Statement on behalf of the Senate Majority Leader. You must act accordingly.

(Laughter)

Sen. Prof. Lonyangapuo: Thank you, Mr. Speaker, Sir. It was supposed to be given last week. That is why he came late and gave me the copy.

The Speaker (Hon. Ethuro): Let it be given on Tuesday next week.

The Speaker (Hon. Ethuro): What is it, Sen. Kagwe before I give the floor to the Chairperson for Land and Natural Resources?

Sen. Kagwe: Mr. Speaker, Sir, I really appreciate your ruling regarding my colleague, Sen. (Prof.) Lonyangapuo. However, is the Chairperson in order to provide the answer given in broad sheet; A3 type paper rather than sending it via email?

The Speaker (Hon. Ethuro): Sen. Kagwe, you are completely out of order because that matter is not before us. You should wait for the matter to come on the Floor on Tuesday and that is when you can look at broadsheets versus other means.

STATUS OF THE KWS COMMUNITY ENTERPRISE
DEVELOPMENT

Sen. Kivuti: Mr. Speaker, Sir, yesterday, we were cut off by time and we were prepared to give a response to the Statement sought by Sen. Wangari on the Kenya Wildlife Service Community Enterprise Development.

At the sitting of the Senate held on 12th February, 2015, the Senator requested to know:-

- (a) what the status of the project is, in terms of annual budget, beneficiaries and structures of administration;
- (b) what the criteria of selecting communities to benefit from the programme is;
- (c) how the community around Lake Nakuru National Park benefited from this project considering it is one of the biggest national parks in the country; and,

(d) what the current status of the County Wildlife Conservation is and compensation committees that are provided for by the Wildlife Conservation and Management Act, 2013

I beg to reply as follows:-

The Kenya Wildlife Service established the Community Enterprise Development (CED) as part of its Corporate Social Responsibility (CSR) to support local people who interact with wildlife across the country. This support is usually in form of issuance of wildlife user rights, capacity building, governance, training programmes, exchange visits, business feasibility studies, community scouts training subsidies, product value addition, marketing programmes, joint wildlife and tourist security patrols in the communities and private conservancies.

In some cases, the support entails construction of electric barriers, water projects, school bursaries, compensation for human death, injury or loss of property that results from human wildlife conflict especially in hotspot areas.

Mr. Speaker, Sir, in terms of budget, the KWS Community Enterprise Development solely depends on various development partners and joint funding in partnership with other stakeholders such as relevant Government institutions including the Constituencies Development Fund (CDF) and County Development Fund for resources to enable it undertake operations. It, therefore, does not have a standing budget for its activities.

As mentioned above, the main beneficiaries of the initiative are the local communities who interact with their wildlife in the natural habitats.

The Community Enterprise Development has been aligned to the structures within the KWS. These are eight in number which include the decentralized administrative units of the KWS, namely, the mountain zone which is Nanyuki Wildlife Station, Eastern which is Meru National Park, northern which is Marsabit National Reserve, coast which is Mombasa office, Tsavo which is in Voi, southern which is Nairobi National Park, central Rift which is Nakuru National Park and western which is Kitale KWS Station.

Each conservancy has an internal Project Proposal Vetting Committee. The Committee receives and vets all community nature based proposals and makes recommendations and referrals for funding from potential development partners in liaison with the community enterprise office at the KWS headquarters.

Mr. Speaker, Sir, on the issue of the criteria used in selecting communities, the community area chief warden reaches out to the communities for engagement and is tasked with identifying various working groups and carrying out further capacity assessments. The warden organizes meetings, workshops or *barazas* for the targeted groups. A report together with a budget proposal is then submitted to the Community Enterprise Development office for funding.

The head Community Enterprise Development then presents the proposals to Corporate Social Responsibility Enterprise Committee for consideration and approval for funding. The head Community Enterprise Development then notifies the respective area chief warden of the committee's decision in which, if approved, the head Community Enterprise Development shall forward the proposals for disbursement of funds. The development activity shall be undertaken by the community area chief warden and the Community Enterprise Development Assistant Director who shall then conduct an

evaluation to assess the impact of the programme and thereafter prepare a report for entry into the KWS database.

With regard to how the communities around Lake Nakuru National Park have benefited from the programme, there have been several KWS CED initiatives around Lake Nakuru National Park. These include four classrooms constructed at Kilo Primary School, water provision at Nyanjoi for community use and tree nurseries for community based organizations (CBOs). At Dibai Primary School, two classrooms, a water tank, provision of piped water for the park, from the park to the school and for public use as well as tree nurseries which have been completed.

At Dibai Secondary School, the construction of two classrooms is on-going, They will also be furnished with desks.

At Flamingo Primary School, all the asbestos roofing was replaced with corrugated iron sheets.

At St. Nicholas Children's Home, a dining hall and a kitchen have been rehabilitated.

It is also worth noting that the annual cycle for the rhino event has boosted the revenue for Nakuru County Government and is now a popular calendar event in the area. Through the creation of regional associations, Community Enterprise Development has enhanced networking and partnerships for enterprise development amongst stakeholders who share ideas, strategies and development opportunities under the Community Enterprise Development Institution.

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

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

Mr. Deputy Speaker, Sir, I wish to state that the interviews of wildlife conservation and compensation committees, as prescribed under the Act, were conducted in November and December 2014, in all the 47 counties by the Kenya Wildlife Service (KWS) and the Ministry officials.

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Kivuti, is the document very long?

Sen. Kivuti: Mr. Deputy Speaker, Sir, this is the last paragraph.

After compilation, the results were then forwarded to the Ministry for gazettelement of the officers but this process has not been completed yet. In order for the ultimatisation of the Act at the county level, KWS has facilitated the selection of four prescribed community members who shall sit in the county wildlife conservation and compensation committees. For the Act to be fully operational, KWS, in consultation with the conservation stakeholders, have identified a number of regulations that need to be formulated as advertised on 11th February, 2014, last month, in *The Daily Nation*, *The Standard* and *Taifa Leo*. The service is currently engaged in a public participation exercise as provided for under the Fourth Schedule of the Act.

Thank you, Mr. Deputy Speaker, Sir.

Sen. Wangari: Thank you, Mr. Deputy Speaker, Sir. I thank the Chairman for bringing that response and giving it to me early enough. So, I was able to go through it.

I only have two clarifications to seek from him. The first one is on the operationalization of the Wildlife Act of 2013, noting that it became law in January 2014. A year later, it has still not been operationalized. I would like to know how long it would take to actualize that, noting that something like compensation for death or injury is not supposed to be a Corporate Social Responsibility (CSR) and it is being treated as such.

Sen. (Prof.) Lesan: I also rise to seek a clarification on only one item that has been raised by the Chairman. Bomet and Kericho counties share close to 200 Kilometers of boundary with the Mau Forest which has a lot of wildlife. There is the usual problem of the human-wildlife conflict in that region. Could the Chairman also clarify why similar action has not been taken in that particular area, as has been taken in the Lake Nakuru area, where there is the human-wildlife conflict similar to the Mau Forest?

The Deputy Speaker (Sen. Kembi-Gitura): Sen. G.G. Kariuki, I can see that you are struggling with your machine.

Sen. G.G. Kariuki: Thank you, Mr. Deputy Speaker, Sir. I was struggling to get this microphone on. My question is simple. The Chairman has just said that compensation committees have been formed and we all know that last year, quite a lot of crops were destroyed by wild animals. But I was informed last week that the committees have not yet been formed. Therefore, no one knows whether they will be compensated or not. Can my friend here, explain vividly whether it is true that he can stand with his Statement that the committees have been formed?

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Kivuti, you have listened to those three interventions. Please, go ahead and reply.

Sen. Kivuti: Thank you, Mr. Deputy Speaker, Sir. The issue of operationalization of the Act is not actually a CSR. As I have stated in my answer in part (d), I know the process of making the Act operational has been delayed and I agree with Sen. G.G. Kariuki, that I also note the delay. It is better late than never, because action started in November and December as contained in my answer. Some of the issues like the regulations were already put in the press in February, which is last month. I do not think that we can say that because there was a lapse and it has already been addressed, then we expect the work to proceed as expected. This is because already the persons who have been nominated in all the 47 counties have already been gazetted and notified.

Mr. Deputy Speaker, Sir, on the issue of similar action for Mau Forest, I believe that the eight decentralized units within the country, Mau Forest should be part of the unit that is administered under Nakuru National Park. As you can see, all the units are distributed all over the country and it is not possible that at every forest, there must be a station because the resources at KWS are also to be taken care of.

Sen. Kagwe: On a point of order, Mr. Deputy Speaker, Sir. I want some clarification on the issue of the quantum. He has talked about the fact that there will be compensation, but it is more on the issue of the policy on the quantum of the same. This is because, as we heard this morning, in the area of Kieni, baboons are now not only eating people's produce but also chasing women away from the farms. It has gotten to the point where, it is not just a question of destruction of crops, baboons are attacking women particularly. They do not attack men. Therefore, what is the policy regarding the quantum of compensation? What is actually compensated? If somebody is kicked out of their farm for a day, is that also going to be compensated or is it just the crop that gets

compensated? I think that a lot of clarification is necessary on this matter and also how to protect our women from baboons.

The Deputy Speaker (Sen. Kembi-Gitura): Sen. G.G. Kariuki, are you seeking the Floor again?

Sen. G.G. Kariuki: Mr. Deputy Speaker, Sir, I need further clarification for the benefit of the House and the entire country. Can the Hon. Senator give us an indication of how much money has been kept aside to deal with this compensation problem because it is very important? If he does not know the figures, then he has no answer.

Sen. Kivuti: Thank you, Mr. Deputy Speaker, Sir. I am sure that the issue raised by Sen. Kagwe is not only common in Kieni, because I could also hear the Senator for Garissa whispering something similar. Even Sen. Wangari herself is talking about the harassment of women. I do not want to dwell on sentimentalities but I know that when we were doing the Act, because there was an amendment of this Act in 2013, we sought to increase the compensation and look at it in a deeper manner than what was there previously. For example, when somebody was killed by an elephant, the dependants would be paid peanuts; about Ksh10,000. I am sure that the new Act which was assented to in December 2013 takes care of the compensation issues. As to whether the compensation includes harassment of women by baboons, I am not very sure about that. I may have to cross check on the Act. I believe that my friend, the Senator for Nyeri, can also assist me with that if need be. If he finds that there is any need to review this law, we can bring the matter up during the miscellaneous amendments time.

Regarding the issue of the amount set aside for compensation, as requested by Sen. G.G. Kariuki, the issue of compensation is not static or a planned incidental. You cannot say that this year we are going to have 200 killed by elephants but so long as there is provision in law of compensation, I believe it should be forthcoming.

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Wangari, are you on a point of order or are you seeking further clarification?

Sen. Wangari: Yes, I am on a point of order.

Mr. Speaker, Sir, I know Sen. Kivuti is talking about a sentimental issue but on a more substantial issue, it is not just about baboons harassing women. We know that 95 per cent of farmers even around Lake Nakuru and the park are women. In my home area, for the last four seasons, they have not harvested any crop. They gave up because of baboons. In terms of operationalization of this Act, I am concerned about the timeliness because it is provided for as it is right now in law. It is now a year since it was signed into law. How long does the Ministry need to actualize these committees and why is it dragging its feet? As long as they are not there, they quote bottlenecks in law. We even removed the bottlenecks through the amendment but they still say we cannot do it because the Community Wildlife Conflict Committee is not in existence. How much time do they still need?

The Deputy Speaker (Sen. Kembi-Gitura): Timeliness is what you have been asked to give, Sen. Kivuti.

Sen. Kivuti: Mr. Deputy Speaker, Sir, as I said earlier, if a process has already been taken and interviews have been carried out, persons have been notified, gazettelement was done in February, I believe action has been taken. Instead of me giving this House another undertaking that could take another one month, I would give the sentiments of

this House, as stated by Sen. Wangari, to the Cabinet Secretary to make sure that whatever action they have taken, must be realized.

The Deputy Speaker (Sen. Kembi-Gitura): Very well. There are no further requests for the floor. That is the end of Statement time, so we need to move to the next Order.

BILL

First Reading

THE SENIOR CITIZENS CARE AND PROTECTION BILL (SENATE BILL NO.43 OF 2014)

(Order for the First Reading read – Read the First Time and ordered to be referred to the Senate Committee on Labour and Social Welfare)

MOTION

CATEGORIZATION OF PUBLIC SECONDARY SCHOOLS AS COUNTY SCHOOLS

Sen. (Dr.) Zani: Mr. Deputy Speaker, Sir, I beg to move:-

THAT, aware that the prime purpose of devolution in Kenya is to decentralize and transfer functions, resources and power to the county level of government in order to promote participatory democracy and sustainable development for the benefit of all Kenyans, concerned that the Ministry of Education, Science and Technology still upholds the historical classification of schools into national, county and district schools; concerned that such categorization has implication in terms of funding, administration and eventually academic performance and that it limits choices and admissions of students to Form One, appreciating that in the current devolved system of government, counties will play a key role in the educational outcomes of their schools, the Senate calls upon the Ministry of Education, Science and Technology to take immediate action to review the categorization of public secondary schools and to classify all of them as county schools in order to ensure equity in resource allocation and guarantee quality education for all.

Mr. Deputy Speaker, Sir, the whole nexus of this Motion is to change a practice that has been prevalent in this country; the schools are categorized and that has been historical. Before Independence, secondary schools would be known to be for Europeans, Asians and others for Africans. The categorization of these schools ensured that certain schools became very prominent as result of being listed as schools for certain specific people. As a result of colonization, Lenana School was known as the Duke of Yoke; Nairobi School was known as the Prince of Wales; Kenya High was known as European Girls and so on. Most of the provincial schools at that time were for Asians and then we also had schools for Africans.

The whole issue of school categorization has been historical. Before Independence, there was that categorization of European, Asian or African and that automatically has implications in terms of quality of education, type of schools and what a student would achieve from that school. After Independence that system went into the school orientation and classification and that has not changed much since 1963. From that point, European Schools became national schools, Asian schools became provincial schools and the African schools became district schools.

Mr. Deputy Speaker, Sir, categorization itself is not a problem. The only problem is that when you have any form of categorization, it comes with very many implications in terms of quality and type of school. In the Kenyan system, we have national, provincial, district and private schools. With devolution, most of the schools that were considered to be provincial schools were changed to county schools but a lot has not changed in terms of the way they are run. Therefore, we still have a situation where a child is going to complete Standard Eight and will be categorized into a particular type of school. The reason why they will move from one school to another also depends on their performance. Those who scored 400 marks and above are likely to end up in the national schools. Due to that, as a result of selection into national schools, one will be privileged. Most of those who will go into national schools will be the ones who have attained high marks and therefore tend to be more intelligent, tend to come from very good social backgrounds, tend to cope with various situations despite the fact that those national schools admit children from all parts of the country unlike county schools which admit students from within the county.

National schools end up being advantaged. National schools are given priority when it comes to selection of students. They select students first after which county schools do their selection and then sub-county schools. Unfortunately, those who end up in sub-county schools are subjected to a totally different type of education. If we look at it generally in terms of how schools are run and in terms of, for example, quality of teachers, national schools have the best teachers. Looking at classification of schools because of the new Constitution, instead of former provincial schools, we now have county schools. County schools have slightly better infrastructure compared to sub-county schools.

If we look at various indicators for attainment in schools, because finally it is about what grades somebody will end up with, it depends on the type of school they will go to. If they go to a national school even if they got very low points, for example, 200 points in the Kenya Certificate of Primary Education (KCPE), because of the environment, teachers and equipment, they will improve and perform even better. So, national schools are better off in terms of the teaching and the number of teachers. If you compare the number of teachers in national schools to those in sub-county schools, you will find that sub-county schools have very few teachers. I will give an example of Mwamzandi Secondary School in Kwale which has eight teachers only. The performance was very low. At the end of O-level, the school had a total of 37 E grades, 62 D grades, one D+; and the highest grade was a C minus (C-). Therefore, the performance depends on the type of school and the kind of teachers there are.

In terms of infrastructure, national schools have laboratories, books, facilities, equipment and everything they need to have in order to progress and improve. Generally, even if a child did not have the advantage from the word go, when they get to a national

school, they do well. These are the reasons why parents will fight for a national school. Sometimes, a child from a disadvantaged background is selected to join a national school but because they cannot afford fees, a child from a more advantaged background ends up taking that opportunity. Sometimes, we do not have enough scholarships to ensure that children who are less privileged join national schools.

In Kenya, the transition into university and finally into the job market is dependent on grades. Therefore, if by somebody going to a national school, they are assured that they will get good enough grades that will take them into university. So, going to the right school becomes very important.

We have done various studies in the educational field and seen the level of inequalities across various types of schools. Since most of national schools are very expensive, most of the children who end up in them are those who are more privileged. They can afford to pay fees and all the other costs that come by being in a national school.

Recently, in 2013, the Ministry of Education, Science and Technology increased the number of national schools. We have an additional 30 national schools. The number moved from 75 to 105. However, when we look at the quality of the new national schools, you will find it is not the same as the previous national schools. In *The Standard* article of 5th March, 2015, there was a classification and the writer raised concerns that in the new national schools, the performance is wanting. The schools, among others include: Shimo la Tewa, Ribe Girls, Baringo High, Kabianga Boys and Kipsigis Girls. Some of them are in the coast region and others in the Rift Valley region.

Therefore, we need to be specific, especially in the educational sector to look at the final output that we want our children to have when they move to secondary schools after completing primary education. We want them to move to secondary schools where they are given almost equal opportunities. If equal opportunities are not offered at secondary schools, there is no other place they will happen. This is because that transition is very important to ensure that they go to the right secondary schools. Finally, they go to the right universities to pursue their various areas of concern.

County schools, previously provincial schools, are slightly worse than national schools but better than sub-county schools. In county schools, teachers are not of the same level as those of national schools. Those that were upgraded to national schools were determined by the basis of their performance and how well equipped they were. Those that remained as county schools do not perform well like national schools. County schools also have better students compared to sub-county schools. However, they have the disadvantage that selection is done only within the county. Therefore, at the end of the day, students in county schools do not have a chance to mix with other Kenyans from other counties. That is restrictive in itself. However, at the end of the day, they perform well. Indeed, sometimes, some of the county schools have been known to perform better than some national schools.

Lastly, Mr. Deputy Speaker, Sir, we have sub-county schools, formerly known as district schools. Historically, district schools developed from harambee initiatives that were made through people coming together as communities and deciding to find a place for their children to go to school.

Sub-county schools, at times, seem to be the poorest partly because of the Government policy. They have been left to aid themselves. Some are Government

sponsored but others are not. However, over time, it has become standard knowledge that if somebody went to a district school with 200 points, they could not substantially improve. That at the end, they could not leave with their Kenya Certificate of Secondary School (KCSE) results reflecting good performance. Indeed, by the time a child goes to a sub-county school, it is as though their fate has been sealed. It takes a brilliant, innovative and motivated child to attain very good performance and join the university from sub-county schools.

This Motion seeks to address the need to have a form of equalisation so that at the end of the day, we have all schools being referred to as county schools. This will ensure that we have equilibrium to equip all of them uniformly. In so doing, we shall have the best schools like it happens in the developed world. A secondary should be of a particular standard. We are trying to set a standard of performance in secondary schools in the education sector. Let all secondary schools have the best libraries, laboratories and teachers. Let us have standards. We should not have the mindset of feeling that a child who did not end up with a good grade cannot do well. The environment, socio-economic surrounding, the old boys' ties, the social network and the cultural capital within any school is enough to push a child to perform very well.

Therefore, the whole idea in this particular Motion is that at the end of the day, we need to have a change of approach so that we have categorisation that is streamlined and have students going to the right schools at the right time and doing different things. The reason why this is also very important is that, historically, the whole issue of marginalisation started with the nexus of national schools being found only in some places. In certain former provinces, now regions, specifically North Eastern, Coast and Eastern province, there were no national schools. Nyanza Province had only one national school which is Maseno School. The other three regions never had a national school. So, even the children from those regions really have to struggle harder to get into a national school where there are none within their own regions.

Mr. Deputy Speaker, Sir, two very important commissions were set up in this country after Independence. These are specifically the Kamunge Commission and the Koech Commission. They came up with very specific recommendations about certain key issues. Specifically, there was the issue of access, which is stipulated again in the Vision 2030, Millennium Development Goals and the Constitution; that education has to be a right for everybody. When you look at the transition rates especially from primary to secondary and secondary to university, there is a big drop.

We need to think about why we have a problem of access. First, we do not have enough secondary schools within the country. For example, when we say that 600,000 are not going to get places within secondary schools, what do we mean? Is it the end of the road for them? Even for the ones that have a chance to go to school, we need to think about what sort of access they have to these schools. What type of schools will they join?

The second issue that was very critical in the Commission's report was the inequality and the skewed tendency that has been there. For example, I was looking at the statistics of the students who end up joining the University of Nairobi from the Coast region. The level is very low at only at 2 per cent of the transition of those from the Coast region who end up in the university. When you consider the gender aspect, you will find that very few girls make it to the University of Nairobi. The particular study was specifically for the University of Nairobi. But if you talk about equality, then we are

asking ourselves: What is the chance for a person from North Eastern or Eastern region to make it to a good secondary school? So, the issue of equality is very critical.

I also sit in the Committee on Cohesion and Equal Opportunity and the same issues come up. When you look at the patterns of employment within the various state organizations, are we over-represented, for example, by people from a specific ethnic group? Do we have equality across the board? Those issues sometimes actually hinge on what has happened even before in terms of access to education and creating equality for everybody to get to the right places.

There is also the issue of relevance that needs to be dealt with. We have always said in this country that it is very important that we recognize that we are an agricultural community. Yesterday we were hosting a delegation from Morocco. They have advanced in terms of tourism and agriculture. The relevance of an educational curriculum that is reflected at secondary school should really capture the imagination of what the students should be looking at. These are the things that should be taught in those county secondary schools. There is also the issue of quality education. The type of school will determine the output. Therefore, if we move away from the argument of putting too much emphasis on having inequality in the type of schools and begin to standardize, that might in itself help us create less differentiation across our socio-economic, regional and ethnic stratum. We will reach more underprivileged groups and end up with something that is more balanced, equitable and not skewed across the board.

The reason we must think about classifying them as county schools would be to give communities more power, so that they can begin to play a more active role in what happens in those county schools, especially with devolution. I know that in the Fourth Schedule secondary schooling is still the preserve of the national Government. We are not saying that in terms of policy, education and curriculum, this needs to be scaled down to the county level. We understand that, that has to remain at the national level, but we are talking about equalization. Let us have the same standards across the schools, so that we give everybody an equal opportunity. I am sure that even for the various communities, when such an impetus is put into place, they will work harder to ensure that their children get to the schools and remain there.

Mr. Deputy Speaker, Sir, I think the benefits really outweigh the present categorization that we have.

I beg to move and request Sen. Kagwe to second.

Sen. Kagwe: Thank you very much, Mr. Deputy Speaker, Sir. I think this is a subject that should be of great interest and concern to all Kenyans as a whole. This is because a society that creates equity amongst the citizenry essentially becomes stable. The more unequal a society is, the more socially and politically unstable it remains.

Indeed, if you look at places where revolutions have been forced by societies, one of the ingredients of those revolutions is inequity in societies. One of the ways of ensuring that our society moves equality to the greatest extent possible is by ensuring that our children get an opportunity in not just education but quality education, in a manner that a child from Kuria, for example, will feel they have got as much opportunity as that in Nyeri, Mombasa and Turkana.

Mr. Deputy Speaker, Sir, pushing further the argument that has been proposed by Sen. Zani, I am of the view that not only should they be categorized that way, but fundamental changes should be made in our education system, so that we can achieve

what she is proposing. She has quoted the Fourth Schedule which makes the Early Childhood Development (ECD) education a function of the county government and upper education a function of the national Government. Since I was a child I have never witnessed a classroom being built in my constituency or county by the national Government. Those schools were built by the communities through harambee efforts and self-help projects. Therefore, it has never made any sense to me that those schools continue to be in the hands of the national Government. In which way are they in the national Government?

Article 187 of the Constitution allows functions to be devolved from one government to another upon arrangement and agreement by the two governments. Therefore, I am of the view that, incrementally, education should be devolved to the county governments. We must not create county schools by just renaming them. The change in the name itself cannot constitute what we are trying to achieve. It can be achieved by ensuring that the county administration puts as much money into the county schools as they can. We should be past the issue of managing education centrally. In the United States of America (USA), all matters of schools are managed at the state level. There is no centralization of education, except policy.

Everything else including the payment of teachers, construction of classrooms, and the financing of the school is done at the state level. It is the same case in India where schools are managed by the state, the only thing that the Central Government provides is advice on policy. The same case applies in Germany where schools are managed by the various states. This is the reason why we embraced devolution in Kenya so that citizens can address the issues close to them because they can see the schools. The fear is that we do not want Kenya to be in a situation where a district school is only attended by persons from within that district.

This is one of the problems and that is why tribalism thrives in this country because if you are born in Pumwani and you go to Pumwani Primary School and then Pumwani Secondary School- let me not give the example of Pumwani because it is a mixed community. For example, if you go to Nyeri, Kuria or Murang'a and you were born in a village somewhere in Murang'a, you attend a primary school in Murang'a, then you go to a district school in Murang'a which nobody else from any society in Kenya can attend except those from that district, then, you pass the exams and you go to another institution that is also in the same area, what sort of Kenyan are we breeding through that whole exercise?

Mr. Temporary Speaker, Sir, the purpose of education is not just to bury the youth in an information overload. It should be for purposes of transforming societies, so that the social and political impact of education can be felt across the board in all our societies. Therefore, the way to go is to devolve these schools on conditional function devolvement. It should not be all counties at the same time. The way it should be done in my opinion, is that once a county has proved that they have already taken care of the Early Childhood Development Education (ECDEs) as programmed in the Forth Schedule, then they should increasingly be given other responsibilities for other schools. If you look at the states that I have mentioned like India, Israel and other places, the biggest budget in the county administration is the education budget and not the budget for buying vehicles for county executive committees (CECs).

Therefore, we should focus and say that once a county is done with the ECDEs, the national Government should devolve all those schools in those counties into county schools and manage them effectively. The only other proviso that I would propose as an improvement to the Motion that is proposed by Sen. (Dr.) Zani, is that even if a school is categorized as a county school, we must remember that in accordance with Article 187 of the Constitution, money must be devolved from the national Government to ensure that the school is properly funded, so that the funding of the school is not just left to the county because it is called a “county” school. It should continue to get the commensurate money that is required to run the school effectively.

In addition to that, if we want to revolutionalise our country and create a real Kenya, not just tribes within Kenya but a real Kenya, schools should be rewarded for ensuring that they reflect the face of Kenya. A school should be given awards in terms of financial support commensurate with the degree of accommodation of other areas and other tribes in our country. If a school has got 25 per cent of its pupils coming from outside its region, that school should attract more funding from the Government because the purpose of education is not just to read books, it is also to produce a Kenya where people feel more Kenyan than their tribes.

Mr. Temporary Speaker, Sir, If we want our children, grandchildren and great grandchildren to feel more Kenyan than we feel, we cannot walk the same path. If we walk the same path as we are walking today, surely, as day follows night, we can only arrive at the same destination. The reason why Kenya will be different tomorrow and why an individual in Nyeri will feel more Kenyan than now is because of the actions that we will have taken to ensure that it is the case. We must take action today to ensure that tomorrow, people are going to feel more nationalistic than they do today and this is part of the process. This will ensure that the county schools are not just “county.”

“County school” does not mean that the school is only attended by those from those counties. A county school should be a school in terms of the fact that it has proper funding and that a child in Nyeri will want to go to Shimo la Tewa, not because it is a national school but because the performance and what is given there is such that the child would like to go to that school. If you look at the performance of the national schools today, for example, Kagumo High School, my former school, which is categorized as a national school, they had 13 students with mean grade of A, on the other hand, Murang’a High School in the constituency of the Deputy Speaker, had 51 students with a mean grade of A.

If I were to ask my child where they want to go, never mind about the categorisation, would they want a school with 13 As or that with 51 As? I propose to you that a smart child will want to go to a school that is performing, whether that school is in Nyeri, Kilifi or Kwale. It is good for us to appreciate what the purpose of the Motion is, which is to ensure that we have good schools in all counties. One feels the frustration that is there in those areas where you cannot really count a good school.

Finally, there is a reason why some areas do well and some do not. I want to say that we must take responsibility. Parents must take responsibility for how our children are going to perform. When I went to university, we had 102 students from all over Kenya because we were a national school. I can quote some of the people we were with including the former Speaker Marende. Today, that is not the case and it is the same society, the same school and the same place that exist. Now why is it that in those years

that could happen and today that is not happening? Any researcher will tell you that the reason is:-

- (1) the seriousness with which the parents around the school take the school;
 - (2) the seriousness with which the community looks at the purpose of education;
- and;
- (3) the leadership that exists in the area in terms of the school management.

Therefore I have no reservation in supporting what Sen. (Dr.) Zani is proposing, with the proviso that I have proposed that, in my view, goes a long way in improving the already proposed Motion.

(Question proposed)

Sen. (Dr.) Machage: Thank you, Mr. Deputy Speaker, Sir. I have been reading and re-reading this Motion as put to us by the eloquent, well learned and renowned educator in this country, Sen. (Dr.) Zani, but I feel that we will be jumping from the frying pan into the fire. Inequity and marginalization in matters of education have a big fulcrum on historical injustices. Indeed, many other regions paid taxes those days just to concentrate on building institutions in certain “right” places.

During my time in education, it was so terrible that there was no secondary school where I come from and I had to go to western province for my high school education. We had national, provincial and district schools. We also had a quota system which had been developed which also allowed provincial schools to pick students from other areas of this country. As it is the case today, national schools would admit students from all over the country. The Government funded all national and provincial schools. They were developed into the best models of good education.

In any country, especially in the westernized countries, you will find specific institutions built for extra intelligent children. People are not equal in the real sense of it. We may not fully accept the Nyerere philosophy; but people are born with different Intelligent Quotients (IQs), different heights, strengths and gifts. Therefore, we must have schools that are actually designed and built for the purpose of encouraging and developing talent. Other areas have the ability and the opportunity, maybe as it is now, to have their children to go to good schools in this country such as Alliance, Kagumo, Kenya High School, among others.

There are a few Kurias who have gone through those institutions to score the big results that are known for those schools. Hurrah! Kuria is coming up! Now, we say “let us classify all schools into county schools;” then the rules that exist have to be re-enacted. The regions that were privileged to have those good schools in their areas will have the advantage. They will have their children going to those very good centres of excellence built from the sweat of taxpayers of other regions. I find it unacceptable if we say that all schools be called county schools and they are equally financed. It sounds okay, but if we do so, we will kill centres of excellence that promoted intelligence that we want to cultivate so as to have better scientists, historians, economists and the like to fit in the world market. I am not saying that the other schools in the counties should be ignored.

The move by the Government to create national schools outside the known national schools was a noble idea. What we should now be fighting for is to have funds to build the 30 additional national schools to centres of excellence so that Moi Nyabohanse

in Kuria, which is now a national school, should be at the same standard as Alliance Girls High School. We should have even more schools upgraded to that status. These schools should be ordered not to limit their acceptance of students from the local areas. They should admit students from all over the country. That is the ill that is befalling Kenya now. Some schools are now being localized. A student will join Maseno Primary School, Maseno Secondary School, Maseno University and, at the end of the day, he ends up teaching in Maseno Secondary School. This is somebody who is not a nationalist and that should be avoided.

Mr. Deputy Speaker, Sir, whereas Sen. (Dr.) Zani may have the intention of alleviating marginalization in educational matters, maybe this approach is not the best. Maybe we need to think a little bit deeper about the real ill, but not to put all schools at the same level. It will not work because people are not the same.

Mr. Deputy Speaker, Sir, I admire one thing with Sen. (Dr.) Zani's Motion; that feeling of the marginalized people and societies that they need to have their schools developed. I encourage you and everybody else to have that feeling and that desire in the system. The worse thing we can do is to think of decentralizing education. We made a big mistake by decentralizing the health-care service in this country. To me, decentralization of health services to the county governments was a big mistake which should not be repeated. We should not make another mistake by putting political pressure in having county schools. Instead, the Government should be forced to build all schools to be at the same level. We should insist that they admit their students from all over the country. It used to be that way when I, Sen. G.G. Kariuki and even you went to school. However, it is during the time of the former Mathioya Member of Parliament (MP) as the Minister for Education---

The Deputy Speaker (Sen. Kembi-Gitura): Order! Concentrate on the Motion.

Sen. (Dr.) Machage: Mr. Deputy Speaker, Sir, I have no bad intention; may his soul rest in peace. But something happened during his time as the Minister for Education which encouraged schools to admit the bulk of their students from the local area. You have had some regional schools taking many students to universities than others. For example, Murang'a High School will send over 50 students to universities while Tarang'anya High School in Kuria will---

The Deputy Speaker (Sen. Kembi-Gitura): No; order, Member! When you mention Murang'a High School, you talk about my old school. Just to correct you, 198 students qualified to join local universities from Murang'a High School and not 50 students.

Sen. (Dr.) Machage: Congratulations, Mr. Senator. You say 198 students from Murang'a High School will join local universities to further their studies.

The Deputy Speaker (Sen. Kembi-Gitura): Thank you.

Sen. (Dr.) Machage: Only 9 students from Tarang'anya High School will join university. When will we ever catch up? Murang'a High School is a local school, but has been upgraded to a national school. Local people have built that school to that level. It is now a centre of excellence. You cannot compare it with schools from Kuria because resources are concentrated in certain areas of this country.

However, I cannot just make an end in that kind of argument because we also have inequality in population. For example, we pick people from Central Province, majority of whom are Kikuyus. Yes, they have more students who pass to join

universities. We also have more of them in hospitals and mortuaries. We have more Kikuyus who are paupers than people from other. So, really that argument may not hold a lot of water because their population is nearly 6 million while the Kuria peoples' population is only 300,000. We have to accept realities; but the truth must be said that however small populations may be, some regions were denied resources due to historical reasons. Over 50 years down the line after Independence, these are the reasons we should correct this situation.

Mr. Deputy Speaker, Sir, classifying all schools as county schools, will be going totally in the wrong direction and it is akin to trying to correct some ill using a wrong method. Let every school get enough funds to have enough laboratories and be given equal opportunity on teacher allocation. In Nairobi, for example, we have schools that have excess teachers whereas in Turkana and Moyale counties, we have schools with no teachers. This has been contributed to by cases of insecurity in those regions. There is no way children from these areas will be equal to the others because certain opportunities have been denied to the students.

Those are the opportunities that we must work hard to offer. If we can have well-staffed schools in every county – Mwamzandi Secondary School, as you have mentioned, has eight teachers for very many students and some classes go without teachers. Let this school have the required 26 teachers. Let Shimo la Tewa High School which is a very old institution, have its share of staffing. This is the only way to correct the ills of marginalisation.

Mr. Deputy Speaker, Sir, this Motion needs an amendment. I am afraid that if I amend it the way I want, it will totally lose the intention. Therefore, I have no otherwise, but to oppose it.

Thank you, Mr. Deputy Speaker, Sir.

Sen. (Prof.) Anyang'-Nyong'o: Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion. I support it, but I would like to qualify my support in a certain manner. First, we must realize that a good school is one in which there are good teachers in terms of qualifications and discipline. Secondly, it must have good students who are also disciplined. Thirdly, wherever a school is, it must have some tradition and culture of learning, and this cannot be established unless you have teachers who are well trained, disciplined and know what building an educational culture is. Then fourthly, it is the issue of equipment like classrooms, laboratories and so on, and so forth.

When I went to Alliance High School - and it is "the Alliance High School" - we did not have very good facilities. If you look at the dormitories in which we lived, they were nowhere compared to the quality of the dormitories at what is now called Lenana School, which was then called Duke of York School or the Nairobi School, which was then the Prince of Wales School. Those were really well built schools. We did not have shoes. We used to play football with bare feet. I remember playing in the junior first level when I was in Form 2 with a team from the Prince of Wales School. We used to beat them because we were well trained and disciplined. We had a core culture that was ingrained in us; that Alliance never loses.

If you even look at old schools like Maseno or, for that matter, Kamusinga or Kakamega then, they were not very great schools in terms of equipment, facilities and so on, and so forth. They had established a culture that when you went there, you were expected to do well. Even great universities then, like the Makerere University College

which was part of the University of London then, if you went to the University of London itself, what was Makerere then would be like a High School. However, when students from Makerere went to London, Oxford or Cambridge, they performed just as well. This is because there was a good tradition of learning, good professors and good head of institutions like the last British head of Makerere University, Kampala, Sir Bernard de Bunsen. He was an extremely good administrator and he had good knowledge of how to establish a university.

Mr. Deputy Speaker, Sir, the things that we must do in this country is not just to look at this issue of national, county and so on, and so forth; but we must look at the training and discipline of teachers and the culture of proper education. We have turned a lot of our teacher training colleges into university colleges. For example, the famous middle level college like Egerton College was transformed into a university. We no longer have that kind of middle level college that trained veterinary technicians and so on, and so forth, who were extremely well learned people who contributed tremendously to our economy. Just the whole idea of teacher training seems to be getting lost.

We have very few teacher training colleges and the few that are there are not the kind of teacher training college that I remember. For example, we used to have Siriba Teacher Training College that was in Maseno then when I was in High school. From teacher training colleges you get trainees who go for teaching practice in nearby schools and even give students the aspiration to be teachers. This is because when they came to nearby schools, they came by their buses and they were very well dressed. I remember when I was in Ndiru Primary which was an intermediate school, I would aspire to be a teacher because the trainee looked so brilliant and smart. It created a culture of aspiring to teach because teachers were regarded as smart, disciplined and good people.

However, now you go to a school, find a teacher and you cannot believe that person is a teacher. He smells or drinks in the morning. He is walking in sandals and his pair of trousers is sometimes torn. Of course, sometimes teachers say they are like that because they are poorly paid. No, even then, teachers were poorly paid, but they were extremely disciplined and smart. I am not saying that all teachers are like that, but we must realize that good education comes from good teachers and good students with a tradition of learning and teaching.

Mr. Deputy Speaker, Sir, when I first became the Member for Kisumu Rural Constituency, I launched the CDF in the year 2003. This was my third term in Parliament. There was a very poor school in my constituency called Mbaka Oromo Primary School. This school was the poorest in terms of equipment. The school was built in between valleys and did not even have a football field. Students used to cross a valley to go play games in a nearby school, but that was the best performing school in the constituency.

The headmaster of that school was one of the best Kiswahili language teachers in country. He was a very disciplined teacher. The students in that school also followed suit; they were very disciplined. I was inspired to make Mbaka Oromo the first model school where we put a lot of CDF money. Eventually, even donors came to invest in it. It is now one of the best schools in terms of equipment in that constituency. We also bought land nearby so that we could have a playfield.

I learnt that it was not good enough to equip schools, but we had to invest in good teachers. We must, in all schools, inculcate the culture of learning the traditional way. A

lot of things used to happen during the pre-colonial times and soon after Independence. There was a learning process called schools broadcasting which was done by the Kenya Institute of Education (KIE) in conjunction with the Kenya Broadcasting Corporation (KBC). I worked for the school broadcast service when I was in Alliance High School and during my years at Makerere University.

The good thing in school broadcasting services is that it broadcast lessons to all schools equally. All schools across the Republic knew that at 10.00 a.m, pupils of Standard Four would listen to a history lesson. They all received this education and teachers were keen to ensure that they accessed school broadcast system. We had standardized learning and quality of education nationally. Eventually, during the Nyayo regime, the school broadcast system was abolished for some reason known to the Nyayo Philosophy. These are the kind of things that we must revisit in this country.

Fourth, education and land are the two areas of our economy with the highest number of commissions since Independence. You will remember during the colonial times when we had the G.B. Cartland Commission which followed the Mau Mau. At that time, we also had the Bishop Leonard Bicho Report on Education. Since then, Education and Land have had commissions almost every other year. In fact, if you are looking at commissions per capita per sector, education and land must have the highest in this nation. These are areas where we still have a lot of problems. This also shows that no matter what Government is in place, either colonial or Independent, they require a lot of attention.

If I were a student doing my PhD – some of these young Senators may want to do that sooner rather than later – I would choose a topic known as: Making Public Policy through National Commissions; A Case Study of Land and Education in Kenya. These are two areas in which you have a fantastic library of information in terms of commissions since Independence. I am using that because if you look at these commissions, you will find that they have a lot of information, especially those on education, dealing with what needs to be done in the education sector. I am wondering whether in all these commissions, all the issues raised feature prominently. However, they must feature now because they affect our education as Senators in terms of quality and investment.

Having said that, the fifth thing we must do as a policy and which we used to have as a goal in the NARC Government in the Economic Recovery Strategy for Wealth and Employment Creation (ERSWEC), which I was in charge of as Minister for Planning and National Development, is to continue providing free primary education as a way of implementing equity in this country. We, as a country, must look forward to making all basic learning schools, both primary and secondary combined and not separate, as a priority for our children. When a pupil starts school in a primary school, he should go all the way to Form Four in the same school. You should not start thinking that the moment that you do Standard Eight, there will be competition for some people to go to national schools while others to provincial schools, if your school goes up to Form Four, it is equipped and given proper teachers to give basic education which is primary and secondary.

Let us run away from this idea of having primary schools and secondary schools, provincial and national schools. This is extremely unprogressive. Looking ahead, we should follow what we recommended in the NARC Government and aim at making sure

that those are full basic schools from Standard One to Form Four. In that regard, schooling just like health should be a county problem. I do not understand why the national Government should be worried about what national school is doing well in Othoch Karakuom in South Nyanza. They do not even know where Othoch Karakuom is.

The best thing is to ensure that county governments, where we have a very good structure have a ward administrator, sub county administrator, county administrator from the village level to the top of the county. They should care about welfare delivery. Health, like education, is a welfare delivery. We have now made a good step in making health a county responsibility.

We should make education a county responsibility rather than having this juvenile thing of saying that Early Childhood Development Education (ECDE) will be a county affair and the primary and secondary education will be a national government affair. You then listen to Professor, whatever his name is; the Minister of Education, shouting like a wild wolf about results. He should leave these things to counties where we have a Minister for Education at that level. We should have someone who can address people at that level. He should not be shouting himself hoarse every now and then announcing results on who is leading and why this year we have abolished ranking. That is not the issue.

The issue is that we do not have proper policy for basic education. We should make sure that we have proper policy for basic education. County governments should be given resources to run proper social welfare at the county level. These are the global issues that should be addressed in this nation. This is like trying to understand what an elephant looks like when you are blind and you think that it appears in a certain way just because you have touched one part. That is what Professor Kaimenyi does all the time. He thinks that by shouting, he is doing something phenomenal. He is not! He should tackle one problem of education; for instance, how does positioning affect education?

We should have a national culture of giving basic education that makes sure that counties look after basic education. If you give counties proper resources, of course, they will fund the schools. Citizens get concerned about social welfare before getting concerned about anything else. People will skin you if they do not have schools to send their children to or dispensaries and health centres. When they do not have proper roads, they can even reach hospitals at the back of donkeys or even jump onto a *tuk tuk* or even a car.

Mr. Deputy Speaker, Sir, the biggest opportunities in life are provided by education and, of course, life threatening things like diseases are safeguarded in health facilities. Those are the two social welfare things that we should look at after taking care of food. While I agree with Sen. (Dr.) Zani in some of the issues she is raising here, let us also look at the bigger picture and all these commissions in the final analysis.

I beg to support.

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

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

Sen. G.G. Kariuki: Thank you, Mr. Temporary Speaker, Sir. I rise to support this Motion, but with a lot of concern. This is because when the Motion was moved and

seconded, it raised a lot of other concerns that were not envisaged in this Motion. Therefore, the Mover was very concerned, as a teacher herself, with the way the education system is going on in this country or the way it has been set up. It is very hard to start talking about something in the middle, unless, first of all, you consider the historical part of the whole situation.

We must ask ourselves where we are coming from and for how long have we been on this journey to where we are, where Sen.(Dr.) Zani, myself and others are now concerned about the quality, equalisation and some people being left out. It is now time for us to forget the past. However, history cannot be forgotten. We have to take the bull by the horns now and ask ourselves whether or not we are doing the right thing.

Some of us did not go to very good schools, but we managed to get somewhere because of sheer initiative and decision making; that you want to be like so and so and you must get there. I heard the Chairperson say that there are some students who are cleverer than others in terms of intelligence and other strengths. My belief is that every child will get anywhere given the opportunity and exposure unless he was not born normally. It may not be just excelling and becoming a PhD or a Master in Education holder, but excelling in many other different ways in life.

Some of the people who have changed and transformed this world are the people that you think are not intelligent. They have their perception in life, move to that direction without fear and they make sure that they live in that street of searching for knowledge until they get it. The opportunity that has just been given by Sen. (Dr.)Zani is very important for us to be reminded that we are swimming in very deep waters that we do not know how deep it is and whether we are going to make it to the other side.

Mr. Temporary Speaker, Sir, fifty years of Independence is enough to take stock and ask what we have done. We could not have been magicians that we had to do what we expected. This is something we are proud of. Has our past education system transformed this country the way you and I would want to see it? Is transformation producing PhDs? This has happened to a few people who had the opportunity to get there. The majority who could turn against the entire system and even overthrow the system of Government are out there.

In Migori, for example, where you come from, people are not educated because they were not given the opportunity. Their bitterness is their knowledge which can then be transformed to become a terrible thing. We must all be concerned when we see children playing football with small balls outside their homes without going to school. You must know and get concerned that something wrong is mushrooming here because this person is going to turn against you and the entire system. So, we must start now and ask ourselves whether classification alone really matters, like my honourable friend is suggesting. Classify this school and pretend that it will be equal to the other one. If you have no facilities, teachers and a vision, but just classification, then you are doomed.

Mr. Temporary Speaker, Sir, education should not be something for people to meddle with it. If it is a devolved sector of our economy or whatever, this must be followed by a very strong management and administration without corruption. Where did our corruption start? When I hear that a certain young man has scored 400 or 600 marks, I am not moved at all because who knows whether the examination was done by his father considering the rampant corruption in this country. You just start singing for

somebody and carry him shoulder high and you do not know for sure whether it was done by a teacher or himself. I think that person who is being carried shoulder high, knowing too well that it was done by Sen. (Dr.) Zani, has been made a thief from the word go. He will live this kind of life because the truth no longer exists to him.

I was a proprietor of a secondary school and I got tired with it. You find that private schools are doing so well all the time because Government schools are not properly managed and have no facilities. Teachers in both schools graduated from the same teacher training colleges. With the Kenyan way of life, which private school would not want to be ranked as the best so as to attract more students every year? It can only be ranked best if it can do what other Kenyans are doing. You know too well what Kenyans are doing. We have to get out of corruption and become different people.

Mr. Temporary Speaker, Sir, if people who claim to be saved are saved for sure, I would ask the whole Parliament to retire and get these saved people to come and manage our affairs. However, if you are just saved in order to achieve certain objectives, you are not saved at all.

The only way you can start improving our schools is by creating all the facilities that are required in a secondary school; the teachers, and all the things that go with a secondary school.

Again, Mr. Temporary Speaker, Sir, you create a new culture of teachers because people have taken it for granted. You should know and I am sure you know that when children join Standard One up to Standard Eight, it is just like a bottle of *Coca Cola* which has been put in a manufacturing machine that will come out whether we like it or not. None of us is asking himself or herself about the bottles which were not properly filled. People are being churned out like machines; you finish your primary school and then you go ahead. If you do well, you go to secondary school. Even if you are lucky to have found somebody to do the examination for you, you proceed to secondary school.

Mr. Temporary Speaker, Sir, we are at a loss and I think it is high time institutions like the Senate and the National Assembly started changing their perception of issues. If we continue this way, nothing will happen for the next 50 years. Thank God I will not be there to see all these nonsense. We have to change this country. The only way we can transform this country is by knowing that money is not going to take us anywhere in this world. Worthwhile money is that which you can plough back to the people and not to just keep it in the banks and then the following day, you are not there.

Pupils joining Standard One were promised laptops, but we have not seen them. This has not happened because of the prevailing confusion. We are in big problems. Sometimes I sit here like a baboon which hon. Members were talking about because I wonder what we are doing if we cannot move anything as the Senate. We are very good at condemning, but we should ask ourselves as the Senate; what culture we are entrenching among Kenyans? We simply come here and talk to the galleries in very good English; through the nose like a “white” man, but in essence, that is not what brought us here.

Mr. Temporary Speaker, Sir, the first time I met the late President Jomo Kenyatta was in 1952 when I was in Form Two. He came to our school and said “Young men, the most educated person is not the one who can speak the Queen’s English, but somebody who can put pieces of timber together and make a table or collect sand stones and make a house”. Those are the intelligent men and women and those are the persons we need in

this country. However, that philosophy was overtaken by the allure of white collar jobs because that is what the “white” man wanted. They knew that they were educating their servants.

We have continued in the same way as though we have servants in this country. Kenyans will no longer be servants of others; they can stand on their own feet. Kenyans are just watching us and a time will come when we will be asked to give way. Our sitting here should not just be like in the National Assembly where people gather to intimidate others so that they can get something into their pockets.

Thank you.

Sen. Gwendo: Thank you, Mr. Temporary Speaker, Sir, for this chance to also add my voice to this Motion. First, I would like to correct Sen. (Dr.) Zani that in the former Nyanza Province, we not only have Maseno as the only national school, but also Maranda.

The Temporary Speaker (Sen. (Dr.) Machage): There is also Moi Nyabohanse High School.

Sen. (Dr.) Zani: On a point of information, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): Do you want to be informed?

Sen. Gwendo: Yes, Mr. Temporary Speaker, Sir.

Sen. (Dr.) Zani: Mr. Temporary Speaker, Sir, when I referred to Maseno as the only national school that was there before the new national schools came into place, but I am aware that more national schools have now been added. Even in the other regions that I mentioned in north eastern, coast and eastern, they now have national schools. Before 2000 when the classification had not been put into place, we did not have national schools in those regions.

The Temporary Speaker (Sen. (Dr.) Machage): Indeed, even Rapogi High School is a national school. They are many.

Sen. Gwendo: Mr. Temporary Speaker, Sir, I am skeptical to support this Motion considering that with our new devolved system of governance, we have the ECDs and the polytechnics under the county government, but I do not know if we can comfortably say that the condition in which the ECD institutions are in is something we can call good and still want to add more responsibilities to the county governments.

It is a good idea to have classification of schools. A good example is the former Central Province which has Alliance and Mang’u high schools whereas the other regions do not have the same calibre of schools. National schools enable students from different regions to join this type of schools. The students perform well, but with the kind of classification we have now, we must allow all students to get an opportunity to study in all national schools. If we rename them county schools it will not be fair because many other deserving students will be denied a chance to join those schools and gain from better education facilities.

We are yet to do much in our counties, because many counties are yet to establish schools that can really be called national schools. They are still not well facilitated. Therefore, if you give more responsibility to the county government, our children will have a raw deal. In the former Nyanza Province, for a very long time we had Maseno High School as the only national school in the region, but this did not stop students from Nyanza Province from going to, for example, Nairobi School, Mang’u or Alliance. This

enabled them join various universities, including the University of Nairobi. The whole idea of having national schools in different counties is giving opportunity to all.

This is a very good Motion, but I beg to oppose it.

Sen. Wangari: Thank you, Mr. Temporary Speaker, Sir. I thank Sen. (Dr.) Zani for bringing this Motion. I know that it is with good intent. I want to note that from the word go, I do not see any devolution of education from the substance of the Motion, that was mentioned by Sen. Kagwe. The right to education is a constitutional right. Article 53 (1)(b) says:-

“Every child has the right to free and compulsory basic education.”

Education is also a Millennium Development Goal (MDG) that we will be reviewing this year. The education sector in this country, as it is right now, has evolved quite a big deal as has been explained by the Mover. The way it was in the 1970s and 1980s, is not the same way it is right now. Even in terms of socialization of children, it has evolved. I remember when I sat for the Kenya Certificate of Primary Education (KCPE); I was admitted to some school in Kangema, Muranga County. It was a district school called Iyego Secondary school. I knew right from the beginning that if I went to that school, I would not be able to go to the university.

I knew that the only way to get me out of the village was by joining a school where I could pass and join the university. I actually turned down that offer, went back to Class Eight and did another year. Eventually, I managed to go to what was called a provincial school, Kahuhia Girls High School in Muranga, which took numbers to the university. So, I was assured of a place in the university at that time.

Mr. Temporary Speaker, Sir, it is true that we are not of equal capacity. However, when schools are also not of equal capacity in terms of facilities, students will be disadvantaged. The equipment and facilities that I found in Kahuhia Girls were not found in Iyego Secondary School. That was a fact. However, I want us to look at it in a different angle. I have a problem with making them to be on the same level as county schools. We need to explore more. I want us to look at the fundamental issues in our education system. Out of the total number of candidates who sat for KCPE, we are very sure that 192,000 children will not join secondary schools. We are an interesting country because we actually think that it is okay.

For the last five years, we have been having such a high drop-out rate and hemorrhage from primary schools to high schools. Almost 200,000 children do not join secondary schools. We have bigger problems than the categorization of schools. Are we telling a 14 or 16 years old, that they have failed and they cannot go on with their education? When the former President Kibaki took over power in 2003, the one thing that I was hoping for was universal secondary school. The Government made an attempt, but we have still not achieved that to date. It was only this year that we were given statistics, that almost 200,000 pupils will not join high schools.

Mr. Temporary Speaker, Sir, I want to agree with most of the other Members who have spoken before, including yourself, in terms of how these schools had been classified and where they were. They were not distributed equally in the country for whatever reasons; political or otherwise. I did not manage to go to a national school, but I went to a good school. I know that most students strive to go to a national school because they are assured of getting good facilities that will make them pass their examination and join universities. When you visit the district schools in the counties in different parts of

this country, their facilities are quite below par. Some actually see microscopes for the first time when they are doing their KCSE biology exams, yet they are sitting for the same examination. So, in terms of equalization, I agree that we have a problem because we do not have schools with libraries and book stores in some schools.

The distribution of teachers is very skewed and negatively so to the district and lower cadre schools, as has been explained by Sen. (Dr.) Zani. You will find some schools where a teacher even has two or four free hours because there are enough teachers. However, in some other schools, even the headteacher has to go to class, which is against the law and policy. This is because they need to bridge that gap that has been left by lack of enough teachers.

Recently, I have been on the fore front in the pushing to implement the guidelines that were given by the Kilemi Mwiria led team in terms of guidelines for fees. About 100,000 teachers have been employed by parents. Even in the local schools that I know, you will find that there are four teachers employed by the Teachers Service Commission (TSC) while double that number are employed by parents or boards of management. They are paid very poorly and that says a lot about their qualification. It lowers what exactly goes on in those schools because they cannot perform at the level of the TSC teachers. So, it ends up that the school does not perform well. However, it is not a problem of the name; provincial or district---

(Sen. (Prof.) Anyang'-Nyong'o answered a phone call in the House)

The Temporary Speaker (Sen.(Dr.)Machage): Order Sen. (Prof.) Anyang'-Nyong'o! You cannot do that in this House. Please, desist.

Sen. Wangari: Thank you, Mr. Temporary Speaker, Sir. I would want us to examine the whole system of education. Why was it called the 8-4-4 and it had some exit levels? Of course, they did that because they were training their workers for different kind of works. Today, we still treat the KCPE exams as an exit point. To me, it should be an entry examination. It should be able to guarantee that every child should get 14 years of straight education. Without considering what grade you got in KCPE, you must finish up to Form Four. We can only do that if we have enough allocation in terms of infrastructure. As it is right now, we are not actually building any more secondary schools. So, where do we take those children, some of whom are 16 years old? You condemn their lives by telling them that they have failed. What we are breeding is a time bomb just about to explode.

This has happened over several years; it has not started this year. You can interpolate from what we already have this year, 200,000, to the last five years. Studies have shown that if you go up to Class Eight and stay out of school for 10 years without touching a book, you become illiterate. You go to the point where you look like you have never attended school. That is not only immoral, but also ungodly. We cannot go on like this as a country. However, I do not want to join in the condemning; like Sen. G.G Kariuki said, we condemn a lot and we are very good at that. We need to make sure that we move forward.

Changing the names, to me, will not be enough. What we need to push for is the equalization. Whether we do it by policy or through another Bill, every school should

have the basic facilities in terms of having a library and laboratory. We must have the basics. However, as long as some of the schools are still struggling to put up classes while others are torn between getting chicken or beef for lunch, which is unheard of in some schools, then this inequality will still go on.

I am also of the view that in terms of generating brains and intellect, we should not also kill that categorization spirit. I think that we can still use the national and provincial schools as yardsticks; that maybe over time, every school should be brought to that level. I am totally opposed to the devolution of education and I will tell you why. Everytime I walk into a school in my home area, I can tell which class is an ECDE class. If it is in existence, I normally do not need to be told. The most dilapidated structure in that compound would be an ECDE class.

Mr. Temporary Speaker, Sir, we have put ECDE as a county function. We need a demonstration of how this can be done. If a county can adopt what the Committee on Education has done with Sen. Kagwe, and that is why I support the conditional devolution. If you can demonstrate you can deal with ECDE, because that is the most important stage of a child, every time you walk through the villages in the morning, you will meet children crying. They cry because they are afraid of where they are going. The classrooms do not even have a floor. I was showing Sen. Mshenga some photos from a few schools of ECDE classes made of *mabati* and such like materials. A child cannot enjoy such an environment.

We must, first of all, deal with the ECDE mess that is in existence with the counties handling education. If they can do that, the devolution process in Article 188 remains. If we feel that in the next five or ten years we are able to deal with these issues as a nation or as counties, then we will sit down and assess the issue of education and devolution.

The experience we have had for the last two years does not encourage us. Personally, it does not encourage me to go to the devolution of education as we have done with health. Right now in Nakuru Provincial Hospital, nobody is attending to patients. Doctors are on strike. The same thing is happening to Lamu where six doctors resigned at once and it became a crisis. We must not do the mistake we did with health. Now that we have devolved what we needed to devolve at that time, we should engage more experts in this field before we take any action.

Mr. Temporary Speaker, Sir, this Motion should look at more fundamental issues like equipment of schools and leave out the naming. Let us deal with the variations first so that whether you go to Iyego or Kahuhia, you have a chance in life. I was certain if I went to Iyego, despite being a bright child, I would not have had the chance to go to university. This is because during selection, they would have picked the lower performing children and they will always be the best among the worst. So, you will always lead with a C-(minus) and think you are very good. If we can deal with these variations, then we can now talk about devolution of education.

I would support this Motion, but cautiously hoping that it can be elaborated or looked at again by Sen. (Dr.) Zani and her team to see where we could intervene first. Do we deal with the infrastructure first and the naming later? We should start with equipping schools, posting of teachers and general resources.

Thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): Unfortunately, unless you move an amendment now, the Motion will be voted for as it is.

Sen. Kisasa Mshenga.

Sen. Kisasa: Asante, Bw. Spika wa Muda. Hoja hii imeniacha hoi kwa sababu mwamba ngoma huvutia kwake. Je, ni kweli dada Sen. (Dr.) Zani kama Mpwani anataka tuiunge Hoja hii mkono? Kama Wapwani tuna nini? Mimi nikiwa na uwezo ndio ningefanya choyo niseme kila mtu ale chake. Je, tulipofika sasa baada ya miaka 50 kutoka tupate Uhuru, tunasema kila mtu ale chake? Naipinga Hoja hii kwa sababu mimi mwenyewe nilianza shule ya chekechea mashambani. Nikaenda shule mjini ya sekondari na chuo kikuu. Nilijiunga na Aga Khan nikiwa mtu mzima.

Bw. Spika wa Muda, labda dada Sen. (Dr.) Zani anaongea kwa niaba ya Nairobi lakini kama ni kwa niaba ya Wakwale ama Wapwani yeyote, bado hatujafika kiwango ambacho unataka kutupeleka. Binadamu yeyote akitoka nje hata akienda kwa jirani akirudi nyumbani, mawazo yatakuwa tofauti. Tumeangalia safari ambazo tunaenda na tunashukuru sana Seneti kwa sababu kila tukienda katika nchi hizo tunarudi kama tumesoma vitu tofauti. Je, hizi shule zikifanywa za *county* sisi tukipata C-tutafika wapi?

Mimi ningekuwa na uwezo ndio ningesema kila mtu ale chake lakini kwa sasa naona bado tunahitaji watu kujumuika. Tunahitaji watoto wetu kuchanganyika na watoto wengine. Shule nzuri ni nini? Shule nzuri ni wanafunzi kuwa na nidhamu, waalimu kuwepo na madarasa kuwa mazuri. Sisi kama Wapwani tuna nini ili tuseme kwamba tutapata alama kama wenzetu? Kaunti yetu ina nini kwa sasa ambayo tutajifanya kwamba tumebobea ili kuwa chetu kiwe chetu? Tunahitaji waalimu wetu na watoto wetu wachanganyike National Assembly wengine kwenye Kaunti zingine. Tunahitaji Kenya yetu iwe kitu moja. Kwa hivyo, iweje kwamba elimu ambapo mtoto anaenda kujifunza iwe kwamba anajua lugha yake pekee yake? Kuna watu ambao hawajatoka nje ya Pwani. Kuna mtu anaishi Kilifi na hajafika hata Mariakani au Mombasa.

Tunashuru Mwenyezi Mungu kwa sababu hii ni kama dua ya kuku labda kwa mwenzangu dada Sen. (Dr.) Zani lakini kama Wapwani tunahitaji kaunti zingine. Inafaa tuwe taifa moja. Sisi Wapwani tunahitaji watoto wetu pia wafike Migori ili waweze pia kuongea lugha ya huko. Tunahitaji watoto wetu pia waongee lugha ya kitende. Tunahitaji watoto wetu waende Bonde la Ufa ili waweze pia kuongea Kikalenjin.

Bw. Spika wa Muda, kama nilivyosema hapo awali, mtaniacha hoi kwa sababu mkiniangalia sina ile fursa ya kupiga kura. Sijui itakuwaje?

Wakati huu tuna shule za chekechea. Tulivyosema, tuna darasa moja muhimu kwenye kila shule. Kama vile tulivyoweka darasa muhimu kwenye chekechea tutakuwa na darasa muhimu kwenye shule ya msingi ili watoto wote waende pamoja. Tunahitaji pia shule ya sekondari tukiangalia nini ambacho hatuna. Kwa mfano, hatuna bweni ama mahabara ya utafiti.

Bw. Spika wa Muda, vile nilivyosema hapo awali, tunataka watoto wetu wachanganyike, wajumuika na kutabaruka na watoto wengine nchini Kenya. Lakini tukisema kwamba mimi nimekuja kuishi Nairobi kwa hivyo wale ambao tumewawacha Pwani, tuwasahau na tuseme kwamba kila shule ambayo ni ya kitaifa, basi ibaki hivyo. Ni ombi langu kwamba kama shule itaitwa shule ya Serikali, iwe na vifaa ambavyo vinatakikana kutoka chekechea hadi sekondari. Kwa hivyo, ikiwa shule ni ya Serikali, itabulike kama shule ya kitaifa.

Bw. Spika wa Muda, nina mengi ya kusema lakini ninasihi Hoja hii isipitishwe kama vile ilivyo kwa sababu Wapwani hatuna cha kujivunia wala hatujui tutaanzia wapi. Kuna watoto ambao hata viatu hawana na wamejaa na funza. Shule ina vumbi na kila mtu anasoma kwa kutazama. Wakati huu hata mtu akijifanya kwamba amepata shahada ya digrii ama ni profesa bado tunasoma. Kuna mambo mengine ambayo mtu hawezi kuyajui yote kwa sababu binadamu hapewi kila kitu. Pengine mtu atapewa akili lakini mwendo wake hautakuwa wa kufaa. Bado tunajifunza kama Wakenya. Miaka hamsini imepita baada ya Uhuru lakini bado tunahitaji kutoka nje.

Bw. Spika wa Muda, tunahitaji watoto kusoma katika shule za chekechea zilizo karibu na nyumbani. Mtoto anapojiunga na shule ya msingi anafaa kuenda Mombasa, shule ya sekondari aende Nairobi au Kirinyaga hata kama wanafunzi wa kule wataongea lugha ya kabila yao. Anaweza hata kwenda katika shule ya Maranda ili watu wa Maranda pia wajivunie kuwa na mtoto kutoka Mkoa wa Pwani. Tukisema kila mtu asomee shule ya kwao, hilo halitakuwa wazo nzuri. Saa hizi tunajaribu kuwa jamii moja. Migogoro tuliyonayo labda ni kwa sababu kila mtu anajiita kwao.

Bw. Spika wa Muda, hatukuomba kuzaliwa pale ambapo tulizaliwa na hayo hayawezi kufutika. Sisi kama Wakenya tunaomba tuwe jamii moja. Hata kama mtu anazungumza Kijaluo, mjaluo naye pia aweze kuongea Kiswahili mufti. Kama unavyojua, Kiswahili ni kigumu kwa Sen. (Prof.) Anyang'-Nyong'o. Labda anangoja kuniuliza baadaye; Sen. Kisasa, ulikuwa ukisema nini? Hii ni kwa sababu hakusome pwani mwa Kenya.

Kwa hivyo, sisi tunaomba---

Sen. (Prof.) Anyang'-Nyong'o: Nasimama kwa hoja ya nidhamu, Bw. Spika wa Muda. Kwa nini Sen. Kisasa anasema kuwa sijui lugha ya Kiswahili ilhali nimekuwa katika siasa kwa miaka 20 sasa?

The Temporary Speaker (Sen. (Dr.) Machage): Hana nidhamu kabisa kwa sababu umeongea Kiswahili sanifu.

(Laughter)

Amefanya makosa kidogo licha ya kuwa wewe ni Seneta. Hata hivyo, amekupa heshima.

Sen. Kisasa: Bw. Spika wa Muda, nilitumia neno 'labda.' Kwa hivyo, kama sen. (Prof.) Anyang'-Nyong'o anajiweza, leo jioni nitajua kama anaweza kuzungumza lugha ya Kiswahili.

The Temporary Speaker (Sen. (Dr.) Machage): Unaruhusiwa, asante. Endelea kwa sababu ungali una muda.

Sen. (Prof.) Lonyangapuo: Nasimama kwa hoja ya nidhamu Bw. Spika wa Muda. Sijui kama Sen. Kisasa amesoma hii *Motion* vizuri. Pengine---

The Temporary Speaker (Sen. (Dr.) Machage): Umesema utazungumza kwa lugha ya Kiswahili sasa unachanganya.

Sen. (Prof.) Lonyangapuo: Sijui kama Sen. Kisasa amesoma hii Hoja vizuri. Hii ni kwa sababu Hoja hii haiwakatazi watoto kutoka kaunti zingine kwenda kusomea katika kaunti zingine. Kwa hivyo, naomba aisome vizuri kabla ya kuendelea.

The Temporary Speaker (Sen. (Dr.) Machage): Nafikiri utakuwa na wakati wa kutoa mawazo yako.

Sen. Kisasa: Asante, Bw. Spika wa Muda. Nafikiri atakuwa na wakati wa kunikosoa kwa sababu hapo mbeleni, Sen. Kagwe alikuwa akitaka sekta ya elimu igatuliwe. Kwa hivyo, siko mbali na Hoja aliyotoa. Sidhani kama nimeteleza. Unikosoe kama nimeteleza. Nilikuwa tu najaribu kutetea. Mambo yaliyo katika Hoja hii yakigatuliwa itakuwa vipi?

Wacha nimalize hapo kwa sababu naona kama nakosea. Hata hivyo, wapwani hatujafikia kile kiwango cha wenzetu. Hatujafikia kima cha shule za upili za Alliance na Maranda. Kwenye gazeti la leo, mwanafunzi wa kwanza katika shule moja huko Kwale alipata Gredi C-. Wale waliopata Gredi E, ambayo yaitwa reki, ni 37. Huo ndio wasiwasi wangu.

Kwa hayo machache, ninapinga Hoja hii.

Sen. (Prof.) Lonyangapuo: Mr. Temporary Speaker, Sir, I rise, from the onset to support the Motion as moved by Sen. (Dr.) Zani. The Motion calls upon an action and it says in part:

“Appreciating that in the current devolved system of government counties will play a key role in the educational outcomes of their schools. The Senate calls upon the Ministry of Education, Science and Technology to take immediate action to review the categorisation of public secondary schools and to classify all them as county schools in order to ensure equity in resource allocation and guarantee quality education for all.”

Mr. Temporary Speaker, Sir, I understand this Motion to mean that for a long time since 1963, we inherited schools - these were given earlier by the Mover - that were meant for “whites” only and which became national schools. Schools that were for mixed races and Asians became provincial schools at that time. African schools were harambee schools and were also known as district schools. Districts of that time ended up being counties today.

Mr. Temporary Speaker, Sir, counties such as Kiambu County, if I may use an example, is proximal to Alliance High School and Alliance Girls High School. The professor that we were praising a few hours ago for the exemplary service and the award will be going to the United States (US). The professor will be accompanied by Sen. (Prof.) Anyang’-Nyong’o and we were sending him to take our greetings there. There is a high degree and possibility that Prof. Mugo went to either Alliance Girls High School or Kenya High School. Those were schools that were inherited and categorised as national schools. Fifty years later, we have continued to walk the talk and categorise schools yet students there are strictly black. During that time, it was “whites” who went to Alliance High School.

The total population of students in Alliance High School from my county is not more than five. That is, one student in every class. For every class in Alliance High School, there are eight streams. I would have expected one per stream. That is eight times four which is 32 and similarly for other counties. In Alliance Girls High School, for example, where I am privileged to be a parent, there are six out of 1,400 students from my county. Therefore, the degree of proximity is very important. Students from Kiambu and Kikuyu Town, walk on foot carrying their boxes. These students are not less than 500. This is not because they are Kikuyus, but because the school is close to them. So, they aim and know the benefit of the school since 1963.

Mr. Temporary Speaker, Sir, because of the benefits of having a school near, Migori County has between 10 and 20 professors and almost zero from Kuria.

The Temporary Speaker (Sen. (Dr.) Machage): Order! Could you go and look at your information?

Sen. (Prof.) Lonyangapuo: Mr. Temporary Speaker, Sir, I have information here.

The Temporary Speaker (Sen. (Dr.) Machage): Kurias have nearly 10 professors. Continue with the list.

Sen. (Prof.) Lonyangapuo: Chacha Nyaigoti Chacha---

The Temporary Speaker (Sen. (Dr.) Machage): They are all Chachas. Continue with the list.

Sen. (Prof.) Lonyangapuo: I will continue with the list. I will mention all counties. If by now you have ten professors, then the number increased recently. When I was a Professor in the university they were few.

The Temporary Speaker (Sen. (Dr.) Machage): Order! Do not express your ignorance in the House. What you are saying is not true, but I sympathize with you. I would advise you to leave the issue of Kuria alone and continue with your presentation.

Sen. (Prof.) Lonyangapuo: Mr. Temporary Speaker, Sir, it seems that you are lucky. Either somehow you discovered some schools or those people are not from Kuria. I know that in the whole of Nyanza we had Maseno School and a few other schools like St. Mary's, Yala that were meant to train fathers. However, by the time I joined that school, I was not a father. But can pinpoint very few people from around that region that are now highly trained.

In Turkana County, for example, we now have about four professors. But three years ago, there was none. There is no national school, except those that were introduced recently by Prof. Ongeru and Prof. ole Kiyiapi. They inherited schools which did not belong to the national Government.

There is one professor in West Pokot and eight in Baringo County. We have six in Elgeyo-Marakwet, six in Nandi, eight in Kilifi, six in Kwale, 12 in Mombasa, seven in Taita-Taveta, three in Lamu. None in Samburu County. If I go round the counties the number would be surprising. Kiambu County would have over 200 not because it is close to Nairobi, but the schools that I have just mentioned. There is a direct correlation between the quality of the human resource that we have today in Kenya and outside Kenya and the presence of a national school that is fully funded through public funds.

The schools that I have just mentioned, like Alliance High School, have 100 per cent teachers. The 1,400 students have 84 teachers, while Chewoyet High School, where I am the chairman of the board, has 1,400 students as well, but with 36 teachers. The Maseno School that performed exceptionally is a national school. Do not bring Maranda School into this picture. It is an exceptional case where everybody who lives near the lake has decided to make that school look exemplary. Likewise, Murang'a High School is now a national school and it is doing well.

Now that we have gone into devolution, ethnicity is being practiced. The governors who are locals have decided to fill positions with fellow locals. Very few employees are from other ethnic communities. Therefore, the Motion says that the Ministry of Education, Science and Technology should take immediate action to review the categorization of public secondary schools and to classify all of them as county

schools in order to ensure equity in resource allocation and guarantee quality education for all. This should also apply to teachers. Teachers should also be shared equally in schools all over the Republic, so that everybody can access education. A student in Lodwar Boys High School which is in Turkana County should have the same strength as the one in Alliance Boys High School.

It should have the same strength and equal measure as is in Alliance Boys, but there are 86 teachers and 28 teachers in other schools. You wonder what the rationale is. We could easily say that we categorize all these schools, we can start slowly, take about 10 schools per county and make sure that all schools are fully staffed with all the requirements that are needed. Today, we are expanding the little Alliance School until everywhere is saturated. We now have ten streams which we could easily create in another school. That is why when we have some very old adage behavior found in some counties like cattle rustling, it means that these people are lacking some ingredient and you take them to schools that are fully funded which when you go, you know that you can come out with a minimum of Grade C plus

Mr. Temporary Speaker, Sir, you heard what my neighbour Senator said that in some school, the student with the highest grade had a C minus and it is because we do not have enough teachers. In some schools where I come from, they have three teachers and the school has classes from form one to form four yet they sit for the same examination, it is standardized and supervised the same way. If we make sure that we take education as an affirmative action in every county, just like we disburse money from here to counties proportionally, for education purposes it should be equal. If we start with ten schools, it should be five for girls and five for boys, it should be equally funded. When it comes to the selection of form one students, the computer should be commanded that every county must have a student in that school, so that we should have representation of all the 47 counties, from Maseno or Chiwoet in west Pokot.

That is where we are going to arrest the spirit of tribalism and ethnicity that is now going to dominate in the counties in the name of employment. If we work on this one, we can decode and be sure because education is the basic equalizing factor. We remember last year that this House passed that each county must have a public university. I have no problem with universities because I was in one. The Joint Admission Board (JAB) should make sure that all schools - if the students have passed they should go to different universities. Even Rongo which is in your neighbourhood has students from all over.

The Temporary Speaker (Sen. (Dr.) Machage): Order! Rongo is not in my neighbourhood. It is in my county.

Sen. (Prof.) Lonyangapuo: Sorry, Mr. Temporary Speaker, Sir. I thought it was in Homa Bay, but it is at the border.

The Temporary Speaker (Sen. (Dr.) Machage): Order! You should be informed. Rongo is in Migori County.

Sen. (Prof.) Lonyangapuo: Mr. Temporary Speaker, Sir, thank you for that correction. I want to follow up and say that as a result of that, there are 24 students from my county who are in Migori County in a university called Rongo. If there was no Rongo we would be having nobody from West Pokot there. That is why I am saying we should have as many secondary schools as possible that are standardized and we can call them county secondary schools, so that we can feel that we can have a Kenya that is fully

starting from the grassroots level. After class eight, you join form one in the counties and you interact with all your colleagues everywhere. When I went to St. Mary's School, Yala, I told them that I am from West Pokot and everybody came and stared at me as if I had emerged from planet Mars. I was a star for a long time, but now every year we have not less than two boys going there from 1984.

Mr. Temporary Speaker, Sir, it is important that we deal with this Motion and support it. I would urge the Mover to follow it up with a Bill so that it becomes mandatory to implement it. It would then not matter who will be the Cabinet Secretary (CS) or the Principal Secretary (PS). The computer has to be programmed in such a way that it cannot fill students in the next school until all county students are admitted in one school and then it continues like that until all vacancies in schools are filled. This way, we can be sure 5, 10, 15, 20, 50 or even 100 years from now, the scenario I am seeing in West Pokot where people can easily talk in their vernacular language in "cabinet" meetings where the Governor sits with the County Executive Committee (CEC) members, will be the same in Tharaka-Nithi. They can easily speak in their mother-tongue where the Merus do not even know what these fellows are saying.

Mr. Temporary Speaker, Sir, we can begin to remove that problem now because if you come to study in Nasokol Girls Secondary School in West Pokot, there is a probability that you will complete your schooling and say you want to be employed there. The same scenario can be replicated in Kisumu, Samburu and everywhere else.

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

The Temporary Speaker (Sen. (Dr.) Machage): I see no other interest; I will, therefore, call upon the Mover to reply.

Sen. (Dr.) Zani: Thank you very much, Mr. Temporary Speaker, Sir. I beg to reply.

Let me start by thanking the Senators very sincerely for their well thought out and very constructive contributions. I know that from the outset, the Motion was a little bit mixed. Therefore, it is right that it has elicited different sort of interpretations to the intention. Nevertheless, I could also see that the intention finally was coming out clearly. For us, what we are all saying is that we want to have schools that are well equipped in terms of infrastructure - libraries, workshops – and in terms of teachers so that we do not have differentiation.

At that point, we are all speaking from the same page because at the end of the day, what we are saying is that if we are to have sustainable education and have people perform well, then we need these sorts of facilities. The differentiation is coming in terms of whether we want that to come at the county level or at the level it is now, just as a point of giving more information and for clarification. County schools are already in existence. It is not a fabrication of Sen. (Dr.) Zani, coming from the coast region to say we want county schools and we do not want members from outside coast counties. That is a misinterpretation or misrepresentation of this Motion.

Mr. Temporary Speaker, Sir, the Motion is very clear in the sense that we already have county schools in existence. What we are saying is that instead of having the differentiation of standardization at national and then at county levels, let us formalize, streamline and have all of them being referred to as county schools so that we do not have the differentiation at all. It is not so much of the name and one of the Senators, in their contribution – I think it was Sen. Wangari – indicated very clearly that it should not

be so much of the name that we need to think about, but the processes that are happening within the schools and how to begin to change those schools. Because at the end of the day, what we want is a better performance for everybody.

Mr. Temporary Speaker, Sir, the idea from Sen. (Prof.) Anyang'-Nyong'o that why should we not think about a process where we are moving from basic education right from primary up to the secondary levels, so that we have that level of standardization across the board; is something, probably, as educationists, we need to think about and put into perspective. That, if we can have a format where we can have a very standardized system right from primary to secondary because nobody chooses to be born poor or be born in a family that is disadvantaged. When the disadvantage that a child already suffers is perpetrated because they are not going to be given an opportunity to do well because of the type of the school they go to, then it creates a little bit of a problem.

Regarding the ECD and the level of ECD classrooms that are there, sometimes if we put this into perspective, we are looking at a situation where devolution has only been there for about two years. In the Committee on Education, we have gone to some of the schools as well across some of the counties and we found that in those schools which have made an initiative, some of the ECD classes are very impressive; but in others, they are not. The reason is, especially in some of the county governments, what has happened is that they have concentrated some of that money into primary schools rather than in secondary schools entirely because most of the parents who go to those schools will say "why are you just concentrating on ECD; why are you not concentrating on the primary?"

There has been a confession from various governors that we visited as the Committee on Education who said that, sometimes, they have had also to put in some of the funds. I think the debate about devolution fully into the county, especially in terms of education is still a debate we want to go to in a substantial manner. But for now, let them be renamed and be called county schools; let the national government continue to play its role in terms of resources; and bring in those resources down to those specific county schools.

For us here this afternoon, we all agree that it is all about the standards and enhancing those standards. Once we talk about those standards being enhanced, then we can move ourselves to a point where we know that across the board we can address the various issues and challenges that face the education sector.

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

The Temporary Speaker (Sen. (Dr.) Machage): I wish to bring the attention of the House that is not a county Motion. I, therefore, put the question.

(Question put and agreed to)

Next Order!

REVIEW OF EXISTING LEGISLATION ON HEALTH CARE TO MAINSTREAM
AND ENHANCE CARE FOR PATIENTS WITH DEMENTIA

THAT, aware that currently there are approximately 44 million persons living with dementia worldwide, a figure that is expected to triple by 2050; acknowledging that caring for dementia patients can be a difficult experience; appreciating the contribution of family members and

other care givers of people suffering from dementia across Kenya; noting with concern that mental healthcare does not seem to be a priority in the public health sector in Kenya since the allocation for mental healthcare is less than 1% of the total public health budget; acknowledging the importance of raising awareness of dementia and ensuring that people with dementia are treated with dignity and respect; appreciating the contribution of non- governmental organizations such as the Africa Mental Health Foundation and the International Institute for Legislative Affairs who provide a platform for sharing of views and experiences on care of people with dementia; noting the need to enhance awareness on and provide better care for patients of dementia; the Senate directs the Standing Committee on Health to immediately initiate review of the existing legislation on health care in order to mainstream and enhance care for patients of dementia and further that the Committee submits a report to the House on the matter within ninety (90) days.

The Temporary Speaker (Sen. (Dr.) Machage): Senators, as you may have realized, the sponsor of this Motion is the Chair this afternoon. We will, therefore, defer Motion No.10 to next week and it should be given priority.

(Motion deferred)

Next order!

BILLS

THE PUBLIC FUNDRAISING BILL (SENATE BILL NO.28 OF 2014)

(Sen. (Prof.) Anyang'-Nyong'o on 5.3.2015)

(Resumption of debate interrupted on 11.3.2015)

The Temporary Speaker (Sen. (Dr.) Machage): Where is the Mover of the Bill?

Sen. (Prof.) Anyang'-Nyong'o: Mr. Temporary Speaker, Sir, I beg to reply. First, I would like to thank all the Senators who have contributed to the discussion of this Bill. They have been very constructive and supportive systematically. I am one of those people who never benefited from going to a harambee school.

My education at the basic level was provided for basically by my late parents, the colonial and the Independent governments. The idea that education should be provided using public funds without harambee has existed in this country for very long.

The second thing is that we are not tabling this Bill to the House for approval to ban harambees. There has been a wrong notion as Senators observed, while discussing this Bill that it wants to ban harambees. It does not. Indeed, harambees are an example of social help through what you may call mutual societies that have existed for a long time.

(Sen. Kisasa crossed the Floor without bowing to the Chair)

Sen. (Prof.) Lonyangapuo: On a point of order Mr. Temporary Speaker, Sir. Did you see the way my neighbour, Sen. Kisasa, walked from this side of the House directly to her sister Sen. (Dr.) Zani without following the right procedure?

The Temporary Speaker (Sen. (Dr.) Machage): She is completely out of order. Sen. Mshenga, could you correct the mistake? I want to see you bow before the Chair.

(Sen. Kisasa bowed before the Speaker)

That is nice. Now, you can go.

Sen. (Prof.) Anyang'-Nyong'o: Thank you, Mr. Temporary Speaker, Sir. This Bill deals with public collection. A harambee is just one of the routes of public collection. One of the reasons we are targeting harambees is because there has been tremendous abuse of the spirit of public collection through volunteerism and mutual help. If anything, it has metamorphosed into many forms of public collection of funds which definitely does not embrace the spirit of volunteerism and mutual help.

Therefore, we need to do something to save the spirit of public collection, mutual help and volunteerism in this country. This Bill hopes to do that so that society does not begin to feel that when people are engaged in mutual help, they are engaged in a form of help which is very exploitative and extortionist.

Former President Kibaki, during his tenure, did not conduct any harambee. However, during the ten years of his Presidency, including the five year term that he was the Co-principal with Raila Amolo Odinga, it is seen as a period in Kenyan history which resulted in tremendous expansion of education and economic growth which continues until today. This period of Kenya's history is only comparable to the first ten years after Independence when, as we can remember, harambee was voluntary and was confined to targeted social service or welfare programmes like health and education.

As Senators observe, harambees have gone haywire to include people outsourcing their private responsibilities to the public. I think Sen. Mutahi Kagwe pointed out that very clearly. We should, therefore, face these issues squarely and not be governed by the fear of leaving the harambees. We should not also have a fear to governing effectively the social welfare that is run in this country. Being governed by fear leads us to make irrational decisions. Some Senators expressed fears that without harambees they do not know how Kenya will move.

Harambees have distorted the spirit of mutual help and we should get rid of it in the form in which it takes so that we have a formal public collection of funds which is governed properly like the Koigi Wamwere Report pointed out during the NARC Government. This is a Report that was initiated when Sen. Kiraitu Mutungi was the Minister for Justice and Constitutional Affairs.

Our neighbours, Uganda, Rwanda and Tanzania, are not governed by harambees at all. Rwanda rose from its ashes from years of internal conflict to establish a very prosperous society in which social welfare is very well funded by the State. Tanzania started the philosophy of *Ujamaa*, which means that we all come together in mutual help and it has continued. Although *Ujamaa* is not as emphatic in Tanzania as it was before, they do not have harambees; neither do our neighbours, Uganda and Ethiopia. But if you look at the education system in Ethiopia – the infrastructure and so on – they are doing very well. There is really no fear that we should express when we are going this direction.

Mr. Temporary Speaker, Sir, this Bill has been accused of having too many bureaucratic bottlenecks. In the Third Reading, we shall see to what extent Senators who have expressed this idea can bring amendments to that Bill so that what is seen as bottlenecks, but which are seen as institutions of regulation, are run in such a way that they do not lead to bureaucratic bottlenecks. A progressive development agenda that will make a difference in this country, is one in which regulating harambee in this era, is extremely important. We have seen how harambees have been misused during campaign times.

As a sequel to this Bill, I will subsequently propose that we have a Bill on campaign financing and I will pray for a vote in this House when this Bill is presented. We will then have a specific law of campaign financing in cognisance of what is provided in the Kenyan Constitution and the Political Parties Act.

Mr. Temporary Speaker, Sir, in terms of way forward, the adoption of this Bill in our society will lead to a speed up in social development. This is because the proposals of tax rebate in the event of people contributing money to social welfare projects through voluntary contribution are made in the Bill, as many Senators observed. Further, we see in the Bill that tax exemption for philanthropy is recognised and, perhaps, it goes progressively beyond the Act that is being repealed – the Public Collections Act.

Finally, I must say that in thanking the House, the line between harambee and extortion is very thin as Members observed. Sen. Ndiema did make that point very strongly. Another point that he made, which I would like to emphasize, is that harambee has actually made our economy very non-competitive in character. This is because the pressure for harambee leads public officers to be used for rent seeking. When people are looking for resources to go to harambee, they know that their salaries alone cannot bear the burden of harambees.

If you went to public offices, you always found a public officer, whether a DO, a DC, a principal of a college or a headmaster of a school, had a stack of cards on his or her desk giving you service. After the service, you feel more or less psychologically compelled to contribute to the harambee they are seeking support for. Now, when this happens to potential investors in the economy they begin running away because in Kenya there are very high transaction costs. These are realities in our economy and we should be frank enough to say that something which was started as a noble cause has over time degenerated as an albatross around the neck of our economy and our society. Therefore, the easiest thing is to take the bull by the horns and call a spade, a spade and get a proper spoon for the food we want to eat.

Mr. Temporary Speaker, Sir, I would like to conclude by saying that this Bill will go a long way to remove that albatross around our neck and to ensure that we now begin supporting social welfare projects either through public resources or by genuine volunteerism to social welfare.

In line with Standing Order No.54 (3), I would like to request the Chair to put off the---

The Temporary Speaker (Sen. (Dr.) Machage): Could you, first of all, move and then request.

Sen. (Prof.) Anyang'-Nyong'o: Mr. Temporary Speaker, Sir, I beg to move and, pursuant to Standing Order No.54(3), request the Chair to defer putting the Question to

another day so as to allow us as Senators to do something that will reflect the opinion of the House.

The Temporary Speaker (Sen. (Dr.) Machage): Very well, the request is granted. Voting on this Bill is deferred to next week.

(Putting of the Question deferred)

Next Order!

Second Reading

THE NATURAL RESOURCES (BENEFIT SHARING)
BILL (SENATE BILL NO.34 OF 2014)

(Sen. (Dr.) Zani on 4.12.2014)

(Resumption of debate interrupted on 4.12.2014)

The Temporary Speaker (Sen. (Dr.) Machage): Who was on the Floor? I can see Sen. (Prof.) Anyang'-Nyong'o's request.

Sen. (Prof.) Anyang'-Nyong'o: Mr. Temporary Speaker, Sir, I would just like to briefly contribute to this Motion whose debate was interrupted on 4th December, 2014.

First, let me thank my Chairperson, Sen. (Dr.) Zani who led us very well in this *ad hoc* Committee to produce this Bill and bring it before the House. As you know, Kenya is going through a period of a bonanza in the discovery of more and more natural resources. Sometimes when we think of natural resources, our minds jump very fast to the extractive industries like the geothermal industry and the oil and gas industry in this nation. Extractive industries are just one part of natural resources. Looking at the impact of these emerging bonanza, extractive industries are going to play an extremely important role in our GDP.

Mr. Temporary Speaker, Sir, in my own county Kisumu, Tullow Oil Company is busy exploring for oil in Kisumu County. I have even chaired a meeting between the leaders in Kisumu County and Tullow Oil Company. I proposed to Tullow, that while they are exploring and, of course, they were very convinced that they were going to discover oil because in places like Nyakach and the shores of Lake Victoria on the Kisumu County side, there are vast deposits of oil. However, while doing that, even the exercise of exploration itself interferes with natural resources called the soil, and quite often leads to a conflict or misunderstanding between the explorers and farmers.

This is because the farmers feel that the moment somebody comes with a tape and some sticks, there is already oil in their garden and, therefore, they must be immediate stakeholders in Tullow Oil Company. We agreed that we must have a coordinating committee in which both Tullow Oil Company and ourselves can sit, so that we can begin understanding the ground rules for the extraction of that particular natural resource.

As Sen. (Dr.) Zani pointed out in her contribution, certain economies around us ensure that communities where natural resources exist have ground rules which create more benefits to those communities. For example, in the tourism industry in Tanzania, a

natural resource called game is very important to that economy. So, rather than allow game reserves and tourism to be the preserve of the state and private companies, the communities where game reserves are, have been brought in as stakeholders who should get benefits from the exploitation of that particular natural resource. The ground rules are such that what the communities get is not a token “thank you” kind of gift, but a real portion of the benefits accrued from the exploitation of that natural resource.

Mr. Temporary Speaker, Sir, this is the same thing that is facing us, in the Committee on Finance, Commerce and Budget of this House, regarding the conflicts in Narok County, with regards to the game reserves there; the Mara Conservancy and Maasai Mara National Park. The governance of these reserves is extremely important as a way of channeling the benefits from the exploitation of that particular natural resource. We have been involved in extensive discussions with the county government and the stakeholders on whether or not these ground rules are working and the communities in Narok County, who regard themselves as the natural owner of the natural resource, are actually getting their dues, and how much of those benefits should go to the county government which is the custodian of the natural resource, environment and people of Narok.

These are the issues that this Bill tries to address, so that we do not wait until there is a crisis anywhere in Kenya before we tackle the issue. We should lay the ground rules clearly in a law that will make sure that the communities in Kenya, the Government and investors are fair partakers of the benefits accruing from the extraction of natural resources.

This is a landmark law in our economy which is extremely important. It also means that we should have benchmarks from somewhere else where we have laws which achieve the same goals like we are having. Sen. (Dr.) Zani and a few of our colleagues have had the opportunity of visiting New Zealand---

The Temporary Speaker (Sen. (Dr.) Machage): Order Professor! You will have eight minute when we resume debate.

ADJOURNMENT

The Temporary Speaker (Sen. (Dr.) Machage): Hon. Senators, we have come to the end of today’s Sitting. Therefore, the Senate stands adjourned until Tuesday, 17th March, 2015, at 2.30 p.m.

The House rose at 6.30 p.m.