

## NATIONAL ASSEMBLY

### OFFICIAL REPORT

Tuesday, 21st July, 1998

The House met at 2.30 p.m.

[Mr. Deputy Speaker in the Chair]

### PRAYERS

### PAPER LAID

The following paper was laid on the Table:-

Report of the Departmental Committee on Energy, Communications and Public Works on the Postal Corporation Bill, 1998, Bill No.5.

[By The Chairman, (Mr. Mbela)]

### ORAL ANSWERS TO QUESTIONS

Question No. 335

#### EL NINO FLOODS IN WAWIDHI VILLAGE

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

- (a) if he was aware that houses and plantations of the people of Wawidhi Village in Central Nyando were submerged when River Nyando overflowed its banks in the recent *El Nino* rains,
- (b) if he was further aware that these people are camping at Ahero Market after being displaced and are still suffering due to lack of food, clothing and shelter, and;
- (c) if the answers to "a" and "b" above are in the affirmative, what action he intends to take to stop the river from overflowing its banks and alleviate the sufferings of the people camping at Ahero Market.

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

(a) I am aware that some houses and subsistence crops, not plantations, of the people of Wawidhi Village in Central Nyando were submerged when River Nyando overflowed its banks during the recent *El Nino* rains.

(b) I am, however, not aware that the people of Wawidhi Village are still camping at Ahero Market and still suffering due to lack of food, clothing and shelter. The people who had camped at the market have since gone back to their homes immediately the floods subsided. The Government has so far distributed relief food to the tune of 1,630 bags of white maize and 275 blankets to the affected and deserving people during the period between November 1997 and June 1998. Mobile clinics were set up within the area and enough drugs for treatment of water borne diseases, malaria and other ailments were provided.

(c) Kisumu District Disaster Management Committee has already submitted cost estimates for necessary repairs to the damaged Nyando River banks to the tune of Kshs1,610,000. This will entail *inter alia*:-

- (i) Construction of the main dykes
- (ii) Repair of the existing dykes which were destroyed by the recent *El Nino* rains, and;
- (iii) Undertaking other appropriate remedial measures along the river banks aimed at taming the river to minimise future damage.

The project is being considered for financing from the special emergency fund.

**Mr. Otita:** Mr. Deputy Speaker, Sir, the answer to the Question is not all that satisfactory. When the Minister says that the people have so far gone back to their various homes and left the places where they had moved due to the flood waters, this is very untrue. Just before I asked this Question, I had 21 names of people who

are still residing in various places and in the market at Ahero. If the Chair will allow me, I can read all the names from this list---

**Mr. Deputy Speaker:** Hon. Otita, just ask your Question.

**Mr. Otita:** People are suffering and not even the DO or the DC has gone to see them. Could the Minister tell the House why these people have not been visited and helped?

**Mr. Ndambuki:** Mr. Deputy Speaker, Sir, I personally visited Ahero with the PC and the DC. In fact, by the time we visited them in May or June, there was nobody there. We had to give the food which we took with us to the people in the market. We were told that they had already gone back to their areas because the water level had gone down. I was there personally.

**Mr. Otula:** Mr. Deputy Speaker, Sir, could the Minister tell this House exactly when these people were moved and settled? What assistance did the Government give to these people?

**Mr. Ndambuki:** Mr. Deputy Speaker, Sir, I did not say that they were settled. They went back to their homes. On the day when I went there, we gave them 275 blankets. We also gave them food. So far, we have given them 1,680 bags of maize.

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

**Mr. Deputy Speaker:** Do you want to ask a question, or are you standing on a point of order? Do not stand on a point of order if your intention is to ask a question.

**Mr. Shitanda:** The hon. Minister has told this House that when they went to Ahero, these people had left the place they were camping and that they had gone back to their homes. He has further told this House that when they went there, they gave out 275 blankets. Which people had gone back their homes and which ones were given the blankets?

**Mr. Ndambuki:** Mr. Speaker, Sir, we did not distribute the blankets on that day. I left them with the Provincial Administration to give them because already, they were not there.

**Mr. Otita:** Mr. Deputy Speaker, Sir, those people do not have houses. Their houses were covered by filth from the river. Even when the relief food was taken there sometime back in February, it never reached them. Personally, I met some people hiding or going to sell relief food.

Could the Minister tell the House, which houses did his people go to, since the houses there were covered by the filth from the river?

**Mr. Ndambuki:** Mr. Deputy Speaker, Sir, some of the houses were not totally submerged. There was just water around there. I would like to tell the hon. Member that if he knows that relief food was hidden, he should report to the police. Those people will then be arrested. The issue of stealing or selling of relief food is giving us a lot of problems. If the hon. Member knows for sure that relief food was hidden or sold by anybody, he should report to the police. Alternatively, he could bring the evidence to us and we will do so.

*Question No.388*

ARREST OF MR. OTIENO

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

(a) whether he is aware that on December 24, 1997, the Chief of East Alego accompanied by his *youth wingers* entered the house of Mr. Samuel Sambu Otieno, carried out an illegal search of the house, arrested him and his son and illegally detained them for four days at his office in Umala, in total disregard of the law, and in complete violation of their human rights;

(b) if the answer to "a" above is in the affirmative, what steps he will take to stop arbitrary and illegal arrests of innocent people of Alego and Usonga Locations by the District Officer, chiefs and the administration police; and,

(c) whether he could instruct the District Commissioner, Siaya, to stop the harassment of innocent people of Alego and Usonga, and to respect their legal, constitutional and human rights.

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

I am aware that on the 24th of December, a certain Mr. Sam Otieno at the Ukwala Market, approached a chief and shouted at him that he had no powers to arrest anybody, and challenged him to do so, but the chief did not respond. Mr. Sam Otieno confronted the chief and roughed him up and in the process, tore his shirt. There was an Assistant Chief around. The Chief and the Assistant Chief went and reported the matter to the police. That evening, the police went to arrest Mr. Sam Otieno. Mr. Sam Otieno has been charged in court. He was to

appear on the 31st of December, 1997, but the case was postponed and it was to be heard in June, 1998. Again, the date was changed and it is now going to be heard on the 19th of August, 1998.

I am also aware that the accused is the son of the National Development Party of Kenya (NDPK) Chairman of Umala Sub-Location.

**Mr. Oloo Aringo:** Mr. Deputy Speaker, Sir, I am shocked by the reply from the Minister. What I am asking the Minister concerns the human rights of the ordinary people in the villages. Those people are now victims of arbitrary arrests and illegal searches by chiefs. If I would briefly inform the Minister, they were trying to compel him to join KANU and he refused. Chiefs are harassing supporters of other political parties, in order to force them to join KANU. Could the Minister tell the House that he will stop the harassment of ordinary people in their homes?

**Maj. Madoka:** Mr. Deputy Speaker, Sir, the hon. Member gave us a specific incident of an individual and that is what I responded to. But if there are any other specific cases, I would like them to be brought up. This is because the chiefs are not allowed to arbitrarily arrest or harass any citizens.

**Mr. Ndicho:** Mr. Deputy Speaker, Sir, if you look at part "c" of the Question, which the Minister has opted to ignore, it asks whether the Minister could instruct the DC, Siaya to stop the harassment of innocent people at Alego and Usonga. The DC Mr. Samuel Oreta is a known bully---

**Mr. Deputy Speaker:** Order, hon. Ndicho! You cannot just start casting aspersions on the character of another person who cannot defend himself here. Please ask your question!

**Mr. Ndicho:** Mr. Deputy Speaker, Sir, I am saying this because I have been a victim of this man. He put me in a cell for a whole week. If what he did in Kiambu is what he is currently doing in Siaya, I sympathise with the people of Siaya very much. The Chief and the Assistant Chief could not have arrested Mr. Otieno if they had not been instructed by the DC. The Minister has told us that Mr. Sambu Otieno committed a crime by tearing the shirt of a Government officer. He has also told us that the case has taken almost one year, from December last year up to August this year. There are a lot of discrepancies regarding this issue. This shows that the Government is not serious. Could the Minister tell the House why it has taken the Government such a long time to prosecute those men? This is because it is a trumped up charge and the chief is trying to cover-up his heinous deeds. He must have been instructed by Mr. Samuel Oreta!

**Maj. Madoka:** Mr. Deputy Speaker, Sir, we do not control the courts. So, I cannot say why this case has delayed for a long time. I know that it is not for lack of evidence, but I think the court is congested with many other cases.

**Mr. Ndicho:** On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Minister to evade the question? He has said that he cannot control the courts. But is it not true that the human rights of this man are being violated by the same Government that put the courts into place?

**Maj. Madoka:** Mr. Deputy Speaker, Sir, the accused is not in remand. He is out on bond and he only attends the court when he is called upon to do so.

**Mr. Wamae:** Mr. Deputy Speaker, Sir, the Questioner has said that there was an illegal search. If I recall properly, the IPPG legal reforms required that chiefs should never search anybody. Why did the chief search the house of Mr. Otieno, when he had no authority to do so?

**Maj. Madoka:** Mr. Deputy Speaker, Sir, I did not say that the chief searched the House. What I said was that the police officers went and arrested the accused.

**Mr. Oloo Aringo:** I think there is something which is much more serious than that. What the Chief did was to arrest Mr. Otieno and hand-cuff him together with his mother-in-law. In accordance with our customs, this is an abomination of desolation. We have not even conducted the rituals yet, to cleanse this particular family. Could the Minister investigate the matter further, and respect the rituals and customs practised by our people?

**Maj. Madoka:** Mr. Deputy Speaker, Sir, I am not aware of the hand-cuffing of Mr. Otieno with his mother-in-law by the Chief. I will investigate this allegation and report back to the hon. Member.

*Question No.421*

INTIMIDATION OF POLICE OFFICERS

**Mr. Deputy Speaker:** Is hon. Sudi not here? We will leave his Question until the end. Let us move on to the next Question.

**Dr. Omamo:** Before I ask the Question, I would like to say that I have not received the written reply.

*Question No.463*MIS-MANAGEMENT ORDER ON MIWANI  
SUGAR COMPANY

**Dr. Omamo** asked the Minister for Agriculture:-

(a) whether he could explain to the House why a mismanagement order was not served to Miwani Sugar Company for allowing over 6,000 acres of the Company's Nuclear Estate to lie fallow at a time when unemployment is affecting a very large labour force in the nearby areas of Kajulu, Kano and Nandi; and,

(b) whether he could inform the House to what extent the Government participated in the interview and final selection of the present management team of the said Company.

**The Assistant Minister for Agriculture** (Mr. Karauri): Mr. Deputy Speaker, Sir, before I answer the Question, I would like to inform the hon. Member that there is no such thing as a mismanagement order. I am only aware of a management order. The Question talks about mismanagement and the order is management; I would like the hon. Member to know that.

**Mr. Ndicho:** On a point of order, Mr. Deputy Speaker, Sir. Is it in order for an Assistant Minister to stand before the House and start explaining other things that are not within the framework of the Question? If there is no such thing as a mismanagement order, then let him say so in his answer.

**Mr. Deputy Speaker:** That is not a point of order, hon. Ndicho! The Assistant Minister was trying to put correctly, how the Question should have been asked; and that is why a mismanagement order was not issued to the Company.

**The Assistant Minister for Agriculture** (Mr. Karauri): Thank you, Mr. Deputy Speaker, Sir. This is because Cap 318 Section 187 talks of a management order.

(a) I am aware that there are financial and operational difficulties in Miwani Sugar Company. However, the Government will appoint an audit team which will be mandated to carry out a thorough technical and financial audit. Once this exercise is completed, the team is expected to provide appropriate recommendations, which will give bearing on the way forward. The Minister cannot issue a management order because this will contradict the liberalisation policy, bearing in mind that this Company is owned by Vanessa Associates.

(b) The Government did not participate in the interviews and final selection of the present management team, since all the powers to appoint the management were vested in Vanessa Associates. I would like to inform the hon. Member that advertisements were sent out in April this year, and today, the Committee is sitting to decide who will win the tender for the technical audit.

**Dr. Omamo:** Mr. Deputy Speaker, Sir, I am not pleased by the sort of replies the Assistant Minister is giving the House. First of all the Government, is a shareholder of up to 49 per cent. If this is true, then the Government has a stake in the management of this Company. Up to now, the Government takes an I-do-not-care attitude while the whole Estate is being mismanaged and at the same time the out-growers are suffering because of mismanagement. The factory itself is suffering because it is tottering and the Government seems to be taking an I-do-not-care attitude. If that is the case, why is the Government helping to sabotage the sugar industry in Muhoroni Constituency in particular and in the new Nyando District in general?

**Mr. Karauri:** Mr. Deputy Speaker, Sir, the Government is equally just as concerned as the hon. Member and the farmers are. That is why the Government wants to engage a technical and financial audit team so that when it recommends to the Government, the Government will know what to do with the sugar company.

**Prof. Anyang'-Nyong'o:** Mr. Deputy Speaker, Sir, the problem with Miwani Sugar Company dates back to 1987. What Dr. Omamo is asking is a question that the Government never answered ten years ago. Could the Assistant Minister explain to this House what is going to happen to these many farmers who are out-growers serving Miwani Sugar Mills and who are owed millions of shillings by these Sugar Mills and hence whose livelihoods have been endangered by the mismanagement of these Mills?

**Mr. Karauri:** Mr. Deputy Speaker, Sir, the Government will assist the farmers. When this report is out, action will be taken.

**Mr. Ngure:** Mr. Deputy Speaker, Sir, while we are all concerned about the mismanagement of the sugar industry in this country, as being assisted by the Government, and while they have appointed an audit team, could the Assistant Minister tell the House who the present directors of this Company are?

**Mr. Karauri:** Mr. Deputy Speaker, Sir, that is a different Question but I will give the name of the Company. If the hon. Member wants to search for directors, he can do so at the office of the Registrar of companies.

**Mr. Deputy Speaker:** Order! Order, hon. Karauri! You have been asked a legitimate question whose answer is due. If you do not have information, say so, but you cannot refer hon. Members elsewhere when they have asked you a question in the House.

**Mr. Karauri:** Mr. Deputy Speaker, Sir, I agree with your ruling, but I am giving the name of the owners of 51 per cent shareholding and that is Vanessa Associates and if the hon. Members wants me to check the names of the directors for him, I can do that.

**Prof. Anyang'-Nyong'o:** On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Assistant Minister to accept that he knows people who own 51 per cent and deny the knowledge of the other people who own 49 per cent?

**Mr. Deputy Speaker:** No! But 49 per cent has already been stated to be owned by the Government.

**Prof. Anyang'-Nyong'o:** Yes, he knows that. But how come that he knows that one but he does not know the other ones? Is it really possible that you can see a cow and you only say that you know the leg but you do not know the head?

**Mr. Karauri:** Mr. Deputy Speaker, Sir, I have not denied that I know the Company and I have given the name. But if they want the names of the directors, I can check and report back.

**Dr. Omamo:** Mr. Deputy Speaker, Sir, it now appears to me, and I am sure to the House, that Miwani Sugar Company behaves like a toothless bulldog. It has no teeth to deal with the Nucleus Estate, the factory and organise out-growers. Could the Assistant Minister assure the House that this report that he is now being told is under way is going to be finished quickly enough to save the wananchi and all that is at stake in Miwani Sugar Company? Could he assure the House that the Government is going to move fast to save the situation? In my opinion the situation in Miwani Sugar Company is already in ICU. Could he please move fast before it is taken to the mortuary?

**Mr. Karauri:** Mr. Deputy Speaker, Sir, I am very happy to give that assurance.

*Question No.317*

COLLECTION OF INSPECTION FEES  
BY EDUCATION BOARD

**Mr. Maore** asked the Minister for Education and Human Resource Development:-

- (a) whether he is aware that Nyambene District Education Board is levying Kshs10 from every primary school pupil and Kshs20 per secondary school student purported to be inspection fees;
- (b) if the answer to "a" above is in the affirmative, whether he could order an audit of a previous inspection in 1995/96 that spent Kshs40,000 and in which false expenditure claims amounting to Kshs2 million were made; and,
- (c) if he could table the list of schools inspected in the 1995/96 period, and verify the inspection for this years.

**The Assistant Minister for Education and Human Resource Development (Mr. Awori):** Mr. Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware that the District Education Board (DEB) decided in one of its meetings to establish a District Education Board Fund and levy Kshs20 for every primary school pupil and secondary student for various educational programmes in the district one of which is inspection of schools.

(b) Yes, my Ministry has ordered an independent team of auditors from the Ministry headquarters to carry out an audit inspection in Nyambene District for the years 1995/96.

(c) In 1995 205 primary schools were inspected and 312 in 1996 in Nyambene District resulting in a total of 521 inspections of primary schools. Similarly, 12 secondary schools were inspected in 1995 and 22 in 1996, making a total of 34 inspections. During the year 1998, 150 primary schools and 12 secondary schools have so far been inspected. Finally, I wish to table the list of the schools inspected.

*(Mr. Awori laid the list on the Table)*

**Mr. Maore:** Mr. Deputy Speaker, Sir, the answer given by the Assistant Minister, especially on part "b"

contradicts part "c". The Ministry is aware that there are likely to be malpractices and has ordered an audit team to go there. The same Ministry is accepting the list the Assistant Minister is now laying on the Table of the House and this was part of the Question; that the list was meant to show Kshs2 million that was collected to justify that the list was falsified. That is why the Assistant Minister says that he has already ordered for an audit team to study the matter. That notwithstanding, is the Assistant Minister ready to tell this House how much money, Appropriations-in-Aid, does the District Education Board intend to collect from Nyambene District and why the DEB had to time exactly when the hon. Members were at the Bomas of Kenya on 11th April, to fix this crucial DEB meeting?

**Mr. Awori:** Mr. Deputy Speaker, Sir, the Member had three questions in one. Could he, please, ask one question at a time so that I can be able to answer well?

**Maore:** Mr. Deputy Speaker, Sir, there is little time between now and 3.30 p.m.; that is why I made the question a bit pregnant. How does the Assistant Minister want me to ask the questions?

**Mr. Deputy Speaker:** Mr. Maoka Maore, the Assistant Minister has not understood your question. Whether he will be able to answer it or not, depends on whether he understands it. So, could you ask the question again?

**Mr. Maore:** Specifically, how much money, in Appropriations-in-Aid, does the Ministry intend to collect illegally, because this is not in the Budget, from students in Nyambene District and why did the DEB call for this crucial meeting on a day when they knew that all the elected leaders would not be able to attend since they would be at the Bomas of Kenya?

**Mr. Awori:** Mr. Deputy Speaker, Sir, once the DEB sits down and decides on Appropriations-in-Aid, it automatically ceases to be illegal.

**Mr. Matere:** Mr. Deputy Speaker, Sir, the same thing is happening in Kirinyaga District. The collection is being done without the issuance of receipts by educational officers. Could the Assistant Minister tell the House which authority is being used to tax parents? This is because, this is a tax which has been imposed on the parents by someone else other than Parliament?

**Mr. Awori:** Mr. Deputy Speaker, Sir, no collection of any kind should be made without the issuance of receipts. If there are any such collections that have been made, please, let me have the details and I will be able to investigate and take the necessary action. As I mentioned earlier, we have arranged for an independent audit of the Nyambene funds. We will be able to tell you how much money was collected and used. Similarly, if there is anything like this in Kutus, please, let the Ministry know so that we can take the necessary action.

**Mr. Maore:** Mr. Deputy Speaker, Sir, it seems like, in reply to the last supplementary question, the Assistant Minister said that the DEB decided that there are various educational programmes in the district. Could he name a few other projects that are going to get money and say how much money they are going to get so that we can know that there is some seriousness in this programme?

**Mr. Awori:** Mr. Deputy Speaker, Sir, I cannot give that information right now because it has not been prepared. However, if I will be given time to consult with my officers, I will bring the information once it is ready.

**Maore:** Mr. Deputy Speaker, Sir, given the vacuum the Assistant Minister is creating in answering part "a" of the Question and the big loophole in part "b" where he says that he has ordered a team to audit the fund, would I be in order to ask that the Question be deferred until the Assistant Minister gets the details and audit report of this project? This is because the Assistant Minister has not answered the Question.

**Mr. Deputy Speaker:** Mr. Maore, we have spent a lot of time on this Question. For it to be deferred at this stage, it will be unfair to both the Assistant Minister and the House.

*(Several hon. Members stood up in their places)*

Order! You asked a specific question to which the Assistant Minister said he did not have information on. Hon. Keriri also asked a question to which the Assistant Minister did not give a satisfactory answer. So, would you like those specific questions to be addressed by the Assistant Minister on Thursday this week or Tuesday next week? Is that alright with you?

**Mr. Maore:** Mr. Deputy Speaker, Sir, could the Assistant Minister say when he wants to come back with the details?

**Mr. Awori:** Mr. Deputy Speaker, Sir, it is not possible to give the kind of information requested for this week or next week.

**Mr. Keriri:** Mr. Deputy Speaker, Sir, I think the Assistant Minister will have to do better on this Question than he is trying to do.

**Mr. Deputy Speaker:** Mr. Keriri, if you leave out all these preambles and ask your question, we will be able to go through all the Questions.

**Mr. Keriri:** Mr. Deputy Speaker, I agree with you but this is because I want to ask a question that you and the Assistant Minister can understand.

**Mr. Deputy Speaker:** I have never had any problems in understanding questions.

**Mr. Keriri:** I asked the Assistant Minister what authority these people used to raise a tax but the Assistant Minister conveniently avoided it. This means that he may not have an answer to this question. Could he go back and get these answers and bring them to this House even if it will be next week?

**An hon. Member:** Taking corruption to the classrooms!

**Mr. Awori:** Mr. Deputy Speaker, Sir, indeed, I accept that request. I will return to this House with the correct answer.

**Mr. Deputy Speaker:** Thank you. Hon. Paul Kihara's Question!

*Question No.405*

UNDER-STAFFING OF SCHOOLS IN NAIVASHA

**Mr. Kihara** asked the Minister for Education and Human Resource Development:-

(a) if he is aware that schools in Naivasha Constituency are understaffed, particularly rural schools; and,

(b) if the answer to "a" above is in the affirmative, what he is doing to rectify the situation.

**The Assistant Minister for Education and Human Resource Development** (Mr. Awori): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware that there is under-staffing in some primary schools in Naivaha Constituency.

(b) Nakuru District has more than the adequate number of teachers and the District Education Officer of the area has been instructed to re-distribute the teachers equitably, based on the approved establishment for the schools.

**Mr. Kihara:** Mr. Deputy Speaker, Sir, while appreciating the answer by the Assistant Minister, I am concerned about this issue as many Members are in this House. In today's newspapers, we have read about somebody saying *kaba tuumanwo*. In the Kikuyu language, this is too terrible a thing to be said. I do not know who advised the President to use such Kikuyu words as *kaba tuumanwo*. It is a very serious thing which does not help the situation.

Regarding what the Assistant Minister said about the redistribution of teachers, I agree with him that this may help to improve the situation. However, the problem is that many of the teachers are wives of senior Government officers who would like to stay with their husbands in the towns. I suggest that the Assistant Minister, at least, instructs that these wives either resign or agree to go and work where their services are required, this move may help to improve the situation. In hardship areas such as Longonot and Kikopi where there is neither water nor means of communication. If he does this, the situation will improve---

**Mr. Deputy Speaker:** Order! Order, hon. Kihara. You know better than that. Ask your question.

**Mr. Nyanja:** On a point of order, Mr. Deputy Speaker, Sir. I realised that you were very busy; you did not hear what I heard. The hon. Member on the Floor has said something very strange. "*Kaba tuumanwo*" is very serious! How can you talk like that?

*(Laughter)*

**Mr. Deputy Speaker:** Order! Order! Hon. Nyanja, could you say it again? I did not hear you properly.

**Mr. Nyanja:** Mr. Deputy Speaker, Sir, while you were busy consulting there, the Member for Nakuru East, hon. Paul Kihara, said something very serious. People are going for each other's throats! He has uttered the words "*kaba tuumanwo*".

**An hon. Member:** What does that mean?

**Mr. Nyanja:** That means something very serious!

**Mr. Deputy Speaker:** Order! Order! Hon. Nyanja, certainly, that is not Parliamentary language. That is why none of these Members recognised it.

*(Loud consultations)*

Order! It may be what he has said but what language is it? That is the point I am trying to make. Unless what was said is Parliamentary language, it is no language and it is not recognised in this House. Therefore, we did not hear it.

**Mr. Deputy Speaker:** Hon. Assistant Minister, please answer the Question.

**Mr. Awori:** Mr. Deputy Speaker, Sir, there was no Question.

**Mr. Kihara:** Mr. Deputy Speaker, Sir, I told the Assistant Minister---

**Mr. Deputy Speaker:** Ask him, instead.

**Mr. Kihara:** I asked the Assistant Minister whether he would take action to make sure that the re-distribution of teachers could take place because there is a concentration of teachers in town schools because of senior officers' wives from rural areas. Could the Assistant Minister promise to do that?

**Mr. Awori:** Mr. Deputy Speaker, Sir, I have already given my word to this House that, the re-distribution of teachers will take place. For the method of doing it, you have to leave it to the Ministry.

**Eng. Muriuki :** Thank you, Mr. Deputy Speaker, Sir. I am another Kihara, the only one with a *kipara*. The problem of under-staffing in schools is not unique to Naivasha Constituency. It is a nation-wide problem.

The question here is: What is the Assistant Minister doing? The Government has declared in no uncertain terms that, it is retrenching teachers and yet, teachers' colleges are not producing enough teachers for improvement? What is he doing to make sure that the staffing in schools is adequate all over the country?

**Mr. Awori:** Mr. Deputy Speaker, Sir, irrespective of retrenchment, the Ministry will make sure that there is no under-staffing. As to the question of new teachers, nearly 9,000 students will be coming out of teachers' training colleges during this particular year.

**Mr. Kihara:** Mr. Deputy Speaker, Sir, could the Minister take over some of the teachers who are now presently employed by parents to meet the short-fall of teachers, at least to help pay those teachers who are recruited and paid for by parents?

**Mr. Awori:** Mr. Deputy Speaker, Sir, in the very first answer, I said that there is no shortage of teachers. There may be some under-staffing here or there, but what the hon. Member is asking is whether there are enough teachers. The answer is yes, we have enough of them.

**Dr. Ochuodho:** On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister is insinuating that there are certain divisions within the constituency that are over-staffed. Could he tell us which divisions they are?

**Mr. Deputy Speaker:** Order, Hon. Ochuodho! That is not a point of order.

**Dr. Ochuodho:** Is he in order?

**Mr. Deputy Speaker:** Order! Order, hon. Ochuodho. Asking "Is he in order" does not make it a point of order.

*(Laughter)*

Next Question. Hon. Shill.

**Mr. Kikuyu:** Mr. Deputy Speaker, Sir, you have jumped my Question!

**Mr. Deputy Speaker:** I am sorry. Hon. Kikuyu. Ask your Question.

*Question No.379*

#### ENVIRONMENTAL AIR POLLUTION IN ATHI RIVER

**Mr. Kikuyu** asked the Minister for Environmental Conservation:-

(a) whether he is aware that there is a serious environmental air-pollution being caused by the fish milling industry and tanneries in Athi River; and

(b) if the answer to "a" above is in the affirmative, what he intended to do to prevent the said pollution; and whether he could consider closing down the said factories until they put in place, measures to prevent pollution.

**The Minister for Environmental Conservation** (Mr. Nyenze): Mr. Deputy Speaker, Sir, I am aware and I have already acted on it. I did, personally visit the fish mill factory in Athi River and the tanneries, and the smell from the fish mill factory was very overwhelming. I ordered the factory closed and I would say right now that, there is no air pollution in Athi River. That has already been done.

**Mr. Kikuyu:** Mr. Deputy Speaker, Sir, while I appreciate the closing of the fish mill factory, what steps



has the Minister taken on the tanneries, because the smell from them is an off and on affair? When they do not apply the correct chemicals, the smell comes out and when they apply the correct chemicals, it disappears. Is he assuring this House that he has ordered the tanneries to apply the correct chemicals daily to prevent the smell rather than having it on and off?

**Mr. Nyenze:** Mr. Deputy Speaker, Sir, I have already ordered the factory to close its operations until such a time that the question of air pollution will be adequately addressed. So, right now, the factory is not processing the hides until I am satisfied that, the problem has been addressed.

**Mr. Kaindi:** Mr. Deputy Speaker, Sir, Athi River falls within Kathiani Constituency, which I represent. Indeed, as the Minister has pointed out, I pleaded with him and he took action. So, while the people of Athi River greatly appreciate what the Minister has done, could he assure this House that the factory will remain closed indefinitely, because that is their concern and feeling?

**Mr. Nyenze:** Mr. Deputy Speaker, Sir, I have already given that assurance. The fish mill factory which was the cause of concern for the residents of Athi River will remain closed forever.

*(Laughter)*

**Mr. Deputy Speaker:** Order! Order!

**Mr. Katuku:** On a point of order, Mr. Deputy Speaker, Sir. I greatly appreciate what the Minister is doing, even though he does not have the information that the tannery itself is working. He is telling the House that the tannery has been closed, but as we talk now, it is polluting the area, on and off. So, is he in order to mislead the House?

**Mr. Nyenze:** Mr. Deputy Speaker, Sir, there are three tanneries in Athi River, namely Barber Tannery, Abramah Tannery and Bawazir Tannery. The latter two are not operating, but the first one is operating. But at the moment, it is not tanning the skins, it is only storing them. We have already posted a District Environment Officer to Machakos to monitor the situation. In case there are any complaints, we will act in time.

*Question No.467*

MAINTENANCE OF GARISSA-BURA-HULLUGHO ROAD

**Mr. Shill** asked the Minister for Public Works and Housing:-

(a) whether he is aware that the Garissa-Bura-Hullugho Road has not been maintained for the last 15 years;

(b) since the road is very important in Fafi Constituency, how much money has been set aside to repair it after the *El Nino* rains; and

(c) how much money has been allocated for the road in the last five years.

**The Minister for Public Works and Housing** (Mr. Kones): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware that the Garissa-Bura-Hullugho Road has not been maintained for the last 15 years. However, the section between Bura and Kalmagalla on Road E-863 has not been maintained adequately due to shortage of funds. The Garissa-Bura-Hullugho section has been maintained by grading and improvement of drifts, where necessary.

(b) The government has set aside Kshs826,000 for the grading of Garissa-Bura Road E-861 and Kshs825,000 for the grading of Bura-Kalmagalla-Hullugho Road to the border of Road E-863. The total allocation, therefore, is Kshs1,651,000.

(c) The money allocated to the road in question over the last five years was Kshs1,000,090 for grading and structures improvement.

Thank you.

**Mr. Deputy Speaker:** Hon. Shill, you must stick to what the Minister has said in his reply.

**Mr. Shill:** Mr. Deputy Speaker, Sir, I will be very brief. In fact, if I was the Minister, I would have been ashamed. This is because if you see that road, trees which are as old as 15 years have grown in the middle. As we now talk, people in Hullugho have not had---

**Mr. Deputy Speaker:** Hon. Shill---

**Mr. Shill:** Excuse me, Mr. Deputy Speaker, Sir. Is the Minister aware that, as we speak, the people of Hullugho as well as civil servants working there have not seen a vehicle for the last 12 months because of the poor condition of roads?

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

**Mr. Deputy Speaker:** Hon. Shidiye, our time is limited!

**Mr. Shidiye:** Mr. Deputy Speaker, Sir, this is a very serious issue.

**Mr. Deputy Speaker:** Well, so are these Questions, and the Next Order.

**Mr. Shidiye:** Mr. Deputy Speaker, Sir, allow me to raise only one question?

**Mr. Deputy Speaker:** You can raise it tomorrow, but right now, our time is up. Questions by Private Notice!

### QUESTIONS BY PRIVATE NOTICE

#### KILLING OF STREET BOY BY POLICE OFFICER

**(Mr. Kariuki)** to ask the Minister of State, Office of the President:-

(a) Is the Minister aware that a street boy aged 14 years old, Master Peter Machaga Gatimu, was killed by a police officer attached to Murang'a Police Station at Makuyu Market within Murang'a Municipality on Wednesday 24th June, 1998, and that the killer has not yet been brought to book?

(b) If the answer to "a" above is in the affirmative, what is the Minister doing to eradicate police brutality; and could he assure the House that the errant police officer mentioned in part "a" will be brought to book?

**Mr. Deputy Speaker:** Hon. Kariuki is not here? Next Question!

#### SUSPENSION OF KAREGA SECONDARY SCHOOL STUDENTS

**Mr. O.K. Mwangi:** Mr. Speaker, Sir, I beg to ask the Minister for Education and Human Resource Development the following Question by Private Notice:-

(a) Is the Minister aware that two students from Karega Secondary School in Kigumo Constituency, Messrs Joseph Kibugu Nduati and Stephen Maina Nduati, were suspended by the headmaster on 10th March, 1998, and further that they have not been advised as to when to resume studies?

(b) Is he further aware that Master Stephen Maina Nduati is a KCSE candidate this year and further that he has been refused to register for the examination despite the school having accepted part of the examination fees?

(c) If the answers to "a" and "b" above are in the affirmative, what urgent measures is the Minister taking to ensure that the students are re-admitted and further that the examination candidate is registered for KCSE examination this year?

**The Assistant Minister for Education and Human Resource Development (Mr. Awori):** Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware.

(b) I am also aware.

(c) Instructions have been given for the two boys to be re-admitted immediately to Karega Secondary School, while my Ministry carries out investigations to establish what led to their suspension and when the suspension was effected.

Mr. Deputy Speaker, Sir, once the investigations are concluded and the father of Master Stephen Maina Nduati is known, my Ministry will consider him for late registration for the KCSE examinations, on its own merit.

**Mr. O.K. Kihara:** Mr. Deputy Speaker, Sir, while I appreciate the fact that the children have been instructed to go back to school, I am still not satisfied that an examination pupil can be barred from sitting an examination just because the headmaster decides to suspend him without even informing the Ministry Headquarters. The Education Act demands that no child should be suspended for more than 14 days. Could the Minister assure the House that this child is going to be registered, irrespective of whether the Minister is going to investigate or not because the headmaster has already breached the Education Act. Could he assure the House that he is going to take disciplinary action against the headmaster and that the child is going to be allowed to sit his exams other than bar him and ruin his life forever?

**Mr. Awori:** Mr. Deputy Speaker, Sir, I can certainly give that assurance. First, late registration for this boy will be accepted. Secondly, after investigations, should we find that the headmaster breached Education Act, disciplinary action will be taken against him.

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

## SOURCE OF POLIO VACCINES

**Mr. Kathangu:** Mr. Speaker, Sir, I beg to ask the Minister for Health the following Question by Private Notice:-

(a) From which firms/sources does the Ministry acquire tetanus and polio vaccines and what specific viruses are in these vaccines?

(b) Is the Minister aware that paralytic polio/flaccid paralysis is often diagnosed in already vaccinated children?

(c) If the answer to "b" above is in the affirmative, could the Minister give figures of those already vaccinated, and yet reported as having polio?

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

(a) All vaccines used in the country are currently procured by DANIDA.

**Mr. Deputy Speaker:** Order, hon. Kalweo! Hon. Kathangu, if you do not mind, I will defer this Question until tomorrow, because there is some business we have to take care of before 3.30 p.m. We do not have much time left, so this Question may not receive proper treatment.

**Mr. Kathangu:** Mr. Deputy Speaker, Sir, I am not going to be in the country. So, maybe we can deal with it for three minutes only.

**Mr. Deputy Speaker:** No, there is some other business we must take care of before 3.30 p.m. So, we do not have the time to tackle the Question and the other business fully. If you do not mind we can defer it till you come back.

**An hon. Member:** I will ask it on your behalf.

**Mr. Kathangu:** Okay.

*(Question deferred)*

## PERSONAL STATEMENTS

## TRAGIC DISASTER AT SIDINDI

**Mr. Orenge:** Mr. Deputy Speaker, Sir, I rise to request for a Ministerial Statement from the Office of the President, regarding a very tragic disaster that has claimed the lives of many people from my constituency, at Sidindi Market, where a petrol tanker burnt out on 13th July, 1998.

Mr. Deputy Speaker, Sir, I would like to request the Minister, that when he gives a Ministerial Statement, he could probably focus on the issue of the circumstances of the accident that led to the death of, now, nearly 35 persons. The death toll is rising every day. Also, there are concerns by the public that there was inadequacy and inability on the part of the Government machinery to respond to the tragedy in terms of transporting people to health facilities and also taking care of them in those health facilities.

Mr. Deputy Speaker, Sir, I would also like him to inform the House and the nation what the Government is doing, because losing the lives of nearly 35 people, and the death toll may rise up to 60 people, is disastrous. What is the Government doing to respond to this disaster? Are there any funds from the Disaster Fund to help people in my constituency, which is part of Kenya?

Mr. Deputy Speaker, Sir, I would like to mention that local people are already making arrangements for an inter-denominational prayer on Sunday, 25th July, 1998, where they are going to raise funds to try and help themselves as a community. But something needs to come from the Government. So, could the Minister at an appropriate time make a Ministerial Statement? I would also like to invite this House to join the people of my constituency in this terrible tragedy. Thank you.

## CONDUCT OF MR. WAINWRIGHT

**Dr. Kituyi:** Mr. Deputy Speaker, Sir, on Thursday last week, I requested the Minister for Health to come with a Ministerial Statement on the conduct of Wainwright alias Dr. Stone who has been going around conning Kenyans out of money, purporting to be having a cure to AIDS. Could the Minister try to do that before this conman continues, and punishes more Kenyans?

**Mr. Deputy Speaker:** Next Order.

**COMMITTEE OF SUPPLY**

*(Order for Committee read  
being Sixth Allotted Day)*

**MOTION**

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

Vote 31 - Ministry of Education and  
Human Resource Development

**The Minister for Education and Human Resource Development** (Mr. Musyoka): Mr. Deputy Speaker, Sir, I beg to move that Mr. Speaker do now leave the Chair.

I wish to record my gratitude for according me the opportunity to move Vote R31 and D31 for my Ministry. I shall start by briefly outlining the Ministry's mandate, mission, objective and the policy interventions on the various education sub-sectors.

Mr. Deputy Speaker, Sir, the mandate and the mission of my Ministry is to promote, facilitate and co-ordinate the development of human capital through education and training, while the objectives of education include fostering of national unity, preparation and equipping the youth with relevant skills and expertise in order to patriotically serve the needs of individuals and national development. In doing so, Kenyans should discharge their duties and social obligations, locally and internationally. In order to achieve its mandate, mission and objective, the Ministry has put in place policy intervention for each sub-sector whose implementation strategy takes into account the overall economic policy framework for Kenya, and advocates effective participation of all key stakeholders in education and training development.

The co-operative strategy is aimed at minimising duplication of efforts and ensuring optimum mobilisation and utilisation of resources to achieve educational goals and objectives. In our endeavour to do that, we have now reached a situation where trained teachers from public teacher training colleges will no longer be guaranteed Government employment after graduation as we have by-passed the optimal teacher-pupil ratio in our institutions. In the context of the teaching force rationalisation exercise, which the Ministry is now undertaking as part of its overall rationalisation, we will not recruit new teacher trainees into our teacher training colleges for two years, starting this year.

Mr. Deputy Speaker, Sir, the Commission of Inquiry on Education is already in place to review the education system in Kenya and, therefore, I appeal to hon. Members and the public at large to forward their views to the Commission. My Ministry recognises the importance of free primary education and has instituted a broader concept.

*(Loud consultations)*

Mr. Deputy Speaker, Sir, I am unable to---

**Mr. Deputy Speaker:** Order! Order! Hon. Members, consult in low tones so that the hon. Minister can be heard while making his contribution.

Thank you.

**The Minister for Education and Human Resource Development** (Mr. Musyoka): Mr. Deputy Speaker, Sir, my Ministry recognises the importance of free primary education and has instituted a broader concept of early childhood development programme which is currently addressing integrated services for children under six years in respect to their cognitive educational, socio-health, nutrition and general access to education. In my Ministry's endeavour to reverse the declining enrolment and completion rates in primary education, and to meet the target of universal primary education, the budget for the sub-sector has grown by 12 per cent in 1998/99 as compared to the 1997/98 financial year.

Mr. Deputy Speaker, Sir, the Government has recently formulated the fundamental goal or strategy for industrial transformation of this country by the year 2020. In this regard, education is a key factor in achieving this goal, and my Ministry is determined to improve the quality of secondary education through the provision of physical facilities and teaching of the relevant skills. Under the same token, the Ministry is addressing the declining enrolment and completion rates through the provision of bursaries to economically disadvantaged students in our secondary schools, among other intervention measures.

Mr. Deputy Speaker, Sir, the development of tertiary education and training is crucial to the production of qualified manpower who, in turn, will have impact on social and economic development of the country. My Ministry is, therefore, placing great emphasis on the provision of the necessary human and physical facilities to institutions under this category. My Ministry will require a total of K£2,207,897,830 and K£99,837,490 out of the total Recurrent and Development national Budget for 1998/99 financial year respectively to facilitate the rendering of educational services. These allocations reflect a growth of 4.5 per cent and 15 per cent for Recurrent and Development Expenditures respectively, as compared to the 1997/98 gross approved Estimates. My Ministry's Recurrent budget is made up of eight Sub-Votes and the allocation of K£2,207,897,830 is distributed in the following proportions:-

Under Sub-Vote 310, General Administration and Planning, which caters for teachers' salaries among other requirements, the Ministry will require a total of K£1,886,536,771 distributed in nine expenditure heads as follows:-

| <u>Head</u>  | <u>Expenditure(K£)</u> |
|--|------------------------|
| 834 - Headquarters Administrative Services                 | 7,225,813              |
| 835 - Headquarters Professional<br>Administrative Services | 2,270,657              |
| 836 - Curriculum Support Services                          | 1,191,656              |
| 837 - Provincial Administrative<br>Services                | 2,651,378              |
| 838 - Kenya National Commission<br>for UNESCO              | 487,536                |
| 839 - Kenya National Examination<br>Council                | 16,500,000             |
| 841 - Teachers Service Commission                          | 1,836,359,422          |
| 862 - District Administrative<br>Services                  | 16,390,954             |
| 863 - Kenya Institute of Education                         | 3,489,375              |

Sub-Vote 311, which caters mainly for the main social dimensions of development projects, among other services, and the primary education will require K£22,479,580 to finance the following programmes:-

| <u>Head</u>                                  | <u>Expenditure(K£)</u> |
|--|------------------------|
| 844 - Primary Schools<br>(Boarding expenses) | 3,346,273              |
| 845 - Kenya School Equipment<br>Scheme       | 11,799,208             |
| 846 - School Milk and<br>Feeding Programme   | 7,337,099              |

Under Sub-Vote 312, which covers programmes and activities of teacher education, a total of K£6,134,871 is required to cater for administrative costs and grants to the following colleges:-

| <u>Head</u>                                 | <u>Expenditure(K£)</u> |
|---|------------------------|
| 847 - Primary Teachers<br>Training Colleges | 5,104,871              |
| 803 - Kenya Science<br>Teachers College     | 530,000                |
| 807 - Kagumo Teachers College               | 500,000                |

Mr. Deputy Speaker, Sir, under Sub-Vote 313, Schools for the Handicapped, under four budgetary heads, I require K£3,115,796 to cater for the following categories of special institutions:-

| <u>Head</u>                                | <u>Expenditure(K£)</u> |
|--|------------------------|
| 810 - Post-Primary Schools                 | 500,000                |
| 811 - Special Secondary Schools            | 400,000                |
| 848 - Primary Schools                      | 750,000                |
| 852 - Kenya Institute of Special Education | 1,465,796              |

My Ministry has three items of a miscellaneous nature under Sub-Vote 332 totalling to K£8,836,043 to cater for the following activities: Under Head 853, Sub-Vote 000, which is Headquarters, Bursaries and Subsidies, K£5,810,000; Foreign Missions for Education Attaches, K£2,624,388, and under Head 854, which is

Contributions Towards Local and International Institutions, K£401,655.

Mr. Deputy Speaker, Sir, the Ministry is putting great emphasis on the development of pre-primary education. In this respect, a total of K£244,294 will be required under Sub-Vote 315, Head 816, Training Field Services. Under Sub-Vote 316, Secondary Education, Head 800, we require a total of K£27,788,029. Bursaries to needy students will take K£22 million while grants to secondary schools will take K£3,300,000. Insurance premiums for vehicles in our public schools will require K£2,160,000, among other administrative requirements. The bursary programme under my Ministry is a social dimensions of development programme Item, and has grown by 25 per cent as compared to the 1997/98 allocation.

Mr. Deputy Speaker, Sir, finally under the Recurrent Estimates, there is an allocation for university education under Sub-Vote 318, which consists of five public universities, one university college, the Commission for Higher Education and Higher Education Loans Board (HELB). The whole Sub-Vote will require a total of K£252,735,426, distributed in the following areas: Under Head 827, which is Commission for Higher Education, K£4,028,220; Head 828, which is the University of Nairobi, K£67,889,358; Head 829, which is Kenyatta University, will require K£38,629,230 and Head 832, which is University Students Loans Scheme will require K£3,855,556 for the administrative budget for Higher Education Loans Board, coming to a total of K£37,86,956; under Head 833, which is Egerton University, K£38,417,676; under Head 840, which is Jomo Kenyatta University of Agriculture and Technology, K£13,918,193; Head 842, which is Maseno University College, K£13,953,600; Head 867 which is Moi University, will require K£38,812,192.

Mr. Deputy Speaker, Sir, I now wish to request hon. Members to approve the Ministry's Recurrent Vote R31. Having outlined my Ministry's requirements for 1998/99 Recurrent provisions, I beg to move to Vote D31, which is my Ministry's development requirements for 1998/99. I will require a gross total of K£99,837,490 out of the total development national budget to be distributed under the following Sub-Votes: Sub-Vote 310, General Administration and Planning, will require K£16,749,540, which is to be utilised under the following heads: Head 834, which is Headquarters Administrative Services, K£300,000, of which the Government of Kenya contribution will be K£150,000 only. The rest will come from donor funds. Under Head 835, which is Headquarters Professional Administrative Services, K£4,230,000 will be required. This provision is intended to supplement the recurrent provision for Higher Education Loans Board facilities, to ensure efficient administration of student loans by the Board and implement a new project on strengthening of education at primary and secondary levels, which we refer to as STEPS, at K£2,580,000. Under Head 836, which is Curriculum Support Services, K£11,910,000 will be required. This includes new projects; for instance, strengthening of primary education, which requires K£5,350,000. Strengthening of teaching of mathematics and science in primary and secondary schools will require K£410,000.

Mr. Deputy Speaker, Sir, thirdly, there is GOK Dutch Budget Support for provision of the textbooks to our primary schools at K£5,500,000. Under Head 839, which is the Kenya National Examinations Council we will require K£254,000. Under Head 841, which is the Teachers Service Commission (TSC), will also require some K£55,540. Under Sub-Vote 311, which is Primary Education, K£13,217,955 will be required under the following Heads: Under Head 844, Primary Schools, K£1,983,055 will be required. Under Head 846, which is School Milk and Feeding Programme, K£11,234,900 will be required. Under Sub-Vote 312, which is Teacher Education, K£12,800,000 will be required to be spent on diploma and primary teacher training colleges to cater for settlement of pending bills under the expired Sixth Education Credit, International Development Association (IDA) and the World Bank.

Mr. Deputy Speaker, Sir, under Sub-Vote 313, which is Schools for the Handicapped, we will require K£1,512,976 which includes K£162,966 GOK funding, to supplement procurement for basic facilities in institutions under this category. Under Sub-Vote 315, which is Pre-primary Education, Early Childhood Care and Education, we will require K£9,462,500. The next Sub-Vote which is Secondary Education, will require a total of K£8,541,100, which includes K£6 million to finance purchase of science laboratory equipment for secondary schools under the African Development Fund Project, which is ADF (2).

Mr. Deputy Speaker, Sir, the final but nonetheless vital area, is University Education, which falls under Sub-Vote 318. I will require K£37,553,419 to facilitate the implementation of University Investment Programme under the Commission for Higher Education and settlement of pending bills under the following Heads: Head 827, which is Commission for Higher Education, K£29,600,000; Head 828, which is the University of Nairobi, K£1,920,000 will be required; Under Head 829, which is Kenyatta University, K£838,628 will be required; Under Head 833, which is Egerton University, K£1,162,041 will be required; Head 840, which is Jomo Kenyatta University of Agriculture and Technology, K£1,119,600 will be required; Head 842, which is Maseno University College, K£1,473,600, and under Head 867, which is Moi University, K£1,439,550 will be required.

Mr. Deputy Speaker, Sir, at this point my Ministry would like to pay gratitude to the Government and

other major donors, such as the World Bank, the World Food Programme (WFP), United States Agency for International Development (USAID), Africa Development Fund (ADF), Department for International Development (DID), European Union (EU), United Nations Children's Fund (UNICEF), and the Governments of Japan and the Netherlands, among others, who have contributed significantly to this sector. In addition to the significant contribution by the Government of Kenya and the donor community, I wish to recognise the contributions of the Kenyan community, including the Parents Teachers Associations (PTAs), Boards of Governors (BOG), school committees, religious organisations, the private sector and others, in the realisation of the country's education goals.

Mr. Deputy Speaker, Sir, with those words, I beg to move.

**The Minister for Agriculture** (Mr. Mudavadi): Thank you, Mr. Deputy Speaker, Sir. I stand to second the Motion by the Minister for Education and Human Resource Development on the Vote of his Ministry. I wish to highlight one or two things, and I do request that when hon. Members do contribute on this very important Motion, they shall, in the process, continue sending messages that would help the process of dialogue between the Government and the teachers become fruitful. I say this because, no matter what we say, the bottomline is that the Government cannot afford to pay what the teachers are demanding. I know that a lot of issues that are going to be raised will really relate to the question of the teachers' salaries. I am making these remarks right at the forefront because we know that the teachers have flexed their muscles quite a number of times and we, in the Government, would like to be able to come to an amicable solution on the issue of their remuneration, particularly in these extremely difficult and lean times.

Mr. Deputy Speaker, Sir, one thing which has to come out clearly is that, unless we are really able to meet their demands within the constraints of the resources that we have, we shall be cheating ourselves and other Kenyans because we shall be preparing the ground for a spiral inflation. We will have a situation where wages are demanded, increased and inflation goes up, and then there is another demand again. This can become a very vicious circle, and can engulf the entire economic spectrum of this country. So, as we contribute on this Motion, let us be realistic and bear in mind that we need dialogue and sober minds when approaching the issue of teachers' salaries. Those of us who know Ambrose Adongo and others should send them the proper signals that we need to come to terms and agree on this very crucial issue. We know that the economy is going through a very difficult situation, and that the domestic interest is now very huge and it is going to be very difficult to bring it down. We also know that if we do not settle this matter, we shall have a stalemate and the question is: Who will become the winner at the end of the day? We will continue punishing our children and our society. So, I do plead very humbly that each hon. Member who will contribute on this Motion should not play politics on this matter. It is too hot and it needs to be discussed and resolved. Now that the Ministry of Education and Human Resource Development has made it very clear that the controversial Bill is not going to come to this House, let this be the basis of starting some very serious discussions on this extremely contentious issue of teachers' salary.

Equally, when the Minister for Education and Human Resource Development was moving the Motion on the Vote of his Ministry, it was very clear that the bulk of the resources that are going to the Ministry of Education and Human Resource Development are going towards meeting Recurrent Expenditure, particularly salaries. This is why we are having pressure, as hon. Members of Parliament, from members of the public to conduct fund raisings and so forth, to try and augment this very huge shortfall that is evident in the developmental aspect of the Ministry of Education. Clearly, fund raisings can only be a token contribution towards the real problem within the educational sector. Somehow, we need to start re-organizing our financial packages so that we can have more of the resources that go to the Ministry of Education going to actual development and meaningful contribution within the educational sub-sector, and not dwelling entirely on salaries.

The other issue that I would just like to point out is that the Ministry of Education and Human Resource Development should in future look at the critical areas on how they can actually get the private sector to be more actively involved in education in this country. I am not talking about the strange schools that we see above lodgings and so forth. I am talking about serious, meaningful private sector participation in the education of this country. There are incentives that can be put across and worked upon between the Ministry of Education and Human Resource Development and, perhaps, the Treasury to develop mechanisms where the private sector is making a very valuable investment within the educational sub-sector. There can be some adequate recognition of that initiative by this House, this country and by the Government, to encourage greater participation of the private sector in the educational sub-sector.

The other issue which I would also like to highlight is on the area of higher education. We know that when we look at the structure of education in this country in terms of financing, I think we have had some lopsided approach where the bulk of the resources - leave the salaries aside - have been concentrated more on the upper level rather than the primary level. I think the pressure that we are getting at this stage is more at the

primary and secondary levels, where more resources need to be injected either in the form of facilities for laboratories or workshops and so forth, which would be very useful in upgrading and helping our children.

I would also like to say that since the Ministry of Education and Human Resource Development will be monitoring very closely the progress of the Commission that is reviewing the educational structure in this country, I hope that they will put a clear tab on this Commission so that it can, first of all, complete its work very quickly, undertake the necessary consultations and make recommendations that would be implemented within a reasonable time frame. This is particularly important because some of the questions that are coming on the table from time to time are: Is our education system structure expensive in itself? Is it inherently expensive so that there is a lot of pressure on the parents and the communities, so that when we talk about trying to put in facilities, we are having difficulties because something within the system itself is such that it makes the process expensive? This is something which I believe the Commission can help us eradicate when it is undertaking its review process.

The other thing is just to stress that the Higher Education Loans Board has done a fairly good job, particularly of late, in trying to pursue and ensure that the repayment process for the people who have benefitted from these facilities are able to cover a wider cross-section as possible. However, a lot remains to be done because most of us still receive complaints of children who have qualified and they are very poor but somehow, they do not qualify to get these grants that the Higher Education Loans Board is supposed to be giving. I think there has to be a better mechanism, or it has to be continually evaluated so that we can make sure that it is really the needy and deserving cases that benefit from these loans.

Equally, those of us in this House who may have benefitted from this facility in the past should pay. We should pay. I think there should be a deliberate effort by the Higher Education Loans Board to address some of the eminent fellows on that list of theirs who may even be in this House. They should write a letter directly to them, informing them that they still have some money owing because these deductions we see on our payslips are so minimal, frankly speaking, there are several Members of Parliament and other people who would be willing to settle the amount that they owe the Higher Education Loans Board as soon as possible, if they can be approached more aggressively. This is something which I think is important because, unless we are able to repay our loans, the recovery rate of about Kshs20 million in a year is not adequate, even though it may appear good, of course, starting from the original base. I think we can improve on the recovery rates for the Higher Education Loans Board so that we can continue to help more needy students who may not be able to afford their educational requirements. We do not want it to be the preserve of the well-to-do. We want every Kenyan to have his or her rights to adequate education in this country.

Lastly, Mr. Deputy Speaker, Sir, I would like to reiterate once again that as we contribute to this Vote, let us bear in mind the dangers of looking at the Ministry of Education and Human Resource Development, or the discussion that is very topical at this point in time, in isolation from the rest of the economy. The educational sub-sector is an integral part of the wider whole. Let us look at it as one big unit and see how we can find solutions to our problems.

Mr. Deputy Speaker, Sir, with those remarks, I beg to second.

*(Question proposed)*

**Mr. Mwiraria:** Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to support this Motion. We note from the Budget that this financial year, the allocation for the Ministry of Education and Human Resource Development is increased by a mere K£97 million. This amount is supposed to cover grants made to the Teachers Service Commission (TSC) for salaries and all other allowances, textbooks and school feeding programme as well as grants-in-aid for secondary schools. If our country was not going through an extremely difficult economic period, I would have been the first person to object to this Budget because it is really not doing any good to our education system. But given the circumstances, we reluctantly have to accept the fact that there is, perhaps, little that can be done.

Having said that, Mr. Deputy Speaker, Sir, I must address the question of teachers' salaries. Perhaps, this is the most difficult political problem that the country is facing at the moment. I understand the Government's position. It has, of course, taken the view that teachers should accept the fact that they will not get the salary increase as promised last year. But having been here, in this House, last Thursday, I have no doubt in mind that the Bill which the Minister had proposed and according to the information available up to now, is suspended. It is not likely to go through this House. The question that we must ask ourselves is: Is the Government preparing for an alternative to avoid a showdown with teachers?

Although the Government can argue that it accepted to increase teachers' salaries under duress, the problem is much more complex than that. The existing TSC Act is very specific on agreements. The TSC Act



as it exists today was brought into being soon after Mr. Kioni - who used to hold the position now held by Mr. Ambrose Adongo - had called a strike by teachers in 1962. At that time, the Government reckoned that teachers were rendering an essential service; a service that could not be subjected to a strike. It was for that reason that the present Act was brought into being.

The present Act clearly provides for a salary review committee where teachers should have five representatives and Government five representatives under an independent chairman. Whatever that committee of 11 members, five from the teachers' side and five from Government side, agree, the Minister for Education and Human Resource Development must implement. The law says the Government shall implement it. The hon. Minister is a lawyer and perhaps he understands the legal language better. I do not think it gives him any room for manoeuvre. It is for this reason that last year, when teachers went on strike, the Government had to back down.

The Government had to bend and accept the teachers' request. The reason why I am making this is really to say that the Government was at fault right from the beginning. We cannot blame teachers for insisting on what was negotiated and agreed upon under the existing Act. I would like to plead with the Government to do whatever is possible under the circumstances. It should look for money from everywhere and make sure that it pays teachers to avoid an imminent showdown.

Mr. Deputy Speaker, Sir, I would like to state quite clearly that even as we sit here today, there is a lot of tax evasion going on. It is common knowledge that if you are driving from here to Kisumu, it is cheaper to refuel in Nakuru, although Nakuru is much farther than Nairobi is from Mombasa. How is it possible to get petrol which is Kshs5 cheaper in Nakuru than it is in Nairobi, if there was no sale of smuggled petrol? How is it possible that in places like Wanguru in Kirinyaga District, you can go to a petrol station, which was recently established under the name of National Oil Corporation of Kenya (NOCK) and find that it is selling petrol cheaper? All matatus from Meru and other parts of Eastern Province refuel there. Do those people get petrol from the same source?

So, there is evidence that the Government is not collecting all the revenues. We have recently been hearing about refined sugar which is finding its way into Kenya. It is now being mixed with local sugar so that it is sold in the local market as sugar for ordinary consumption. If people can import sugar under the guise that it is industrial sugar and sell it cheaply because it is imported for less duty than ordinary sugar, then there is something wrong in this country.

So, I am really pleading with the Government not to let us have confrontation with teachers. Last week, the Minister was very good when he told them to agree to negotiate with the Government. I agree with him. He should negotiate with teachers, but should the crunch come, then the Government should not push them to the wall.

There are a few other points that I want to make. The first one is that in our country, maybe because it is large and wide, we have problems of class size. I think it behoves the Ministry of Education and Human Resource Development to ensure that class sizes are as much as possible even. I know the Ministry has the maximum number of students that should be in a class. I know, for instance, that in secondary section, they do not accept more than 45 students in a class. I think the number is the same in primary schools. But we do have classes of up to 69 students in some schools that I know. We have secondary schools with three streams, with 165 students in a stream. That means there are 55 students in a class. This means 10 students too many in a class. A teacher cannot manage that class size properly.

Mr. Deputy Speaker, Sir, my request is two-fold. One is that the Ministry should provide enough teachers for primary schools where class sizes are very large. The second one is that the Ministry should stop its senior officials; the Provincial Directors of Education (PDE) and officials at the Ministry's headquarters from forcing headmasters to register more students than the required number. I have a question before this House on why the PDE, Eastern Province, was allowed to over-enrol in classes by large margins. We can improve our education system if we stop to over-enrol students. So, I urge the Minister to ensure that understaffing and overstaffing in the popular places like towns and better off parts of Kenya are avoided. I know that teachers campaign quite a lot not to be posted to remote areas, but there can be no short-cut. We should insist that once you train as a teacher, you have to accept a posting anywhere in the Republic of Kenya. This way, we will ensure that all schools get adequate staff.

Mr. Deputy Speaker, Sir, let me now address one area that does not receive quite as much attention as the rest, and that is the area of pre-primary education. This is an area which I believe could be improved upon, expanded drastically and could, in fact, lead to increased employment if it was really encouraged and communities shown how to do it by the educationists at the grassroots. One has just to view the possibility of having a simple mud house which is large enough to accommodate 25 children, a teacher with a few items for playing and a reasonable fee which most parents can afford. If this was done practically in every village, we would have enough

places for pre-primary children. We would be able to hire a few teachers to look after those children, because after all, all they need is the company of other children. They need a place where they can play with others, be taught the basics of living, and as they grow older, they are taught the alphabet and a few other things. This is something we have really ignored up to now and I think we ought to address it as a problem of the Kenyan nation. I am sure if this is properly addressed and the communities are educated on the advantages of this education, we stand to benefit substantially.

Mr. Deputy Speaker, Sir, I know the Ministry has already appointed a group of people to review the 8-4-4 system of education. I would like to congratulate the Ministry for the appointment of this review team though coming a little late. I hope the team will address the problem areas of the 8-4-4 system of education because apart from having the large class sizes; insisting on having equal educational opportunities; insisting that all students take the same education even though they do not have the same facilities and, insisting that all subjects be studied by all and sundry, there is a question as to what standards our students achieve at the end of the day. You will agree with me that some of the graduates from our universities can hardly write a letter in good grammar. The question then arises: What have we been educating them in? I hope that the question of the standards of education that we are trying to get our students to achieve, will be properly addressed. Also, the question of whether it is really fair to teach our students in secondary schools science subjects when we do not give them laboratories to experiment the science that they are learning from books, needs to be addressed. If we are going to review our education system, we should ensure that we have reviewed it thoroughly and where necessary insist that facilities be provided to all children, if we really want to give them a fair national examination.

Mr. Deputy Speaker, Sir, as we go through this very difficult period, it is becoming virtually impossible for parents even at primary school level to pay the little fees that is required for development. I am aware that the Ministry has tried all it can to discourage teachers from asking for development fund. You know as well as I do, Mr. Minister, that no district in Kenya can survive without paying development fund. The Government does not help any school to build classrooms, buy textbooks or carry out any development without the parent giving out money. I think time has come for the Government to come clean and tell the people the truth. It should tell them that if they want the teachers to coach their children and their children to be examined on a regular basis, they will have to pay for those examinations. There are no short-cuts around these issues. In fact, there was a Question asked a little earlier as to why certain districts ask for Kshs10 to pay school inspectors? The reason is very simple; we have the inspectorate of schools in every district, but there is little money. I do not blame the PS or his staff for not providing money for inspection work because maybe they have very little. It is something which is done out of convenience because parents or the DEB in various districts feel that we have to provide some funds if inspection is to be carried out. It would be much better if the Ministry came out and asked parents to pay this amount of money throughout the Republic of Kenya. There could be a system of allowing those parents who cannot afford the Kshs10 to pay it, maybe, through subsidy. But I think it is wrong to discourage it because it will make it impossible for DEBs which want to promote education, to do so.

Mr. Deputy Speaker, Sir, I would like now to address the School Feeding Programme which has been controversial in this House. There are some sections of the Republic of Kenya where people are well-to-do and can afford to feed their children without food assistance. Unfortunately, there is a mistaken impression that certain districts have no poor pockets of people. I come from Meru District which is considered to be wealthy. So, when it comes to the School Feeding Programme, the district is left out. But there are some parts of this district which are semi-arid, especially those bordering Laikipia and Isiolo Districts. I would like to suggest to the Ministry that when it comes to providing food to schools, the semi-arid areas should also be considered. At the moment, I have an area in mind which borders Isiolo and Laikipia Districts, where parents have had their cattle, sheep and goats stolen by heavily armed raiders. They have also had their food stolen. They have been forced now to carry their food wherever they go, so that it is not stolen. Today, these people can barely survive.

At the moment, relief food is being distributed in other districts, but the people of North Imenti Constituency are not getting it. What is the reason behind this? People have been reduced to beggars; they have dug holes where they hide their personal belongings, including food, *sufurias* and plates at night, so that they are not stolen. The residents in this area hide their utensils and food in holes which they cover with stones and *takataka*, so that they are not stolen. These people can hardly have a good meal for their children. The issue now is that when the World Food Programme (WFP) agrees to assist the Ministry, the Ministry should also assist those areas where people are suffering.

Mr. Deputy Speaker, Sir, I would like to turn to special education, a subject I have often referred to in this House. In the Budget, there is no improvement on the provision for this area of education. Anyone of us who knows what really goes on in schools offering special education knows that most of the parents regret why they ever gave birth to a child who requires this kind of education. Most of them do not want to pay fees for these

children. They would rather keep the child at home and forget him or her. I have served on some boards of special education schools, and I can reveal that there is one where parents do not want to pay extra fees for these children. They consider it a curse and bad luck to have given birth to those children. If we stop paying the non-teaching staff in these schools, as we have always done, what is going to happen eventually? Does the Ministry want to close these schools? I believe that, that is not the Minister's intention, but the amount required is not much when the Ministry has been allocated over Kf2.2 billion in the Budget. I would like to ask the Ministry of Education and Human Resource Development to give priority to this sector. It should allocate more money to this sector in order to accommodate the non-teaching staff.

Mr. Deputy Speaker, Sir, I would now like to conclude my remarks by touching on higher education. Both the Minister for Education and Human Resource Development and the Seconder of the Motion talked about the Higher Education Loans Board (HELB). Our public universities have become very strict on students who do not pay fees. Students who have not paid their fees are sent home to collect the money before they can continue with their studies and, as a result, we have a lot of students who miss some semesters. In fact, some of them have dropped out of university. Unfortunately, amongst those students are those from very poor families, who have single parents. These parents have no assets such as land. I would like to suggest to the Minister that we should, as a nation ensure, that once somebody has been admitted to one of our national universities, the Government guarantees him or her education. The Ministry can do this by guaranteeing a loan to the students. At the moment, you will find some students who do not get bursaries or a loan from the HELB, even though a loan is repayable. Could the Government do everything possible to ensure that a loan is given to any student who wants to complete his education at the university, but cannot afford to pay the fee?

The other question, which many hon. Members of this House have in their minds, is how the HELB allocates loans to university students. Which criteria is the HELB applying when allocating the loans to the students? I have several students from North Imenti Constituency who cannot afford the fees charged by State universities. I know their backgrounds; in fact, one of them grew up in the streets of Meru Town, but he was educated by somebody up to secondary school level and he later gained entry into a university. There is also another young lady from a single mother who lived in hired premises but she was not given a loan by the HELB. You wonder how such students could not get loans from the HELB! When you look at them, you ask yourself: "How could this one escape?" How could they fail not to be accommodated for a higher education loan? I think it is possible that, maybe, the students do not know how to present their cases. I do not want to imagine that the loans are allocated unfairly, poorly, or without feeling, because I am aware that the people who are looking into it are also sensitive. I would urge the Minister to ensure that all cases are given loans on merit. Let us not have the poor complaining that they could not get education because of their poverty. We need to get the talent in Kenya developed to the full.

With those few remarks, I beg to support.

**The Minister for Home Affairs, National Heritage, Culture and Social Services** (Mr. Nassir): Nakushukuru, Bw. Naibu Spika. Nataka kuzungumza juu ya Wizara ambayo ni roho ya Kenya, na ambayo itatutoa katika ujinga na kutupeleka wewevuni. Wizara hii itawafanya walio matajiri wawe na imani na maskini. Kunatakikana kuweco na usawaziko katika nchi hii. Kule walipopata tamaa, bahati nzuri, mashule mengi sana ya msingi na ya upili na vyuo vikuu vingi wawafikirie wenzao ambao hawatapata chochote, tangu wakati wa kupigania Uhuru. Katika Mombasa, shule zile tulizorithi ni zile za Wazungu na Wahindi, lakini hakuna shule tulizojengewa na Serikali ya Kenya. Hakuna shule ya upili hata moja. Nataka watu wayaandike haya mambo na waje waniulize. Bahati kubwa ilitokana na wale Wahindi waliokwenda zao wakatuwachia shule za Aga Khan, Allidina Vishram na nyingine moja. Kama si hivyo, hatungekuwa na shule ya upili hata moja. Mpaka leo, hata tukifanya Harambee, hatupati pesa.

*[Mr. Deputy Speaker left the Chair]*

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

Tunataka kuwe na usawaziko katika Kenya ili wale waliopata mengi wawe na imani na wale ambao hawajapata kabisa wapate.

Tuliwaambia wenzetu tuiipange Kenya. Tutauana na kupata taabu kwa sababu binadamu anaumbwa na wivu. Akimwona mwenziwe ni tajiri, ana shamba kubwa na gari kubwa, yeye huona wivu. Tunataka kuuondosha wivu kwa kuipanga nchi yetu. Tuiipange nchi yetu kwa mambo mengi. Ijapokuwa nchi yetu ina taabu, nchi yetu tunaijua, haina mafuta au madini. Tunangoja pesa za kukopeshwa. Watu ambao ni viongozi, hasa wale ambao

wamefuata mlango wa mbele na wale wenye elimu, na wale wenye pesa, wanafaa wafikirie juu ya njia ya kuipeleka nchi yetu ya Kenya. Tuna haja ya kupewa mishahara mikubwa kabisa mpaka ijae juu ya kichwa. Mtu awe na magari ya Mercedes Benz mawili na hata bwawa la kuogelea katika nyumba yake. Kama Mungu alitufanya tuwe hivi, basi tuombe ili nchi hii ya Kenya iwe kama nchi zingine za ulimwengu. Lakini kama tuna taabu, tunasema ngoja, kanyaga zaidi, taabu haijafika zaidi. Hakuna atakayebaki na Serikali katika ulimwengu huu. Tutakuja na kwenda. Ikiwa mwendo ni kukanyagana, tutakanyagana sana, halafu itakuwa taabu. Yangu ni kuwaomba ndugu viongozi, taabu tuliyonayo katika Kenya hivi sasa iwe imeletwa kwa namna yoyote, hayo ni mambo yaliopita. Tukitaka kutafuta makosa ya Kenya, tukiwataja watu ambao hawapo ni vibaya. Si vizuri tukionekana kuwa mashujaa wa kutoana aibu zetu. Lazima tufiche aibu zetu wageni wasijue. Sisi wenyewe lazima tuzungumze. Uhodari sio kutoa makosa. Uhodari ni kuondoa makosa ili Kenya iendelee mbele. Hakuna atakayetuonea imani. Nchi jirani zapata taabu zikifiri zitapata raha siku za usoni. Mimi naomba kila kiongozi aisaidie nchi yake isiwe na fujo ila amani. Hii ni kwa sababu tumeona mambo mengi yakitokea.

Bw. Naibu Spika wa Muda, taabu yetu ni kutofahamu jinsi nchi yetu inavyoendelea. Kenya ya leo ni nchi ambayo inalipa watumishi wa Serikali na pesa zake. Hatukopi pesa ili kulipa mishahara. Pesa tunazokusanya ndizo hulipa mishahara. Lakini katika nchi zingine, wanangojea pesa za IMF ili walipe mishahara. Kutakuwa na taabu ikiwa sisi hatutaweza kuchunga nchi yetu. Juzi, niliwatazama wazee walioko katika Wizara yangu na ikiwa sikufunga macho na nikawa na imani, nusu ya Wizara yangu ingekuwa nje. Lakini niko na imani. Serikali hii siyo ya DP, FORD au NDPK; ni Serikali ya Wakenya wote. Sisi twaongoza wakati huu, na wale ambao watakuwa na bahati wataongoza kesho. Lakini ikiwa tunaongea hapa na mdomo tu na hatujengi mashule au kufanya Harambee za maendeleo huko nyumbani, tutaanguka. Katika Bunge hili, tumeona mengi. Mwanangu, Bw. Naibu Spika wa Muda, nimeona mengi! Kuna wengi walisema hapa mpaka wengine wakashindwa kusema, lakini tuliona pia mwisho wao. Kwa hivyo, mimi nawaomba ndugu zangu tupendane na tusaidiane kupeleka mambo ya nchi yetu mbele. Upinzani uwe ni siku ya kura peke yake.

**The Minister for Finance** (Mr. Nyachae): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for an hon. Member of this House to refer to the Temporary Deputy Speaker as "my child?"

**The Minister for Home Affairs, National Heritage, Culture and Social Services** (Mr. Nassir): Bw. Naibu Spika wa Muda, ni kwa sababu wengi waliochaguliwa kuja hapa Bungeni walinipata hapa. Mimi ndio wa zamani hapa. Wote walioko hapa ni wapya. Nimeona mengi mwanangu!

*(Laughter)*

Nasema hivyo kwa sababu mimi nimetembea Kenya nzima kuhudhuria Harambee. Hakuna pahali ambapo sijasaidia shule. Hata nikiona mtoto amekuwa wakili, najua zamani nilipita kwao huko Kikuyu nikafanya Harambee wakati wa Bw. Njonjo. Sasa, watoto wote hawa ni wanangu kwa sababu ya mapenzi yangu kwa Wakenya. Lazima tupendane ili tuweze kuwa sawa. Wale walio na mashamba makubwa, yapunguzwe. Wale walio na mali nyingi, ipunguzwe. Pia, lazima tuupunguze ufishadi. Twajua jinsi nchi yetu ilivyo. Tusigadamane sana. Tusijaribu kuzaana na kutiliana miguu, maanake wenzio pia watapitia katika miguu yako na kutakuwa na taabu kubwa sana.

Bw. Naibu Spika wa Muda, pesa zilizopewa Wizara hii ni kidogo sana. Zamani, tulipeleka watoto wachache kwenda kusoma Ulaya, lakini leo, hatuwezi kuwapeleka kwa sababu pesa ni kidogo. Wengine wanatia wengine moto watafute pesa zaidi. Tutatoa wapi na pesa hakuna? Hatuna shamba la dhahabu wala kisima cha mafuta. Ni Mungu tu ametubariki kwa vile tuko hivi hivi tu. Kwa hivyo, lazima tuwe na imani ili tuwe sawa.

Kupitia kwako, Bw. Naibu Spika wa Muda, namwomba Waziri ajenge chuo kikuu huko Mombasa, na pia ajenge shule za upili.

**An hon. Member:** Pesa tutatoa wapi?

**The Minister for Home Affairs, National Heritage, Culture and Social Services** (Mr. Nassir): Sisi wenyewe tutatoa kidogo kidogo. Sisi sio watu wa kusema tu. Tunajua kutoa. Hata ukiniambia saa hii, nitakutolea hapa hapa.

*(Mr. Nassir displayed some currency notes)*

*(Laughter)*

Bw. Naibu Spika wa Muda, mimi naunga mkono elimu. Elimu ni kitu kikubwa sana katika Kenya. Lazima kila mtu afikirie mambo ya elimu. Tusitie watu moto wa kufanya fujo na balaa na hatuwapikii nyumbani kwao. Tukiwaona wanafanya fujo, sisi ndio tunawatia moto badala ya kuwaweka imani. Imani yetu ni kuwatia

moto tu. Hatuendi nyumbani kwao kuwapatia angalau Kshs2 au Kshs500 kuwapelekea watoto wao shuleni. Sisi tuna sheria inayotuonyesha jinsi ya kufanya mambo. Mimi nina imani na ndugu zetu, na walimu wetu nawapenda.

Kwa hayo machache, naunga mkono.

**Mr. Muite:** Mr. Temporary Deputy Speaker, Sir, when the time will come for debating the Vote of this particular Ministry, I will move an amendment to reduce the budget of the Ministry, in order to register our disgust with the manner in which the Ministry is handling the teachers' issue. We are having a crisis with regard to teachers. This is no time for posturing and adopting hardline positions such as "*omundu khu mundu*" or "*reke tuumanwo*". This is not the time for adopting a hardline position with regard to the teachers' crisis. This is a time to be reconciliatory. This is because the whole country is behind the teachers. No one should make any mistake about that. The country is supporting the teachers---

**The Minister for Finance** (Mr. Nyachae): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to bring things which he read in the newspapers before this House? The language which he has used, that is "*omundu khu mundu*", was written in the newspapers, and nobody has stated the same in this House.

Is the hon. Member in order to mislead this House that he is actually ready for reconciliation, when the Opposition Members of Parliament were inciting the teachers to insult us?

**The Temporary Deputy Speaker** (Mr. Pogishio): Order! I was waiting for a point of order, but it has now ended up in an argument. So, let us proceed.

**Mr. Muite:** Thank you, Mr. Temporary Deputy Speaker, Sir. Hon. Nyachae ought to know that on that material date, I would certainly have been addressing the teachers, but I was not there. I was in the High Court acting for the Coffee Board of Kenya, and trying to save the coffee industry in this country. But I agree that had I been here, I would have been out there talking to the teachers.

The point that I would like to make is this: The Government cannot afford to adopt a hardline position whatsoever. The Government says that it cannot afford to pay the teachers. Yet, if we have to use the teachers' issue in order to get the Government to agree to sensible and meaningful economic reforms, we shall do so. We are saying that they must pay the teachers. We are solidly behind the teachers. The point is that the Government cannot implement the Mombasa and Mbagathi economic reforms on its own. It is in a catch 22 situation and the sooner they realise that, the better. If they do not implement those reforms, the economy will not recover. If they implement the reforms, there will be social unrest and chaos in this country. There are no two ways about it. So, they cannot do it on their own.

The reason why the entire Kenyan public is supporting the teachers is because Kenyans are saying that the teachers are not responsible for the economic crisis in this country. It is this Government that is responsible. So, it does not have any moral authority to ask the teachers to re-negotiate the package that was agreed upon two years ago. The only way in which this Government can begin to have that moral authority is to get the economy back on the rails again. You cannot do that without implementing the economic reforms. It cannot be done in isolation. You cannot ask the teachers to re-negotiate their salaries when we still have 27 Ministries. They have got to come down to 18. You cannot ask the teachers to re-negotiate their salaries when you are still having very conspicuous consumption, and when the economic reforms have not been implemented; when the cases of those who have actually brought this country down to its knees are still dragging on in court years and years later.

I said four years ago, when I was acting for the Law Society and prosecuting some of those individuals, that the Law Society should have been permitted to proceed with private prosecution because the Government has no serious commitment or intention of prosecuting to conclusion. I fore thought two years ago that the case would drag on for years and years. Two, I concede that the symbolic action of the President of reducing his salary by 50 per cent, sends a good message, but we need to go further. It needs to go hand-in-hand with the other economic reforms; like really reducing conspicuous consumption and reducing the number of Ministries and also going through each and every recommendation made in Mombasa and implementing it. If this Government attempts to implement those reforms on its own, of course, there will be riots everywhere, and the Government will come down. Our fear is that we do not want this Government to come down and bring the country down with it. They need a multi-sectoral commission to oversee the implementation of these economic reforms. If they do concede to that, we are happy for them to attempt to implement these economic reforms on their own. We will be watching. I said that unless they agree to a multi-sectoral commission to oversee implementation of these economic reforms, now it is the teachers who are about to go on strike, but the bankers will soon be going on strike. We shall be supporting the bankers again, because we have no right to ask---

**The Minister for Home Affairs, National Heritage, Culture and Social Services** (Mr. Nassir): On a

point of order, Mr. Temporary Deputy Speaker. Could the hon. Member tell us who gave him that information, that there is another strike coming up?

Mr. Temporary Deputy Speaker, Sir, hon. Nassir will see that there will be a strike by the bankers, which we are going to support because there are very many people in this country who are not being taxed. It is not fair to ask the bankers to pay taxes on their fringe benefits. Hon. Nyachae admitted the other day that the police are some of the most poorly paid people here. By the end of the year, the police are also going to be on strike; the whole country will be on strike. The whole country will be on strike.

*(Several hon. Members stood up in their places)*

**Mr. Muite:** Mr. Temporary Deputy Speaker, Sir, I have got only ten minutes, can you protect me?

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

**The Minister for Education and Human Resource Development** (Mr. Musyoka): On a point of order, Mr. Temporary Deputy Speaker, Sir. As much as I hate to disturb my learned friend, is he really in order to be so tribalistic? I heard him refer to the hon. Member for Mvita as "huyu Mswahili tena". Is he really in order to preach tribalism in the House, of all the places?

**The Temporary Deputy Speaker** (Mr. Pogishio): Order! Order! I think we know the rules; it is not in order to refer to anyone by their tribal dispositions. We need to use Parliamentary language.

**Mr. Muite:** Mr. Temporary Deputy Speaker, Sir, to move to another area in order not to excite the hon. Members on the other side, I would, like through you, to ask the Minister for Education and Human Resource Development to check the corruption that is going on at the Kenya Institute of Education (KIE). That is the institution which is responsible for recommending the textbooks that are going to be used in primary and high schools. The parents across the entire country are screaming. When we went to school, we would use the books that our elder brothers and sisters used when they were going through school. Nowadays, every year, there are new recommendations or new textbooks. What is going on is that there is a conspiracy between KIE and individuals in the Ministry of Education and Human Resource Development, and writing of books has now become a racket, and so every year it depends on the author who has struck a deal with the KIE administration and individuals in the Ministry of Education and Human Resource Development. So, books are being changed every year. The parents cannot afford buying new books every year and then the old ones are discarded. So, the books which were used previously are no longer in use the following year. Could the Minister investigate this and bring that racket to an end? At least, the parents will be very grateful if that is done.

Mr. Temporary Deputy Speaker, Sir, the predecessor to the hon. Musyoka, who now has the distinction of being the hardline KANU hawk---

**The Minister for Education and Human Resource Development** (Mr. Musyoka): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is this really in order? Can the House really accept that kind of hardline talk from a hardline Member for Kabete or some such place? I object to that!

**The Temporary Deputy Speaker** (Mr. Pogishio): Order! It is not in order, definitely, to do that.

**Mr. Muite:** Mr. Temporary Deputy Speaker, Sir, I take that advice. The impression I got--- His predecessor said that no Kenyan student will be denied education due to lack of money and yet we have got so many who have been expelled because of---

*[The Temporary Deputy Speaker  
(Mr. Pogishio) left the Chair]*

*[Mr. Deputy Speaker resumed the Chair]*

**The Minister for Finance** (Mr. Nyachae): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to support this Motion. I think it is very clear to every Kenyan that the KANU Government has, over the years, continued to support education, and that is why we now have very many Government-aided schools than we had before Independence. Therefore, nobody should give an impression to any Kenyan that the KANU Government is not supporting education fully. We should not try to fail to be realistic about problems facing the country now. The problems which are facing us are problems which, if not dealt with now, are going to affect those children who are in school, and those who are going to be born. We must deal with the economic problems we face right now if education in our country is going to be of high quality in the future. Here is where we are saying that can we all think of how we can sustain our education system without disrupting it. We cannot disrupt

education on the basis of personal greed because, if I really love the children I am teaching and those I have sent to school, then it is the children I should think about first, before I think about myself. But what is happening on this issue of the teachers? It is not because they are not being paid well. The issue is that the teachers signed an agreement with the Government of Kenya last year. We have not denied this fact. But what we are saying is that an agreement is a document which can only be fulfilled---

**Mr. Deputy Speaker:** Order! Order, Mr. Nyachae! The House had the opportunity to discuss the teachers' issue on Thursday last week. For a change, let us, today, concentrate on the Motion before the House. Let us forget about the teachers' strike because it has been discussed enough. Let us discuss Vote 31, both Recurrent and Development Expenditures.

**Dr. Kituyi:** On a point of order, Mr. Deputy Speaker, Sir. When the Minister for Education and Human Resource Development was moving this Motion, he requested us to talk about the teachers' strike. Could you give guidance as to whether he was wrong?

**Mr. Deputy Speaker:** Order! Order! That is a ruling from the Chair, which states that we should discuss the Motion which is before the House. The Minister did move "That Mr. Speaker Do Now Leave the Chair" for the purpose of discussing that Vote.

**The Minister for Finance** (Mr. Nyachae): Mr. Deputy Speaker, Sir, I respect your ruling, but I would like to say that I was trying to emphasise on the need for all of us to sacrifice for the sake of the children who are covered in this particular Vote. This is because that is education we are talking about. To sacrifice means that the little money that is available should be now devoted to educating these children instead of "eating" it. That is all I am saying. We, the adults, should not eat that money. We should instead devote it to education for the benefit of our children. That is the message we are conveying.

*(Loud consultations)*

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

**The Minister for Finance** (Mr. Nyachae): Mr. "Chadhura", you have been asked to sit down!

**Mr. Deputy Speaker:** Order! Order, hon. Members! This habit by hon. Members to stand up on the pretext of a point of order when they really want to argue, should stop. This is because, if you stand on a point of order, it is presumed that the Member on the Floor has breached some point of order upon which you want Mr. Speaker's ruling.

**Mr. Ngure:** On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member on the Floor in order to say that at the moment, the teachers will be able to teach without eating?

**Mr. Deputy Speaker:** Hon. Ngure, you are skating on very thin ice.

**The Minister for Finance** (Mr. Nyachae): Mr. Deputy Speaker, Sir, since I respect your ruling, I will not respond to that point of order. What I would like to emphasise here is that education is the foundation of any nation and, therefore, it must be given all the attention it deserves. The people who are supposed to give this attention to the education of our children are all Kenyans who are adults. That is why our people are very much willing to contribute through taxation and avail a very substantial amount of money for education. They pay these taxes because they love their children. Therefore, when I see an hon. Member stand up in this House to give notice of a Motion to deny our children the money Kenyans have paid as taxes---

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

**The Minister for Finance** (Mr. Nyachae): Mr. Deputy Speaker, Sir, that notice--- Because the matter was mentioned in this House---

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

**Mr. Deputy Speaker:** Order! Order, Dr. Kituyi! **The Minister for Finance** (Mr. Nyachae): Dr. Kituyi, wewe ni rafiki yangu. Unafanya nini hapa? Kunywa maji. Drink the water and go away.

*(Laughter)*

Mr. Deputy Speaker, Sir, we know each other. So, I have no problem with the hon. Member.

I want to mention a very important feeling that I have. I can forego other things to educate my children and grandchildren. This is because my time, and that of hon. Paul Muite, is much shorter than that of the children we want to educate. Therefore, I would like to appeal to hon. Members that when it comes to educational issues, no matter how difficult they may be, let us discuss them in terms of love for our children. I know how much hon. Muite loves his children. I met him near a hospital with his wife a year ago, pushing his child's cot in a very nice

way. That is a manifestation of love. Why does he think that the rest of us do not love our children the same way? The hon. Member should support us to educate these children. I would like to appeal to all of hon. Members to help educate our children in schools.

Mr. Deputy Speaker, Sir, since you have ruled that I should not respond to the other issues raised here, I beg to support the Motion.

**Dr. Kituyi:** Mr. Deputy Speaker, Sir, thank you very much for giving me a chance. I was listening to the eloquence of hon. Nyachae about their love for children. Apart from the individual's children, if you love the children of this country, you do not participate in any policies, or actions by the Government, which have the consequence of reducing the possibility of those children a decent education. You do not participate in a policy which will rob Form IV graduates for the next two years, of the opportunity to join teacher training colleges. That is some love for those children.

It is ironical that the Government announces that for the next two years it will not have admissions in TTCs, and in the Estimates, there is an item requesting us to allocate some money for the construction of a primary school teachers training college. What I would like to say about education at this stage is to request the Minister that, if, as he said, we are interested in pre-primary education, the opportunity that is accorded by the vacant TTCs should be utilised to recruit and train thoroughly, some pre-primary school teachers. There is more than sufficient capacity to absorb these if we are serious about a sound foundation for education in the country.

I wish to talk about the need to expand professional and technical training at the polytechnics and other institutions which were destroyed in the process of uncontrolled and irrational expansion of the public universities. I will, however, not talk very much about that. I will only talk about the need to establish a national computer centre. But we can talk about this when there is some money for setting up such institutions. For now, I just want to start with the contradiction about the Government's cry that it does not have money and the same Government's failure to properly look after the little money it has. Over the past two years, this Ministry has been voting money for payment of premiums for insurance, particularly for vehicles in public secondary schools and universities. However, the Ministry does not seek to collect the policies for which it has paid. What happens then is that insurance brokers who receive the money do not remit it, or buy cheap policies. Because nobody checks on these activities, the brokers collect all the money.

Mr. Deputy Speaker, Sir, I have vouchers for payments of insurance premiums by the Ministry of Education and Human Resource Development for Kenyatta University for the period between 3rd June, 1997, and 2nd September, 1997, totalling Kshs15,170,000. Up to now, the Ministry, after making that payment and getting from the broker, never sought to get the policy document. The reason is that the premiums paid by the broker for the insurance policies are much less than what they receive from the Ministry. I will challenge the Minister to go and look for the policy he has paid for. I could supply him with copies of his own voucher for Kenyatta University between June and September, 1997. That leads to situations like what has happened recently, where school buses are involved in accidents and there is no insurance cover. Right now, there is a problem with the insurance of Senior Chief Koinange Secondary School bus, which was involved in an accident. But more seriously, there is a school called Giakanja Secondary School where, recently, there was theft of equipment from the school vehicle. The vehicle was taken to a garage in Nyeri, and when they brought invoices after the repairs, through the broker, the insurance company said they had never received any payment for the insurance of that vehicle. I will assist the Minister. I have four copies of vouchers from his Ministry paying for insurance of secondary school motor vehicles totalling Kshs26,662,000. I also have a copy of a letter from Nyeri Motor Services, asking for payment after the accident. After that happened, the insurance company, Kenya Alliance Insurance Company, said there was no insurance for that vehicle, whereas the broker, Esam Insurance Brokers, had received the Kshs26,662,000 from the Ministry after the accident. The accident was on 5th December, 1997, and on the 13th July, 1998, Esam goes to the insurance company and purports to pay a back-dated insurance cover for a vehicle after the accident. I have evidence of the cheque they used to pay on the 13th July, 1998, for insurance of a vehicle after the accident, last year.

I also have a copy of a letter received yesterday from Kenya Alliance Insurance Company saying that they refuse to accept the insurance of a vehicle after an accident has occurred. If I may just read part of that:

"The fact is that premiums for those who hold accounts remain outstanding, and it is no use to try and justify that you have paid premiums for vehicles after accident. Please, note that we are not going to pay any repair charges for the above vehicle or any other vehicle belonging to the Ministry, so long as premiums remain unpaid."

This is a letter dated 17 July, 1998. I have a photocopy and the Minister can decide whether it is helpful to him. But I have also photocopied evidence that he paid to Esam (?) Insurance Brokers, Kshs26,662,000. How can they ask us to make sacrifices, if they are going through their fingers?



(Dr. Kituyi tabled the documents)

Mr. Deputy Speaker, Sir, there are a few other things that I wanted to address myself to. One, at a time when at long last the Government has noticed the futility of insisting that the introduction of 8-4-4 education system was a rational decision and that it is an efficient education system, we encourage them to widen the scope of the review of the education system. But, most importantly, the Kenya Government should seek to lead in opening up the Governments of Tanzania and Uganda, to harmonise education systems in the three countries as part of the progress towards East African integration. We should not review our education system and end up with a parallel education system which hampers, instead of facilitating, utilisation of idle capacity in sister universities, when we are talking about regional integration. Similarly, we have to rationalise our education system on the need of the market place. We are spending too much of our resources in educating grave diggers of the system, because they have no opportunity to match their skills with the demands of the market place. One of the ways to narrow the gap between the skills we are offering and the needs of the market place is to impress industries in co-financing relevant curricula and training institutions in this country. Accountancy institutions have been doing a bit of it, but it is in spite of the Government. The Government must show the leadership in seeking that bridging. In fact, certain level of funding for critical co-careers at universities and technical institutions today could come out from industries, if the Government looked in that direction sufficiently.

Mr. Deputy Speaker, Sir, this Government has been prevaricating on a very important thing. We want to pretend away the sexuality of children in schools and the fact that children are dying of AIDS in schools because of lack of knowledge. The Government has been unable to stand up to perceived pressure from certain sections of religious community to say family life training is absolutely necessary if we are going to save this generation of persons we are so much investing public resources in from being destroyed by that phenomenal illness that is destroying our country.

Mr. Deputy Speaker, Sir, I also wish to say a few things about the teachers' salaries. I encourage what the Minister has said, and I am also in agreement with what the Chair has said, that we should seek methods of finding an amicable solution to this problem. But there are two things here. The Minister for Education and Human Resource Development told us that the Government made unjustifiable awards to teachers because it was in the run-up to an election.

**The Minister for Education and Human Resource Development** (Mr. Musyoka): On a point of order, Mr. Deputy Speaker, Sir. Is it really in order for my friend to try to circumvent the Chair's ruling, on this matter? Much as I would really want to have public debate on this matter, the Chair has made a ruling and I think we have to abide by it.

**Dr. Kituyi:** Mr. Deputy Speaker, Sir, I do not know when the hon. Minister, who used to be Deputy Speaker, started discharging those duties again.

I wish to state the following: We are in a quagmire; not all of us. I have said this before and I will keep saying that there are many persons in this country whose economies never rot; so, there is nothing called "collapsing" for them. There are other people whose economies collapse; people who cannot send their children to schools. Their children have to be mobilised as cheap labour to earn a livelihood for their families. If you tell people who have fallen on their backs in the mud to walk carefully, otherwise, the ground is slippery, you are making a fool of yourself. We have to address the condition which has created a large category of our population, which is not a stakeholder in the *status quo*, which does not sympathise even if the economy will collapse, before you can tell them to share in a crisis that you have brought unto yourself. But, fundamentally, I encourage the spirit that there should be dialogue and that the Government made a mistake, and we should not all die because the Government made the same mistakes last year. But the way forward, if the Government wants to talk seriously, is not inciting, threatening pre-mature retirements, or brinkmanship from the culprits who are responsible for the mistakes they are trying to solve collectively. Humility requires that you show good manners. When a leadership starts showing itself in an offensive position, it reminds one of what Senator Scoop (?) Washington said in 1969; that, "the symptoms of a dying civilisation are best manifested in the growing popularity of bad manners."

With those remarks, I beg to support.

**The Minister for Local Authorities** (Prof. Ongeru): Mr. Deputy Speaker, Sir, I also stand here to render my support to a very important Vote in this House. Education is the fountain of knowledge and it is very dynamic. You can never, for once, say a decision made five years ago was irrelevantly made, unless you do not appreciate what the fundamentals of education are all about. If we accept the fundamentals of education, we must equally accept the premise that education being a dynamic process, there is need to review, assess and monitor it. Listening and reading through the debate as already enunciated in this House, it is quite clear that the Government

and, indeed, the Ministry of Education and Human Resource Development, has been able to address the core issues that need to be looked at in the year 1998/99 to the next millennium. There is also need to focus on specifics that will help us to move this country forward. In that process, the nation is able to reap the talent and, indeed, the sharpened talent from the society. That is the value, and that is why it is called a special function, because it has a fundamental basis upon which the society builds its own programmes.

Mr. Deputy Speaker, Sir, looking through the various sub-sectors of the education system, we have illiteracy. At the time of Independence, it was one of our biggest enemies. In fact, one of the laureates in education states that a good education has a good foundation from the home. It is not always acquired in classrooms; it is an all round education for all. If I remember, in 1982, there was a UNESCO conference in Jometom in Thailand, which clearly specified that education for all is an issue that starts from the family level through to the pre-primary, primary, tertiary education to the universities. I get a bit distressed when I listen to comments that are highly misplaced when discussing matters of education. If we accept education as a social function in the first place, then we must also accept that education is important and necessary for the economic growth. You cannot separate education from the social functions, nor from the economic functions. So, when we say that the economy cannot sustain certain functions that will enable the educational sector move forward, it is not because we want to state so, but because of the intertwining of these functions, which are essential and necessary for the progress.

Mr. Deputy Speaker, Sir, of course, there has been a booth which has been applied to the disadvantaged. This is one area where Kenya stands out very well. In fact, we had a social problem in most our towns, particularly in the City of Nairobi, Mombasa and---

*(Mr. Muite consulted loudly with Mrs. Mugo)*

**Mr. Deputy Speaker:** Hon. Muite, it is out of order to talk to an hon. lady in such a manner.

**The Minister for Local Authorities** (Prof. Onger): Thank you, Mr. Deputy Speaker, Sir. It may please this House that one of my students is hon. Muite's wife. I think I was a good teacher, and he should listen very carefully.

Therefore, it is important that we address ourselves to the requirements of the disadvantaged in our society. They should not be left alone. That is why I have instructed the local authorities, in conjunction with the Ministry of Home Affairs, National Heritage, Culture and Social Services and the Ministry of Education and Human Resource Development, to look more closely to those individuals, because they can turn out to be better performers; in fact, very good performers. One of the best examples that I noticed as we witnessed during the recently concluded series of World Cup matches in France. I watched Ronaldo play, and I was informed, from previous history, that he used to be a street child, yet he turned out for his nation Brazil, brilliantly. It is because he acquired the skills of football very well. That is part of education.

Mr. Deputy Speaker, Sir, there is one other area that we need to look at, and that is, the needs of primary and secondary education. Unfortunately, I must comment on this issue because the distribution of teachers in some of these institutions in the rural area leaves a lot to be desired. Whereas there is a specific budget, I feel that in so many occasions, there has been a lot of emphasis in the urban centres as opposed to the rural areas. I would like to request the Minister for Education and Human Resource Development to look into it, and balance out the distribution of teachers, particularly as we enter into the next millennium, where science plays a major role. It is important that the art of Science is disseminated to all and sundry. In this case, those also in the rural areas. When it comes to Science equipment, they are highly handicapped. Therefore, when you put them on the national scale of performance, they cannot be able to perform at the same level. Yet, if you were to give them the same facilities, their faculties are well articulated to perform just as well as those who are in the urban centres. Therefore, I think, in terms of distribution of the budget, it will be important that you also look more closely at the primary and secondary sectors, because they are the prime movers of education. Unless we take care of them at that level, it will be almost futile. If we are going to talk of industrialising and sharpening the human resource in this country, it is important that any cost towards tertiary education is well looked at.

The curriculum development at the Kenya Institute of Education is an important aspect of our lives, and we should always encourage scholarships. I do not agree with my other colleagues who said that people should not publish books; that the Ministry should not get their books become part of the curriculum for schools. If you do that, you will only be promoting a mono system which becomes extremely expensive and dull. By the time you realize it, you will have lost a decade. In education, a decade lost is a decade suffered in terms of the social, economic and, indeed, political development. This is one of the reasons why we are articulating the constitutional reform programme. We are saying that we need a society which is educated and informed to be able to understand the fundamentals of the constitutional process-making, rather than being duped by those who are a little more

smarter than them. We, therefore, need to educate our people. Normally, the people who are with the society and are able to articulate these issues very well are the teachers and those who have had the benefit of education. Therefore, it is very important that, that aspect of it is looked at. Scholarships and entrepreneurship should be encouraged.

Mr. Deputy Speaker, Sir, as we move to the realms of the new millennium, it is going to be very difficult for survival of individuals unless they are fortified with adequate information and education to be able to handle the new millennium. Suddenly, when science is with us, particularly the overall internet and computer systems, unless they are very well tuned up to be programmed, it will be very difficult to handle the next millennium.

With those few remarks, I beg to support.

**Mr. Raila:** Thank you, Mr. Deputy Speaker, Sir. I agree with the school of thought that if you want to treat a disease, you must first diagnose it, otherwise, you would be treating the symptoms rather than the cause. We are dealing with the effects of what has taken very many years to construct; very many years of implementation of very, very wrong policies in as far as education is concerned. It is because of that, that today, we have this kind of budget. If you look at the printed Estimates, you will see that the Government has provided K£59 million for Development Expenditure, and K£1.6 billion for Recurrent Expenditure. Something is terribly wrong with that kind of budget as far as education is concerned. It means that we are spending a lot more money in paying salaries and almost no money on development. We are spending 30 times more on salaries rather than paying for construction of schools and purchase of equipment for the education of our children. This is terribly wrong. I think that this is something that ought to be rectified. As I have said, it is a result of poor policies made over very many years.

Mr. Deputy Speaker, Sir, the Government has provided K£12 million to the Kenya School Equipment Scheme in the Recurrent Expenditure to administer K£5 million for development. Again, something is very, very wrong here. I was in Botswana last week, and I was very surprised at the number of Kenyan professors who are teaching at the universities of Botswana. Nearly 15 per cent of the lecturers in Botswana are Kenyans. These are very qualified Kenyans who have been frustrated and who have, therefore, been forced to run away to seek greener pastures outside this country and, yet, this country is importing expatriates to teach at our universities. This, again, is something which is deplorable. So, we need a comprehensive review of our education policies.

Right now, we are in a crisis. At the moment, many teachers teach very little in classes because they wait to conduct tuition outside school. That is why extra tuition has increased. Children are given homework and the teachers are, in turn, paid by the parents to teach the children outside school. That is because teachers want to make some little money outside their normal salaries. I think this is something that needs to be addressed. I have seen that we have provided funds for the School Milk and Feeding Programme, but to the best of our knowledge, this programme was suspended a long time ago. I do not know if there are schools - at least, not in Nairobi - where children are provided with milk. A provision of K£18.5 million has been made for the School Milk and Feeding Programme and we would like the Minister to elaborate on that issue.

Mr. Deputy Speaker, Sir, on the question of teachers, last year when the teachers demanded higher pay, the Government did not respond positively until the teachers went on strike. This matter was brought before this House and we debated it. We, at that time, stood up in this House and supported the teachers. We said that teachers had been treated unfairly and that they deserved to be given a salary award. The Government refused until the last minute when it yielded. Teachers' representatives were quickly taken to Nakuru where the agreement was signed and those representatives sang "Asante sana", and that was the end of it. Eventually, they came out and some of them campaigned for KANU. That was an agreement that was signed under pressure, but the Government knew exactly what it was committing itself to. That is the reason why we have said that we support the teachers in what we consider to be their just demand. We do think that the teachers deserve a salary award.

*(Applause)*

The Minister for Finance is trying to appeal to the teachers' sense of patriotism. That is fine. I think the teachers would be prepared to sacrifice, if they knew that there was going to be something better tomorrow. All of us are patriots and we want to feel patriotic, if we know that there is going to be something better tomorrow. This is something that we ought to discuss. At times of crisis like this, leaders who are patriotic do not just come out and condemn; they come out and offer concrete suggestions and solutions to the problem. Many Members from both sides of the House have spoken here, but they have always apportioned blame. Nobody has come out clearly with a concrete suggestion as to how this problem should be solved. I want to offer a solution here. I do not think that this matter should be allowed to degenerate into a drama like that of Shylock, the Merchant of Venice and his debtors, who threatened his debtors that in the event that they defaulted paying, he would chop off his pound of

flesh, and then the judge would say, "Okay, chop off the pound of flesh, but nowhere in this agreement is it written that a drop of blood is going to drop."

Mr. Deputy Speaker, Sir, I think the Government has a solution. First, it should own up and remove the sort of damocles which they placed in the throat of the teachers. That is the Bill. I think the Government should move forward and negotiate with the teachers. The way out is for the Government to set up a ringed saving fund into which no one else withdraws money, out of which the teachers' arrears is going to be paid. If the Government suggested to the teachers that it is going to put in a savings for a certain period of time; that, that money is going to be used to pay the teachers, and that the Government is going to honour that agreement over a specified period; I think the teachers are sensible enough to accept such a suggestion. I do not think anybody is going to benefit from this kind of stalemate. Both sides ought to come out of their cocoons and face the situation squarely by negotiating.

Mr. Deputy Speaker, Sir, we do not think that this country would be served, if children do not go to school; if the schools are closed, and if the teachers are on the streets. I think that the Government should own up, come out clean and admit that they made a mistake. It should assure the teachers that they are committed, and that they are going to pay them their salaries and outline the payment procedures. The teachers, also, should accept. They will be prepared to accept if there is goodwill. The reason why the teachers are sceptical is because the Government has failed to honour a number of its contractual obligations. The question is: How sure are we that this time round, the Government is going to be seriously committed? I think the Government should do that, and if that happens, I am sure that we are going to have the industrial peace which this country deserves.

With those few remarks, Mr. Deputy Speaker, Sir, I beg to support.

**The Assistant Minister for Lands and Settlement** (Mr. arap Leting): Thank you, Mr. Deputy Speaker, Sir, for giving me this chance to contribute to this Motion. I will begin by congratulating the Ministry for the job that it has done for many, many years. It may be facing problems now, but if one looks at the history of education in this country, especially secondary education, one will see that the Ministry has always teamed up with the local communities by encouraging them to build harambee classrooms. In the end, the Government takes them over or provides them with teachers and grants. I think, the Ministry has done a wonderful job in the past. Naturally, the number of schools have increased and, therefore, at managerial level, it has become difficult to run them. Since the number of universities has increased, I think the Ministry is beginning to face problems in management of education and in raising finances.

Mr. Deputy Speaker, Sir, one area that I would wish to draw the attention of the Ministry to is the question of boarding schools. I think you have seen in recent weeks that there have been spates of strikes all over the country, mainly in boarding schools. We rarely have strikes in day schools or private schools. Now, most of the boarding schools are becoming a headache. The reason why I would like the Ministry to review the future of maintaining boarding schools is that the boarding schools, as we have seen, are becoming the centres of indiscipline and too expensive for the parents to run. Therefore, if you go to the rural areas now, you will find that most of the children from boarding schools are at home. That is not enough. They are at home because the parents are unable to pay their fees. While some students are at home, there are others who are still in schools waiting to go back home and collect fees. However, while they are waiting to go and collect the fees, the little fees collected from the few students is used to maintain the boarders who are still in school. Naturally, if a quarter of the students are paying fees to maintain children in boarding schools, there will be reductions in provisions. When these reductions come about, hence the strikes occur. So, it appears as if we have to find a way to review the policy of maintaining boarding schools. I will later on make the recommendations.

Mr. Deputy Speaker, Sir, the other point that I wanted to state is that I would prefer the Ministry now to focus the little resources that they have, or to lay more emphasis, on day secondary schools. This is because, one, first of all, they require less money to maintain. Secondly, the parents can afford to run them. Thirdly, the question of indiscipline does not arise very much. Now, coming to boarding secondary schools, as I have just said, they are becoming the source of indiscipline. The Ministry will have to review the quality of the boards of governors. The boards of governors have a lot of work these days in trying to run these schools as much as they can. I think we need to upgrade the quality and type of people who run the schools. For example, the Education Act will have to be amended to give more powers to the boards of governors. We should be able to say the type of people to be appointed into boards of governors, so that the Ministry can delegate some of the powers to the districts or provinces.

For example, at the moment, if I am not wrong, if you want to discipline students by expelling them, that has to be approved by the Director of Education, since we have more than 3,000 secondary schools. I do not know whether the Ministry can get enough time to look adequately at and approve, all cases of indiscipline. I know in some cases they have even delegated these powers, though not legally, to the Provincial Director of Education, to

do that, but it would be better if some of the powers centred in the Ministry would be given to the districts. Maybe, the district education officer should be empowered also to handle some of these cases, like in indiscipline cases locally.

Mr. Deputy Speaker, Sir, another point that should be discussed also at the district level is the question of paying levy. I know that the Ministry is not happy when the parents are being forced to pay games, travelling and tour fees. It is true that somebody ought to be regulating or controlling them. The Education Act should be amended so that we can delegate some of these powers to the district. If this is done, the Ministry would be left with the jobs of policy making and deployment of teachers only.

Mr. Deputy Speaker, Sir, last but not least, since I can see that my time is almost over, the Ministry should come forward and declare all the schools to be community schools. Some of the reasons why the students go on strike is because of this belief that these are Government schools and yet, 90 per cent of the resources put in the schools belong to different communities. So, I think the Ministry ought to come out and declare all schools to be community schools so that this belief that schools are government-owned does not arise. Let the Government presence be felt as it is felt in other institutions. However, when we say these are Government schools it appears to make students feel that if they destroy the schools, then the Government will rebuild them. The parents also seem to be still thinking that the schools belong to the Government. It is high time that Ministry made parents believe that the schools are theirs. Once that is declared and understood, I am sure the parents will focus more on maintaining and disciplining the students in the schools.

Mr. Deputy Speaker, Sir, lastly, I would like to comment on sizes of classes. There are very many schools which have over-enrolled because we have few schools. You know some communities are not very good in planning. When the Standard One intake comes about at the beginning of the year, they find that the classes that they have are less than the number of students willing to enrol in Standard One. As a result, they enrol 60 students instead of 40 or 50 students. I do not know what one can do about that. I also do not know what the Ministry or the local people should do because these children find places. There is no excuse why secondary schools should over-enrol. However, when we come to education, the power to decide what should be done should be centred in the districts so that local people can be planning ahead for secondary and primary education in order to avoid over-enrolment. With those few contributions, I beg to support the Motion.

**Mr. Kathangu:** Bw. Naibu Spika, ninataka kuguzia njia moja ambayo ilitumiwa kabla ya kuingia kwake Bw. Aswan mwaka wa 1960. Bw. Aswan aligeuza masomo ya Common English na kuingiza The English medium. Tangu wakati huo, miundo ya masomo katika Kenya imebadilika karibu mara tano. Hiyo ni kuonyesha kwamba ni watu wachache sana ambao wanaweza kusikizana kimasomo katika nchi hii. Hilo ni jambo ambalo halijazungumziwa katika nchi hii, lakini limedhoofisha miundo ya masomo katika nchi yetu. Jambo hilo linafaa liangaliwe wakati huu ambao tunatarajia kubadili masomo ya 8-4-4. Inafaa tuangalie ya kwamba hatupeleki mashimoni wengine wengi, hasa wakati huu tunapojitayarisha kuingia karne mpya ambayo itakuja na mambo ya sayansi. Itakuwa vibaya sana ikiwa Wanakenya hawatafaa kwa miundo mingi sana ya elimu katika Afrika Mashariki, bara la Afrika na pia katika ulimwengu mzima. Ninajua kwamba ni watoto wachache sana ambao wanaingia katika miundo mbalimbali ya masomo ulimwenguni na kufaa bila tashwishi. Hapa Kenya, tumekuwa na shida nyingi kwa sababu watoto wanapelekwa upande wa Marekani na ni lazima wapoteze karibu miaka miwili ili waingie vyuu vikuu. Wale wanaoenda upande wa Uingereza, ni lazima wapoteze mwaka mmoja na wale wanaoenda upande wa India ni lazima wapoteze miaka mingine. Kw maoni yangu, isipokuwa Wizara ya Elimu haijafikiria zaidi kuhusu miundo wake wa elimu, hawa watoto hawangukuwa wanapotezewa wakati.

Bw. Naibu Spika, tunapozungumza hapa, waheshimiwa Wabunge wengi wanalalamika sana kuhusu vifaa katika shule mbalimbali. Na vifaa hivi vinasumbua sana wazazi kwa sababu mzazi anatakiwa alipe karo ambayo ni ghali sana. Pia, mzazi anatarajiwa kumfundisha mtoto wake jinsi atakavyoshauriana na walimu wake kwa njia mbalimbali. Wakati sisi tulipokuwa shuleni, tulikuwa tunalipa Kshs60 kwa mwaka, na tulikuwa tunapewa vitabu, meza na hata kiti. Hata hatukujua chokaa ilikuwa ikitoka wapi. Hata kupata ile chokaa siku hizi katika shule ni vigumu. Wengine wanatumia makaa kuandikia kwa ukuta kwa sababu hawana pesa, na jamii inayozunguka shule hiyo haiko tayari hata kidogo kutoa pesa ili kuona kwamba shule inajisimamia. Kwa mfano, asilimia 85 ya watoto wanaosomea kule Embu wanatoka sehemu mbalimbali za Jamhuri ya Kenya, lakini kwa sababu Embu inaongoza kwa shule za bweni, kila kila mmoja anataka kupeleka mtoto wake huko. Hata wengine kutoka kwa Wizara ya Elimu, State House na Ofisi ya Rais wanataka watoto wao wapelekwe kusoma kule Embu. Na watoto wa Embu wataenda wapi? Kwa hivyo, ukienda kumuuliza mzazi anayeishi karibu na ile shule aje kuisaidia ile shule, hataki kwa sababu watoto wake hawako kule. Ninaunga mkono yale yote mhe. Leting amezungumzia kwa sababu ni jambo ambalo linahitaji kuzungumziwa zaidi. Shule za bweni katika nchi hii zinasaidia mzazi na mtoto kwa njia gani? Ikiwa mzazi anaweza kulipa karo ya shule ya mtoto anayeenda shule

mchana na kurudi nyumbani, na hawezi kulipa malazi ya yule mtoto, ni kwa nini tumkataze yule mtoto kwenda shuleni? Ni kwa nini Wizara haiwezi kufikiria ni jinsi gani tutakuwa na watoto ambao wataenda kwa shule za bweni kutoka kijiji fulani ikiwa wazazi wanataka, na wale wanaoenda shule kwa masaa ya kawaida katika shule moja ikiwa hawezi kulipa karo? Hayo ni mazungumzo ambayo yako katika kila pembe ya nchi hii. Hakuna maana ya mtoto kukosa shule kwa sababu hawezi kulipa malazi, na hali wazazi wa hapo ndio waliojenga ile shule na wanataka watoto wao wasome mchana pekee na jioni warudi nyumbani mradi tu wapewe chakula cha mchana na labda chai saa nne na saa kumi. Tukifanya hivyo, watoto wataendelea na masomo kwa njia nzuri.

Bw. Naibu Spika, jambo linalohusiana na vifaa vya shule limeleta tatizo kubwa katika nchi hii, na watu wengi sana wamesema tusitoe Serikali makosa bila kuwapatia jawabu. Ikiwa kununua vifaa vya shule na vitabu kumeleta shida na taabu, wacha county council, vyama vya ushirika ama shule fulani ziungane na kuanzisha mastoo ya vifaa hivi. Hii ni kwa sababu tumekuwa na wanabiashara ambao ni mkono birika. Hawawezi kutoa pesa kwa shule, na pamoja na hayo, ni wezi kwa sababu kazi yao ni kuwaibia wazazi. Kwa hivyo, tuchukue lile jukumu kutoka kwa mastoo na maduka mbalimbali, na kupatia shule ama mashirika mbalimbali ili wafungue stoo ambako wanaweza kuweka vitabu na vifaa vingine, na shule zinunue huko badala ya kuwaachia wanabiashara ambao hawajali kama wazazi wako ama hawako. Sijui kama hawa wanabiashara wote ni Wanakenya. Hata watoto wa wafanyabiashara wengine hawasomi hapa. Kwa hivyo, ni juu ya wazazi kugharamia mambo yote. Ni lazima jambo hilo liangaliwe.

Wizara ya Elimu inajua shida zote ambazo zinakabili nchi hii kielimu. Lakini sijui ni kwa sababu gani wanataka kujiweka chini ya wale ambao wanataka kunyanyasa nchi hii. Kwa mfano, wao wanakubali kwamba kitabu cha Hesabu kiandikwe na watu 20. Ni lazima mzazi anunue kitabu cha Malkiat Singh na vingine vingi, na mwalimu anaandika orodha kubwa. Kabla ya mtoto kukubaliwa kwa shule, ni lazima aje na vitabu ambavyo vina gharama ya zaidi ya Kshs7,000. Inafaa Waziri wa Elimu aangalie hayo mambo ili tusiwe watu wa kutapatapisha nchi yetu kielimu, kwa sababu tutavunja nchi. Wakati utafika ambapo tutasema kwamba Kenya ilikuwa ya kwanza, na sasa ni ya mwisho; na wa mwisho watakuwa wa kwanza. Waswahili husema, asiye funzwa na mamaye hufunzwa na ulimwengu. Huu msemu hauhusu watu binafsi tu; unahusu nchi yetu ya Kenya. Asiyefunzwa na mamaye katika Afrika atafunzwa na ulimwengu. Ikiwa sisi hatujasoma, ulimwengu utatufunza wakati tunapopeleka nchi yetu katika mashimo ya elimu.

Bw. Naibu Spika, mambo ya mishahara ya walimu yamezungumzwa na yatazungumzwa milele kwa sababu ni wafanyakazi wa nchi hii. Ni lazima mwalimu alipwe, na akilipwa, raha zake zinaingia na atachukulia kazi yake kuwa ya maana. Watoto watasomeshwa vizuri kama mwalimu ana raha. Lakini ikiwa mwalimu hajalipwa, itakuwa shida kubwa sana. Jambo linalosumbua Wizara ya Elimu ni kwamba pesa za kuwalipa walimu zitatoka wapi. Shida ambayo maofisa wa Wizara ya Elimu wanaona, mimi sioni ikiwepo. Tungejuliza: Tutatoa wapi pesa za kuwalipa wafanyakazi wa umma katika nchi? Tusiangalie tu walimu peke yao. Tanazungumzia mishahara ya walimu, lakini hatujazungumzia mishahara ya askari, wauguzi na wengine wengi. Ni lazima tukae chini na tujiulize tutatoa pesa wapi ambazo zitawalipa hawa watu wetu wote ambao tunawahitaji. Kwa hivyo, ni lazima Wizara ya Elimu iwe na commitment. And it is out of that commitment that we shall be able to get ways and means of creating money. Lakini kama tutaogopa ule mishahara tutakaolipa, hata fikira za kutengeneza zile pesa hatutapata. Hii ndio sababu namwambia Waziri wa Elimu kwamba umaskini ndio unaletea mwanadamu fikira za kutafuta na kupata. Kusipokuwa na umaskini, hakuna kitu Wizara hiyo itapata hata kidogo.

Bw. Naibu Spika, mambo ya vyyo vikuu katika nchi hii ni makubwa sana na nimesikia Waziri wa Elimu akisema ni nini kinachohitajika katika kila chuo kikuu. Ningetaka kuuliza swali moja, ambalo singetaka limsumbue Waziri. Ni kwa sababu gani Chuo Kikuu cha Kenyatta hakijawa na uhasibu wa pesa? Na kama kumekuwa na uhasibu, ni kwa sababu gani hatujapata ripoti? Na kama tumepata ripoti, hiyo ripoti iko wapi? Itakuwa vibaya sana tuambiwe tukubali pesa zitolewe na Serikali kwa chuo hicho na hali pesa hizo zinapotelea kwa mifuko ya watu ambao hawajali. Hilo ni jambo la maana, na Waziri aliangalie vizuri.

Bw. Naibu Spika, tukionyesha mtoto dawa ya upangaji wa uzazi, atainywa ili ajue ni nini kinachosaidiwa na dawa hayo, na huyo mtoto atapotea. Jambo la mwisho ni kwamba shule ya Kivuti---

Kwa hayo machache, naunga mkono.

**The Assistant Minister for Home Affairs, National Heritage, Culture and Social Services (Mr. Marrimoi):** Mr. Deputy Speaker, Sir, I stand to support this Motion on the Ministry of Education and Human Resource Development.

Let me touch on shortage of teachers in Marakwet District. Earlier on, some hon. Members said that there is no need for us to train more teachers. This country still needs more teachers. During cattle rustling skirmishes on the border of Marakwet and Pokot, we realised that our district was depending on "borrowed" teachers. There are very few trained teachers from Marakwet District. During this financial year, when recruiting teachers, I would like to request the hon. Minister to give special consideration to Marakwet District and other

districts which are in dire need of trained teachers. Mr. Deputy Speaker, Sir, I would like to take this opportunity to thank the Ministry of Education and Human Resource Development for its good work. It deserves congratulations from all of us for its very good administration network. Its good work is felt at the village and national level. It has teachers advisory centres (TAC), tutors and inspectors of primary schools and so on. I would also like to congratulate all officers in this Ministry for their good work. Although they work under very difficult conditions, they are doing a good work. Some of the school inspectors in rural areas walk for so many kilometres while discharging their duties. Although our country is undergoing a very difficult economic situation at the moment, I would recommend that those inspectors be given motorbikes in order for them to manage well the affairs of schools.

Mr. Deputy Speaker, Sir, the Higher Education Loans Board (HELB) should look into ways and means of assisting needy students from poor families, and especially from hardship areas like Kerio Valley. We have so many bright students from those areas, but many of them cannot raise school fees. They should be given the full amount of loans, and, if possible, they should not pay back the loans after completing their education.

Mr. Deputy Speaker, Sir, I would like to comment on university admission in this country. There are a lot of cases where students who do well in science subjects are admitted to study for BA general degrees. They should be admitted to pursue a degree course in science subjects. This is happening in my area, and I do not know whether other hon. Members have similar problems. It is not good for a student who is good in science subjects to be asked to pursue a BA general degree at the university. This is an area where I would like the Minister to look into.

Mr. Deputy Speaker, Sir, I would also like to talk about teachers' salaries, although it has been said that we should not talk about it. Some hon. Members, while contributing on this Motion, alleged that the KANU Government signed an agreement with teachers so that it could win the last general election. KANU has been winning elections in this country even without signing agreements. KANU will continue to win every general election in this country. I wanted to clarify that the Government did not sign that agreement in order to please teachers to vote for it. I disagree completely with that view because KANU has ruled this country for many years, and it will continue to do so. It is a pity for an hon. Member to allege that KANU signed an agreement with teachers so that it could win the last general election. This Government cares a lot for teachers in this country, but at the moment, there is no money to pay them. Can we not support efforts by the Minister for Finance in order for us to revive the economy of this country and get funds to pay teachers in future? At the moment, the Government cannot afford to pay teachers their pay hike because there is no money. So, let us not politicise the issue of teachers' salaries because they take care of our children when they are in school. I plead with teachers to understand the difficult economic situation our country is undergoing.

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

**Mr. Kibicho:** Mr. Deputy Speaker, Sir, education is the only gift that a parent can give to his child, but that gift can only be useful to a person who knows its importance. The education system in this country has failed completely. A lot of students in this country do not know why they are in schools. Our current system of education has failed to make students see why they are in school. It has not made them know that they are not in school in order to be employed as clerks or as officers after completing their education, but in order to be good citizens. As a result of that failure, students do not see the need of education any more. They stage strikes and burn down schools because they do not value education.

If investment by this country on education is going to yield any profit, then the Minister for Education and Human Resource Development must go back to the drawing board. The system must convince students that education is good for them, even if they are not going to be employed after getting it. When a secondary school student sees a brother or a sister who has a degree is unemployed, then he does not value education any more.

Graduates from public universities are no longer getting employment. They become frustrated because the education system in this country has failed. If our education system will help Kenyans, then the Minister must take decisive steps to make sure that students understand the importance of education. They should know that they are educated in order for them to be good thinkers, citizens, farmers and so on.

If you go to many schools in rural areas, you will discover that the major problem that they have is indiscipline. Why do we have many cases of indiscipline in schools? It is because students no longer value education. If the importance of education is no longer recognised by students, then our education system does not make any sense. It is meaningless.

Mr. Deputy Speaker, Sir, we have schools in this country where members of the board cannot run any schools and do not even know why they are members. We have situations where people are given those positions simply because they want to be pleased by certain politicians. That policy must come to an end. There are university graduates in this country who cannot fit in any job because the education in this country has completely

failed to train people to be self-reliant. The policy of the Ministry was that the 8-4-4 system of education would enable the student to be self-reliant after graduating from school, but this has failed. We have universities and colleges where professors, teachers and everybody else is teaching students for excellency, for the sake of it. Education can only be valuable if the consumers, who are the students themselves, benefit from it. But if you graduate from a college and you get frustrated, then that education is meaningless.

Mr. Deputy Speaker, Sir, we cannot have a country where we are training people and giving them degrees while the economy of that country cannot offer them jobs. That is mismanagement of resources. Before, we had very many middle-level colleges and technicians from those colleges were fitting very well in the society, but now, we have a situation where degree holders are unemployed. We have been told by the Minister for Education and Human Resource Development that teachers are well paid and are getting even more money than the Directors of Education. It is not a question of how much they are getting, but the purchasing power of the money that they are getting. This means that this Government has failed completely in rationalising the economy of this country. The purchasing power of our money is very low. Even a top civil servant cannot live on his salary, unless he operates a kiosk or plants coffee or tea. It is a question of what type of economy are we living in. As far as teachers are concerned, it is only fair that they get the salary award because even if they get it, it is not adequate.

Mr. Deputy Speaker, Sir, we have a situation in this country where the Government says that it is not going to pay teachers. Unfortunately, the teachers have got the good-will of the people of this country. Kenyans think that teachers should be paid. If you convince Kenyans that teachers' salaries should not be increased, then you can re-negotiate their salaries, but you cannot re-negotiate when Kenyans already know that teachers are underpaid. So, we urge this Government to re-think about their attitude towards teachers. If this Government wants to re-negotiate with the teachers, they should know how to go about it. They should not just make statements which provoke teachers because if they do so, teachers will go on strike, and it is Kenyans who will suffer. Teachers are entitled to teach while children are entitled to receive education. We should handle that issue with care, but not the way we are handling it.

As far as other forms of education are concerned, for example, the informal education, there is no policy as far as the Ministry of Education and Human Resource Development is concerned. All that we have are bookworms. All you do is go to school, read books and get a certificate. What type of education is that? We were in school many years ago and we know that there used to be better education. Why do they not value education today? Has the Government done any research on why Kenyans do not value education today? Why is an educated man not a proud man like he used to be many years ago? What went wrong?

With those many remarks, I beg to support.

**The Assistant Minister Office of the President (Mr. Sunkuli):** Mr. Deputy Speaker, Sir, in support this Motion I want to say a few things about education in this country. I would like to begin by requesting my colleague, the Minister for Education and Human Resource Development, to consider one element of the Kenyan education. I wish that the Bill had really gone through. For how long are we going to administer corporal punishment in our schools? The Act concerned should address this question, so that we can look for alternative ways of disciplining our children. Corporal punishment is no longer administered anywhere else in the world. In fact, that part of the Bill should be considered.

Now, I would like to touch on the teachers' salaries, which is being discussed in this House. The Government, and indeed the ruling party KANU, has made it clear that teachers are poorly paid, just like hon. Members of Parliament are, when you compare their salaries to those Members of Parliament of other countries. In fact, the same case applies to civil servants. The Government sympathises a great deal with teachers in this country, but there is no money to pay them. My colleagues in the Opposition have displayed their true colours. Although, they understand the state of the economy of this country, and they even participated in the Mombasa economic forum, where the Chairman of the Democratic Party of Kenya (DP) insisted that the Government needs to retrench this or that--- Now, the Opposition hon. Members have capitalised on the situation for their own benefit. They say, "Let us catch this Government," but this country does not belong to some of us. Instead, it belongs to all of us. The truth is that our colleagues in the Opposition are only making politics out of this situation. It is not true that Opposition hon. Members are sympathetic with the teachers. In fact, they are sympathetic with their own cause. To them, every opportunity should be used to criticise the Government. They are doing this at the expense of the economy of this country. The amount of money involved in paying the teachers' salaries is astronomical, and my colleagues know that it is not possible for the Government to raise it. I would like to urge my colleagues to think like Kenyans, but not like Opposition hon. Members, which we already know they are.

**Dr. Kituyi:** On a point of order, Mr. Deputy Speaker, Sir. Notwithstanding the usual remarks of the



Assistant Minister, is he in order to cross the boundaries unilaterally set for all of us? We could have said a lot of devastating things about this issue, but you stopped us. Can you stop him as well?

**The Assistant Minister, Office of the President** (Mr. Sunkuli): Mr. Deputy Speaker, Sir, you can see how much of a believer in the freedom of expression hon. Kituyi is!

**Mr. Deputy Speaker:** Hon. Sunkuli, all we are saying is that we do not want repetition because there was a Motion on this subject in this House on Thursday, last week. Therefore, let us make progress on this matter by suggesting solutions to the problem rather than discussing it again.

**The Assistant Minister, Office of the President** (Mr. Sunkuli): I would like to continue from where Dr. Kituyi interrupted me. I would like to urge all of us to act as responsible and patriotic citizens of this country.

We should not take this opportunity to have a go at our rivals. I like always to discuss the whole concept of the Government and the Opposition. On the question of education, the Opposition have in the last few years, portrayed an habit, which I have never had time to comment on, in this House. The culture that persists in our universities should not go un-commented. When you are admitted to the University of Nairobi, you are not sure when you will finish your education. I have been there together with some of my colleagues here. That is why many Kenyans go to study elsewhere. Nobody knows when he is going to finish his education there. Many of the people in the Opposition politics prefer to play their politics at the universities of this country. It is really abhorable and I think that if we want to promote a culture of education which is as deep as it exists in other parts of the world, we must resist the idea of politicking in our universities. We will not go to the universities when there is a blackout and tell the students to blame the Government and throw stones at people's buildings. The whole idea of politicking in the universities, rendering the university education to be long and unpredictable in terms of duration, is not proper. I think that should be resisted by all hon. Members.

For the comfort of Dr. Kituyi, let me move on to a softer area. I would like to talk about the board of governors in our secondary schools. Each school is governed by a board of governors. Many of the members of the board of governors do not understand their responsibilities. I think it is good for the Ministry of Education and Human Resource Development to issue clear guidelines to the headmasters, on how the board of governors should function. I know of some schools which are run as the property of the headmasters. The headmaster does not call a board of governors meeting at all. When he has an harambee, he invites the Member of Parliament. They ask us to donate and we take our money and put it in a basket. After that, the money is handed over to the headmaster and he never calls a board of governors meeting to debate on how the money will be used. If you try to go there, they will cry of political interference. I think it is important for headmasters to know that the schools belong to the people of those communities. They run the schools in the interests of the people who are there. They must run the schools democratically so that they do not start behaving as if they built the schools, or as if the children of the area did not contribute to the wellbeing of the schools. If the Ministry - and I am glad I can see the Permanent Secretary here - asks the headmasters whether they ever call a board of governors meeting, they will receive a negative answer. Those boards need to be updated and given visionary people who can discuss the future policies of the schools.

With those few remarks, I beg to support.

**Prof. Anyang'-Nyong'o:** Mr. Deputy Speaker, Sir, I concur with hon. Sunkuli that there is need to have political education in our universities. In the spirit of democracy, there should be no censorship as to who should speak there. When I was in the university in my younger days, one of the reasons why the University of East Africa was the University of East Africa, was because it interacted and helped the societies around it, including the politicians. Article 117 of the Treaty of the East African Community laid emphasis on higher education and human resource development at the East African level. It called upon our three member states to pull their resources together, to ensure that we recapture our past glory in having a common higher education in East Africa, which would bring economies of scale to our higher education systems, and indeed, improve quality at the universities.

Hon. Sunkuli is worried about the quality of education in our public universities and how it can be improved. He has suggested that the only way it can be improved is to pursue the implementation of Article 117 of Treaty of East African Cooperation urgently, as one of the foundations for our unity. While saying that, I would like to pay homage and, indeed, congratulate those East Africans who made substantial contribution to higher education in our region; men like Prof. David Wasao, Prof. Mohammed Hyder, Prof. Ahmed Mwahidi, Prof. Mungai, the late Dr. Lule and so on. These are the people who made tremendous contribution to higher education in East Africa. While some of them are still alive, I would like to request our three governments to recognise them by bringing them back in an advisory capacity to help rebuild a common higher education system in East Africa. The cost of higher education to Kenyans studying abroad is too high. A Kenyan parent pays about KShs1 million a year to send a child to school in Great Britain. This is too high. If the student was to go to an East

African university in Uganda, Tanzania or Kenya, the amount paid would be much less. It would range from Kshs60,000 to Kshs100,000. Were we, therefore, to pay much more attention to improving quality education in our universities and other higher education institutions in East Africa, we would not only retain the money here, but ensure that our children are educated in a culture in which they would be much more at home. That is why recently, when the University of Nairobi introduced a two-tier-system of accepting students to the university, one in which a student was expected to pay economic fees at the university and another one in which a student gets a loan to the university through the Higher Education Loans Board, the system failed because of poor explanation.

In Makerere, it has worked very well but it has failed here because the approach was poorly explained. It received rejection from the students. Indeed, it was also mixed up with a very poor admission system which tended to favour certain students in getting into a private tier system by paying commercial fees to the university without opening up the system to fair competition. Mr. Deputy Speaker, Sir, we tend to be our own enemies. The devil is not in our stars but in ourselves because we tend to stumble on ideas which appear good but in their implementation; you mix them with very poor intentions like favouritism, clanism and tribalism. I would urge the universities in Kenya to try and emulate what is happening in Makerere. This two-tier system should not only improve the number of students accepted at the university, but it would also help the university get the revenue it needs for improving quality in the higher education system. There is also another point which I think we should pursue in implementing education policy in Kenya; that is, education insurance. American Life Policy has an insurance policy for education, which I think is too costly and too elitist. Were we to follow the Singaporean example, where the equivalent of the National Social Security Fund is used as not only a Pension Fund but also as an insurance fund for both health and education, I think we would improve tremendously in financing higher education in Kenya in a most cost-effective way. While talking about financing higher education in Kenya, I should also talk about financing basic education. Our basic education system has gone haywire because of what I think is a very poor financing policy for basic education. Apart from the fallacious assumption that it is cost-sharing, but where too much of a burden is shifted to parents to pay for education, it may not be direct fee paying, but an indirect way of paying for an education, which is too much for parents.

Mr. Deputy Speaker, Sir, quite often, such fees, like Kshs10 per pupil for inspection fee is paid by parents. In the rural areas, this is a lot of money. I do not understand why our Government issued a budget for Recurrent Expenditure, and the Recurrent Expenditure should include such things as inspection. Why inspection fees should also be transferred to parents who are expected to pay Kshs2 to Kshs3 for every child, are some of the issues which make parents become discouraged about education. Indeed, Kenya can afford a basic free education system if there is a proper budgetary policy for financing that education. Kenya can afford a basic free education system if there was a proper insurance and proper policy for education.

Mr. Deputy Speaker, Sir, it is the way in which we repatriate our Budget which is the problem here. I have on a previous occasion in this House argued for dividing the Budget into two sections. One, a section that purely deals with what I call capital formation of development Ministries, and another section which deals with service Ministries. If you look at our budget very carefully, service ministries tend to take a big share of the budget. They do not need it, because a lot of that money goes to reproduce a bureaucracy. The Government is now saying that teachers over 50 years should be retired. The Government should have started, first of all, by cutting down substantially on service Ministries. For example, we do not need the Ministry of Tourism in this country. Tourism can be handled by the recently established Tourism Board. Tourism should be handled by those who are in the business of tourism. A Government officer posted to New York as a tourist officer is not really a tourist officer, but a tourist himself. I was in New York tourist office in the 1980s, and I wondered whether these offices were really useful to the Government.

Mr. Deputy Speaker, Sir, another issue which I wanted to touch on, is the elimu ya gumbaru; that is, adult education system. In the 1960s and the 1970s our universities in Kenya and in East Africa had a very good policy of extension and adult education. We had offices in most towns offering lectures for adults, not just to get degrees and qualifications, but to get knowledge. We must come to a point where we view our higher education system not just as a system of awarding certificates and degrees, but also as a system of disseminating knowledge. Those lectures that used to go on in extra-mural classes in Kisumu, Mombasa, Nakuru and so on, should be re-established, because, I think, they were extremely important for the communities to interact with the universities and get knowledge.

Mr. Deputy Speaker, Sir, the last point I would like to make regards the charter of private universities. The private university system is playing an increasingly important role in Kenya, but the system of being chartered is also very important. In chartering universities, Kenyans must be aware, and very careful, that these private universities offer quality education and give opportunity for Kenyans to work in those universities. The idea of a university depending on adjunct professors as a way of getting cheap labour - I know a few, and I would not like to

mention them here - is, indeed, inimical to the development and growth of higher education in this country. I would like a private university to be compelled to have, at least, a certain percentage of staff of qualified and competent Kenyans teaching on a full-time basis, and not depending 80 per cent or 90 per cent on adjunct professors, thus forcing cheap labour on Kenyans. That is a very important point that the Ministry of Education and Human Resource Development should undertake and implement.

I support.

#### ADJOURNMENT

**Mr. Deputy Speaker:** Hon. Members, it is now time for the interruption of business. The House stands adjourned until tomorrow, Wednesday, 22nd July, at 9.00 a.m.

The House rose at 6.28 p.m.