

Wednesday, 12th February, 2020 COUNTY ASSEMBLY OF SIAYA DEBATES

REPUBLIC OF KENYA
SIAYA COUNTY ASSEMBLY

THE HANSARD

Second County Assembly – Fourth Session

Wednesday, 12th February, 2019

The House met at the County Assembly Chamber at 9.30 a.m.

[Temporary Speaker (Hon. E. Odawa) in the Chair]

PRAYER

COMMUNICATION FROM THE CHAIR

MOI'S DEATH

The Temporary Speaker: Yes, Deputy Speaker.

Hon. Odongo: I have not seen the Order Paper.

The Temporary Speaker: You are late so I would request that you keep your silence.

Yes, Hon. Otiato.

Hon. Otiato: As you have put it, the Deputy Speaker was a bit late; allow me to share a copy because I have two.

The Temporary Speaker: Hon. Members, as you realize we have lost the second President of the Republic of Kenya, H.E. retired President Daniel Toroitich Arap Moi and at this juncture I request that we all be upstanding for a minute of silence.

(Members observed a minute of silence)

Thank you.

STATEMENT

EULOGIZING MOI

The Temporary Speaker: Hon. Members, I think we need to contribute anything in respect of our late retired President Daniel Toroitich Arap Moi.

Hon. Oriaro: Thank you, able Chair; I take this opportunity on behalf of Central Alego public to express my deepest condolences following the demise of one of our freedom fighters, the late President. I want to say that on behalf of the people I represent I want to be empathetic

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with the family of Moi and even friends who believed in him. With Catholics when you begin your journey to glory and you may have been having obstacles while on earth; you get a brief hut, the purgatory.

My prayer is God have mercy on our late departed President, if at all he met anything associated with earthly scenes then let the Almighty God have mercy on him so that he doesn't take long in purgatory while awaiting his journey to heaven. Jesus promised us that he is going to build for us homes, meaning we have got several places in heaven where a person maybe will find his way in for eternal rest.

Having said that it is true that a lot is being said about the late President; when a person has passed away even in our culture and even in our clans a lot is said especially when one has gone but we have to appreciate that the late President Moi did a lot and his works will remain forever.

Back then I was a keen toddler; it is on record and maybe most of us didn't know that the person who commissioned this building on the 15th August, 1979 was none other than President Moi. Siaya County has to associate with the glory that was the late Moi. What he left behind; you can see the building is intact.

Most of the buildings inaugurated by current leaders including the current President soon collapse upon their commissioning. Above all as I conclude; the late Moi did a lot and in the African way it's the good that is important. All that pertains to good things that Moi did; He could have been having problems but the foundation he laid like the jua kali sector, the bulk of the people earning a living is from the jua kali sector.

The mainstream establishments don't create jobs but Moi did it. What is it that people who want to lead the Country especially the President and our Governors want to do to build on what Moi might have left behind? All that Moi did; if it were bad, it was all based on the law even if he was squeezing people's private parts.

The Temporary Speaker: Hon. Oriaro, I think you should use terms which are palatable to this House.

Hon. Oriaro: I am winding up.

The Temporary Speaker: Yes, Hon. Olasi.

Hon. Olasi: Mr. Temporary Speaker, Sir; the type of language some Hon. Members are using are not parliamentary. How can you say that squeezing private parts is something we can be proud of, and justifying that it was law?

Hon. Odinga: I kindly ask the Hon. Temporary Speaker to save us ladies in the House from this embarrassment; we are decent ladies and I am requesting our counterparts to mind their language in this Hon. House. I am requesting that Hon. Oriaro withdraws that statement but before that remind us what chapter of the law allows the squeezing of men's private parts.

The Temporary Speaker: Hon. Oriaro, I think you need to withdraw, apologize and proceed.

Hon. Oriaro: I withdraw and also apologize for having used words that are not parliamentary. Lastly, the challenge is on us living who are interested in the mainstream

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governance and I thank the Prime Minister because he has been a stalwart on matters pertaining to good governance by having good laws. The late President ruled with an iron fist because the laws then allowed him to rule and it is even interesting that the people who were torturing Kenyans were Luos like Opiyo who was the police deputy commissioner.

Opiyo comes from Ranen and you can recall when Moi retired, Opiyo disappeared to Tanzania then later on came back. It was due to bad laws and above all Opiyo was trained by the CIA. We are conversant with global politics in those dark days even the Colonizers were interested in destabilizing locals.

We can recall how they imposed Mobutu Sese Seko having murdered Patrice Lumumba. We also recall how the colonizers ensured that the Bikanabe founding father and Thomas Sankara were murdered just because of foreign interests. In the past our colonizers were not happy that we are sovereign entities; they were interested in misrule and they even sponsored some of these problems.

Our warning is to those who are now prevailing; let us have good laws that will protect the rights of man. It was easy to demonstrate during Moi's time; right now it is not easy to do the same.

We can recall how the elections were stolen from the people's president. During Moi's time we would demonstrate and he would recoil. A lot of damage has been done to the Kenyan public since Moi left the scene. When he was in power Kenya was not relying on foreign aid; the British institutions did not associate with Moi but he managed to run the economy using only local revenue but the kind of debt that has risen since his departure is one that will take us ages and I even sympathize because the cloud outside is Raila is going to be President in 2022.

How will he manage the economy because the bulk of money is used for infrastructure? You can recall the American Government the other time withdrew the billions of shillings that was supposed to create four lanes to Mombasa and three lanes from Nairobi because the money we have borrowed from elsewhere is not sustainable, I empathize with someone who will take over from the current leadership. So, let good laws prevail, above all let us have common men we represent, benefiting from the system. Thank you.

Hon. Temporary Speaker: Thank you so much for your heartfelt condolences, Hon. Chief Abudi!

Hon. Abudi: Thank you, Mr. Temporary Speaker. First I want to thank the Almighty God for having kept the whole House safe during the long recess we had. Secondly, I want to say that I didn't have an opportunity to travel to Nairobi to pay my last respects to the departed former president, Mzee Daniel Arap Moi. I had an opportunity to serve under Moi in the Office of the President of Bondo Township from 1992 up to the time he left the office.

A lot has been said about Moi, but as tradition goes, when one is gone, only good side of them is said. I will dwell briefly on the good side of the late President, however, I must admit that as West Sakwa Ward people, majority of us really suffered under President Moi, one of them is our Prime Minister; he was detained, forced to go into exile.

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I want to observe that Moi was a man of the people. In the early days when Jaramogi was alive, Moi could not sleep until he reconfirmed that Jaramogi is safe in his home. I am saying this because I was in his office and we had to confirm that Mzee is in his home and safe. That literally means that Kenya could not sleep before Bondo went to sleep.

Moi was one person who was easy to reach. You hear now, even this small County of Siaya, something can happen in Mageta and it will take the Governor even one week before he knows what happened in Mageta. But during Moi's time, at exactly 7, he was in a position to know what happened in Bondo, what happened in Wajir, in Kilifi and everywhere. He had his ears on the ground despite the fact that we didn't have technology and the mobile phones were not there.

I first interacted with Moi when this building was being opened and I was at Ambira, we were ferried to come and witness the occasion. In the Education sector, even in Siaya here, many schools were attached with Moi. He also did a lot in the health center. I want to take this opportunity on my behalf and on behalf of people of West Sakwa because they could not all travel to Nairobi to convey our heartfelt condolence to the family of the late Mzee, to say, may God rest his soul in eternal life.

Hon. Temporary Speaker: Hon. Otiato!

Hon. Otiato: Thank you, Mr. Temporary Speaker. Allow me also to take this opportunity to thank God for all of us to be back here and I see everybody's face is looking bright. I want to also take this opportunity to eulogize Moi and I am saying this because I joined the police service few months before the old man got out of the office and there is a lot that we shared.

During that particular period is when I was making my basic trainings in special crime. Many times with the former Minister Michuki, we would get briefings from the old man and he was a total man. But having been in politics, I have realized that he had to be who he was, unless some of us here are not real politicians. As long as you have been in politics and see what is happening around us, then you will be who Moi was. He was just a human being like any other.

I have seen situations, like back before 1982, I would say that as a political scientist or a student in political science, Moi was good as any other person and when he was being given this particular position, everybody thought this is the weakest man ever and kikuyus thought that it would be very easy to overthrow him. Until 1982, when he is realizing that okay this thing is not as it is, I need to muscle, I need to show that I am able to protect my seat!

Even me, I will always get attacks from every corner. The other day I was with my friend Hon. Akuno and he was saying that the person who abuses him, fights him every day is one of his campaigners that he even bought a motorcycle at Kshs. 110,000. Immediately after getting the motorcycle he started abusing him and campaigning against him.

Yesterday I was listening to Fred Gumo go head-on with the former Subukia MP, Koigi, but you see when Kenyatta had jailed you, it was Moi who released you and when you stepped out you started fighting Moi. Moi called you with your mother and cautioned you to stop this nonsense, you didn't hear and he took you back.

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When you were out he gave you 50ha of land where you have now built your home. It means, Moi was not an enemy of the former Subukia MP, Koigi. Some of the people I have very candid experience with as an MCA and politician, some of the people that I have carried, I gave them jobs, fight me day and night. I will discipline them!

(Applause)

(Laughter)

Hon. Temporary Speaker: Hon. Otiato, are you eulogizing His Excellency Daniel Toroitich Arap Moi or are you expressing your frustrations?

Hon. Otiato: Mr. Temporary Speaker, I am just giving a reference because I am eulogizing Moi and giving that hidden character of Moi that would face any other politician. I support Moi and his legacy.

Hon. Temporary Speaker: Hon. Otiato, be relevant to the point.

Hon. Otiato: As a literature student, some of these things you don't need to get a degree to get the content. One of the stable Wards you can ever go to is Yimbo East and that is why we have very few Members who stay in their Wards; possibly myself, Otare, Oriaro...

Hon. Temporary Speaker: Hon. Otiato, can you be relevant and stick to your point please?

Hon. Otiato: I am wondering, when I am doing my eulogy and you give me a marking scheme or somebody wants to give me a marking scheme on how to eulogize. When I am mourning don't give me instructions on how to mourn. I am mourning and giving examples because I know what I am doing. Our leading father, the people's president yesterday said that Moi was just a human being, I am just a human being, you are just a human being.

There reaches a time that you make some actions but you apologize at the end of the day. The last statement that I heard our former father of the Nation that made this Country where it is today, that made us today very quiet as we are, that we could demonstrate. Now we cheat ourselves that we are so independent and liberal and what but like Oriaro has put it, you cannot demonstrate.

There was no baby Pendo who died during his time, people were demonstrating but he was going head on with some of those people at some other levels. Meaning it was political class fighting themselves not killing the innocent civilians.

Therefore, the last thing that I got from Moi, which I will also do when I get out of politics, is that "Kama nilikukosea nisamehe." We have forgiven Moi as people of Yimbo East so whoever still has issues with him, sort it out yourself. Thank you.

The Temporary Speaker: Thank you, Hon. Otiato, believing that your fellow colleagues have forgiven you.

Hon. Oor: Thank you, Mr. Temporary Speaker, Sir, for giving me the opportunity to talk concerning Moi's death. First, allow me send my condolences to the Moi's family and say that

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he was a good leader who led with the mantra of peace, love and unity. We did not have electricity in the whole of Ugunja but when he came to Ugunja in 1979, the late Arch Bishop Ondiek asked him to drop electricity from Busia line and immediately the man gave an order for electrification and it was done. We thank him for that.

He also gave us a school known as Moi Uloma secondary school in Sigomre Ward Ugunja Sub County when there was no secondary school in the area. Moi used to say peace, love and unity, which means he did not like conflicts and that made him rule for 24 years.

Therefore, let him rest in peace.

Hon. Adalla: Thank you, Mr. Temporary Speaker, Sir. mine is to really acknowledge that the late who in a few hours' time will be sent back to meet his maker, just like Robert Ouko and the team was indeed a gentleman who served this Nation for a very long time as much as there are areas that he might have not performed well in.

As for me, his biggest achievement was leaving power willingly though some of us will argue that there were laws in place that might have compelled him to go. But if we go back to the annals of our history then you realize that the age and the time he ruled, laws were made just for a few and we can see that with our next door neighbor Uganda who has had the same face for as long as I can remember. Therefore, if Moi had insisted on not exiting power willingly then some of us would not be here today.

I was a bit unlucky for *maziwa ya nyayo* which I only tasted for one term and it was no more, but for the time I had it I can say it was really a good feeling. It even made those who did not like going to school attend school and on that attendance was 100% unlike my colleague Hon. Otiato who stays in Yimbo East, I live in Segla and when Moi day was being celebrated, it was a whole load of things as opposed to what we nowadays witness.

Lastly, there is a memorable saying that he uttered when he came to Kakamega, I think at that time I was in class one, he said "*wanawake wote hapa nchini matako yao ni maji*".

The Temporary Speaker: Hon. Adalla, can you withdraw and reframe your statement.

Hon. Adalla: Mr. Temporary Speaker, Sir, verbatim is that you report that which was said.

The Temporary Speaker: Hon. Adalla, this is an honorable House and the language that was used outside cannot be wholesomely accepted in this House. Please rephrase your statement and use palatable language.

Hon. Adalla: Ok, he actually meant "matakwa yao," which means the needs of our women is water but that is what he said that I want to remember him with, thank you.

The Temporary Speaker: Hon. Winga.

Hon. Winga: Thank you, Mr. Temporary Speaker, Sir. I stand to contribute a little concerning my former boss that is when Mzee Kenyatta left to be with the lord he left me with Moi. We worked well with him until I became his victim. I became a victim in that during campaign period I campaigned for my best friend and able M.P by then Hon. Raila Odinga.

When it was learnt that Hon. Odinga had won the elections on a Monday when it was announced, the following day Tuesday my Ps who was a Nandi plus my commissioner who was

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also Nandi and I don't know who wrote the letter so on that morning he came to me and told me that "you are the one who made Raila win, go to him he gives you a job."

I took the sack letter and went on with my duties till evening at 8:00 p.m. I went and handed over to him I dint hand over to his deputy. So when the Ps went back to Moi he told him he had sacked the lady who made Raila win, but Moi told him to take me along with him the following morning to him. Just as we were entering, the president shouted at me "wewe mtoto ni nini unafanya?" I just told him that I do not know what I did wrong but I was just practising my constitutional right!

I begged for forgiveness and he said that he had pardoned me because I seemed to be a good person. I thanked him and to be honest he was a down to earth kind of person. I left with my Ps and on reaching the office, I told the Ps that because I was suspended I will go home and come back later. He said no and advised me to continue with my duty as stated by the president.

I am mourning a good boss and I can just pray that God receives him because he was also human and he might have wronged one or two but we are taught to forgive and may his soul rest in eternal peace. I believe he has left us with something according to his motto, 'peace, love and unity' through an entity known as BBI because peace, love and unity was really dwindling in this Country. With those few remarks may his soul rest in peace.

Hon. Omoro: Thank you, Mr. Temporary Speaker, Sir. I also stand to condole with the family of the second president of Kenya who ruled for almost 24 years. I would like to say that Moi stood against all odds to make sure that Kenya was brought to line and everything was in order despite the numerous political challenges that was evident during that particular time.

I would like to say that in any political system there are always problems because during the time of sharing of values and resources there is always emergence of two classes; those who feel oppressed and those in power who feel they are enjoying.

This is what brought about the political tension during that time and also the incorporation of multipartism which was brought about by the repeal of Section 2A which was spearheaded by Jaramogi Oginga Odinga and his political allies.

So due to such challenges, Moi had to charge and ensure that Kenya was led in the best way possible and in fact this is evident at the time he led the Country without looking for any grant for several years. This goes to show that he was a charismatic leader, a hero and an iconic leader who stood firm and ensured that Kenya was protected against even external aggression.

Yesterday at the prayer meeting, it was clear that there is a point at which Moi closed the Busia boarder because the Ugandan president wanted to infiltrate and penetrate Kenya. It was the sole duty of the head of state, then president Moi to make sure that Kenyan people were safe.

These were solely one of the major roles of the Head of State, protecting the interest of the territory. Before he died he had reached out to those he wronged and those who wronged him also reached out to him.

In that process they all reconciled and therefore when he rests in peace I think he did his best before his spirit departed to make sure that he reconciled his family and everybody whom he might have wronged during the process of his 24-year reign.

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I think the best thing we should do now since he has departed is to wish him a well stay in heaven as we embark on our numerous issues here on earth. With those few remarks I beg to urge God the Almighty to rest his soul in eternal peace.

Hon. Odinga: Thank you, Mr. Temporary Speaker, Sir. Ever since I learnt of His Excellency Moi's death I have been wondering whether I should forgive him or not for some issues he did which really affected me as a young girl.

He sent my second born brother whom I used to look upon as a father figure to exile for 19 years. It was very sad for me the day my brother passed away. This was the day I was meeting his two children for the first time. My late husband also had the same feeling with him because he detained his brother whom he was close to.

I want to take this opportunity today because every end of the year like 31st December I always talk to myself what the new year resolution would be for me but last year 31st December I told myself this year 2020 my resolution was going to be forgiveness.

I was going to try to forgive all those I felt did wrong to me. For this I am taking this opportunity today before my Hon. Colleagues to say that I have forgiven him for whatever I have been holding against him throughout my life.

The only advantage of whatever wrong he did is when my brother who used to pay my school fees was sent to exile, the late Jaramogi reached out to me and I remember that time I was in form four but I had not written my exams so he said, I have learnt your brother used to pay school fees for you I will pay it now that he has been sent to exile. Again you look like my children I want you to be my child when you finish school I would like you to marry my last born son.

So because of Late President Moi's deed I also earned myself a marriage which I don't regret. I have forgiven him and may God grant his soul eternal peace. Thank you.

The Temporary Speaker: Thank you so much, Hon. Truphosa.

(Applause)

Hon. Olasi: Thank you. Mr. Temporary Speaker, Sir. On behalf of the people of West Uyoma, the people that Hon. Winga and I represent, I condole with the rest of the world following the death of the second President of Kenya, His Excellency President Daniel Toroitich Arap Moi.

He ruled Kenya for 24 years, 4 months and 8 days but as most of the Hon. Members in this House I would say we are a product of the new system of education that he introduced; 8-4-4. We have to appreciate.

Allow me again to repeat what Hon. Aringo put across and again has been summarized by Hon. Odinga; in African concept when somebody is gone we talk of the positive side we need not to concentrate so much on the negative.

When 7-4-2-3 system of education was scraped and 8-4-4 introduced you cannot look down upon the system that you have passed through so I will appreciate in a very special way. I

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know the Hon. Speaker did not pass through the same system that is why he is looking direct into my eyes with that look. We always argue about it.

8-4-4 came with the milk that Hon. Adala talked about. I feel sorry for the likes of Hon. Adala who just tasted it for a term. We enjoyed it! I couldn't have gone to school if that milk was not there. In one way or the other he determined my life unknowingly or knowingly by introducing milk as something that was attracting children to school.

Those days, in the same line of school we used to have books printed by the Kenya Schools Equipment Scheme. All the books that were used in school were printed by Republic of Kenya, Ministry of Education, Science and Technology. Everything was standard.

Nowadays if we talk of schools; each and every school will look for its own printers. Things are not uniform and standard. Each institution will come up with their own style, the way they want to print their books so there is no uniformity. We used to enjoy the uniformity more particularly under education system that he introduced that I passed through.

Without repeating what my colleagues have said, let his soul rest in peace.

Hon. Atieno: Thank you, Mr. Temporary Speaker, Sir. For me I forgave His Excellency Retired President Moi long before his death. I had made peace within my heart because he sent my husband to exile for 20 years. My children were on exile too but the other day my son asked me if I am mourning Moi and I asked him why not? I said maybe if he didn't send your dad to exile you would not have gone to America and he just laughed.

There are good things which came out from what happened to my family. We were in Nairobi during the *Pambana* time. It was like an army coming to surround our home and my husband was not even in the house but because they were checking the *pamabana* because he was a professor at the University of Nairobi and most of the lecturers were being accused of printing the *pamabana* and spreading the rumours.

I was home, he had already run away to the US. I was home with the children and my daughter was at Kenya High, when she heard what happened to us she said she is going to be a lawyer and take the Kenyan Government to court for mistreating us. Actually she became a lawyer. Every now and then I ask her why she hasn't taken the Kenyan Government to court for detaining and punishing her dad.

In a way each government that comes to rule there are advantages and disadvantages. During those times, the law gave the president too much power to do anything they wanted. Of course we have collected a lot of things and those are the advantages we had had from the bad government to good government but we continue we have to work hard for the good governance.

Right now there are some things that we still have to work on but there were challenges during those days. You are driving your car, there is somebody following you. The place where you stay if you come to your house the window is opening opposite you because somebody is checking who is visiting you.

They want to know. When with people around, you look behind your shoulder to be sure who is around, maybe they are listening. Maybe they are listening to what you are saying so you

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had to be so careful. Now we have that freedom we can say anything and you can get away with it.

We can't dwell on what was happening those days. We have to forgive because if we don't who is suffering? When I went to America I managed to go to university because maybe if my husband didn't go to exile I would not have gone. My children got education in the US free of charge so that was one good advantage.

When Hon. Truphosa talked about his brother, he was one of those people who ran away during those bad times. I remember some people always ask me how come I was nominated without even trying to be a politician. I was nominated because the last time Hon. Raila was going to detention I was the one who ferried him to wherever he was going to.

(Applause)

We were tough those days. We were doing things knowing that we were doing the right thing. Good things came out of all this. So let us remember to forgive and move on. May President Moi's soul rest in peace.

The Temporary Speaker: Thank you so much, Members. I think President Moi's death has brought us to a point where we have gotten to know our history, where we have come from; our dark past. On behalf of the people of Siaya County Assembly I would like to take this opportunity to convey our heartfelt condolences to the family and the people of the Republic of Kenya.

MOTION

ADJOURNMENT

The Temporary Speaker: There being no other Business this House is adjourned until today Wednesday, 12th February, 2020 at 2.30 p.m.

The House rose at 10.48 a.m.