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**ORAL SUBMISSIONS MADE TO THE TRUTH, JUSTICE AND
RECONCILIATION COMMISSION HELD ON SATURDAY, 22ND
OCTOBER, 2011 AT KITALE COUNTY COUNCIL HALL**

PRESENT

Tecla Wanjala Namachanja	-	The Acting Chair, Kenya
Margaret Wambui Shava	-	Commissioner, Kenya
Nancy Kanyago	-	Leader of Evidence

(The Commission commenced at 10.40 a.m.)

*(The Acting Chair introduced herself
and the other TJRC Commissioners)*

Ms. Nancy Kanyago: As I said earlier, my names are Nancy Kanyago and I work with the Commission. My work is to make sure that we have got all the complaints and reports from women. So I am happy that you have come today to this sitting and I expect that you will give us testimonies of what you have gone through, and then we will write recommendations so that we can know how we can help you. We are looking at the post-election violence of 2008. We are only looking into women violations since we got independence since 1963 until 2008. Women of Trans Nzoia have been affected. We would like recommendations to all these cases. We will listen to all the cases. If anybody has not got a chance to speak, their problems will be highlighted and brought to the Commission. There are some of you who have written their statements. Those who were in yesterday's sittings are the ones who have written their statements. We got around 40,000 statements from people; if you do not get a chance to speak, you can write a statement.

Today, women will say how they have been affected because we know that they were affected in various ways. So feel free to speak and know that we will listen to what you will tell us and make recommendations. You will take the microphone and say the place you come from. Say briefly what kind of help you would like from this Commission. You will raise your hand and then you will be picked to speak. But we do not have much time since we will not sit in the afternoon. So if you get a chance to speak, speak briefly about what you have gone through and the recommendations. I would like to welcome the Acting Chair of the Commission, Commissioner Namachanja.

The Acting Chair (Commissioner Namachanja): Good morning, my fellow women. Good morning, once again. Today is our day. Yesterday we had a sitting but I thought it was better that as women we have our day because there are some issues that you cannot speak about in front of men. So I would like you to express all these issues, even those that you have gone through and you have not told anybody. Welcome, my fellow women.

Commissioner Shava: My fellow women, good morning. I heard you singing in a very loud voice but now the greetings have gone down. Good morning. Today is your day and we are very happy to see you. Thank you very much, for coming.

Ms. Nancy Kanyago This is your chance and we would like to start. First of all, let us pray to God.

(Opening Prayers)

Ms. Mary Nasimiyu: My names are Mary Nasimiyu. I am a mother born here in Trans Nzoia in December, 1962. It was called Silo at that time. I have lived here, learnt here and been married here. We have just been hearing about Tecla Namachanja. I welcome her home. My daughter, feel free and be at home; all my fellow women, I greet you in the name of Jesus. They are also happy. Thank you very much, for coming to this particular area and remembering us today. Women of Trans Nzoia have very many problems. We do not have a woman leader who is educated at the grassroots; who can tell us that this is the right way to lead. Man is comfortable in his own house and women do not know where they are going. Women are vulnerable. Where are we going? Our major problem is during the election time when we are really oppressed. Am I cheating?

Women: No! It is true.

Ms. Mary Nasimiyu: We have been oppressed because during election time, we get Kshs50 each. When women are told that they should live their own lives and those of their children, they do not understand. Their children are not educated and do not have clothes and they line up for Kshs50 every five years. That is ten shillings in one year. We are suffering. For example in 2007, women carried their children on their backs. They carried children on their backs, yet they were pregnant. Nobody educates them about family planning. Some of them carry luggage on their heads, especially my daughters. I and Bishop Korir ran to the forest to go and look for women and children. We really suffered. We found that children did not know where their parents were. I want to inform women here that Kshs50 cannot buy your life. Where are we heading to? Look at your neighbour and find out the root cause of these conflicts.

I only saw two tribes here in Trans Nzoia and they were not fighting. They were not killing each other. These two tribes were living harmoniously and in love. There was a white man who used to call the Bukusu *Kitosi* and the Elgon Maasai, the *Dorobo*. The Bukus were the ones who were uprooting trees and roots. I saw it with my own eyes. The Dorobo were herding cattle and sheep. They lived together. They drank their brew together. They intermarried. The women stayed together until these conflicts arose. Where did they come from? Where are the fights coming from? How many women have educated their children up to university in Trans Nzoia? They are very few. Perhaps only five, but a poor person just goes to look after cattle and weeds farms of the rich.

I took responsibility when the Government of NARC came to power. I went to President Kibaki and asked him about my role. He told me to look for street children and take them

to school. In fact, he was with the late Vice-President, Michael Kijana Wamalwa. That is the role I have taken up in the community. The children are going to school and some have passed their examinations. I go to the education office to request for school fees. If you go to Saint Bridgid's and Saint Joseph, they will tell you that. All the records are there. That is the work that I am doing in Trans Nzoia County, and I cannot praise myself. That is my role. That is what I am doing for children and women. I also educate women.

Let us not fight since we are the people who are mostly affected. We just saw Tecla in the newspaper when she was in Mount Elgon looking into our case. I also went to Mount Elgon to look at the educational standards of the children. I cried there. So today, my fellow women who are here, just speak out the truth. Why are we fighting each other? Why should we praise somebody who cannot help us? It is only God who is praised. Why do you praise somebody who cannot help you? You see these people seated here, they are educated, yet your children herd cattle for people because you praised that person, and he went to Parliament! When he came back, he rejected you. The first priority is to educate our children. We have been oppressed education-wise and we are looking into that. If you do not know me, tell me that you have children and they are not going to school. These days we are helping each other so that our children can get education. We are helping each other in conjunction with the DOs and DCs so that our children go to school and be like these people who are seated here. We want our children to go to school.

We do not have leaders in Trans Nzoia. They cannot assist the vulnerable people. I can be the chairlady of *Maendeleo ya Wanawake*, but if you cannot get a woman at the grassroots to go to seminars, how will she help herself? For sure, I am crying but I assist our children to get education. Even if we do not have farms or any property, if the child is educated that is the key to success. Thank you very much.

Ms. Nancy Kanyago: Thank you, Mary. She has spoken about issues on elections and asked women to have wisdom during elections. Say your names, where you come from and try to be brief, so that the other women can get a chance.

Ms. Florence Wangila Wekesa: Our visitors from TJRC, we respect you for your love. We know that this work that you are doing will benefit a lot of people. I greet you women in the name of Jesus. My names are Florence Wangila Wekesa. I am married; I have nine children and all of them are in school. I would like to say that I come from Kwanza Constituency, Kwanza District and this constituency was affected by clashes in 1992 when I had my two eyes. I witnessed the bodies of people being burnt in their houses and they were carried and brought here in Kitale. We had a person called Wabwire who tried to run, but he was not successful. This was during the former President Moi's regime. This was when he said that tribes should be separated. That order came from Moi. The Pokot people used to milk their cows and sell milk to the Luhyas and we would herd their cows. We never stole from each other. Theft or cattle raids started in 1992. They wanted to chase us away and they told us to cross River Sabwani, which is just here. Women got injuries. Women slept with seven or eight men who came to kill their husbands. They also raped our children in our houses. They would force men to look at what they were

doing as they raped the women. A lot of marriages were broken because when a man sees you being raped, he is scared because he thinks that you are infected with a disease, and he will never have any sexual intercourse with you.

As I say these words, I feel like crying and if I cry, you should not speak. This is because I witnessed it with my own eyes. Our Government started bringing hatred between our children. As I speak, I have nine children. Six of them are boys and three of them are girls. If I take a knife and give it to my first born son and I give a cooking spoon to my girls and tell them to go and fight, who will kill the other? The Moi Government gave the knife to the Pokots and the cooking spoon to the Luhya and that was what happened. It was very painful. As these women have said, how can you educate a child if you are in a place where you have many children, yet you are unemployed? You go to work for Kshs300. Will you get food with Kshs300? You will never be able to get food until your child goes to herd the cows of the rich people.

We ask the TJRC to go to the villages in Kwanza and sensitise women over the radio so that they can come out. You will see how they look. They are all the same. You cannot differentiate between them. They are all poor and suffering. Even if they want to come here, where will they get the fare to bring them to this place and take them back? From here to Kwanza is Kshs200. They do not have money because they have gone to other people's farms with their children. They are like pigs who have been thrown into the ocean and rivers. This TJRC should hear about squatters. Squatters have fought a lot since colonial times. Squatters should be given small pieces of land so that they can feed their families. You find that the father, children and grand children are squatters. Where are we going? The farms that were given to us have been taken by our leaders. They own 900 acres and the work of these people is to till their land. We ask the TJRC to know the names of those farms since they are known.

Ms. Nancy Kanyago: Can you mention their names, so that we know them?

Ms. Florence Wangila Wekesa: Here in Kwanza, we have a farm called Sibwami ADC, Zea and Kapsitet, which was divided. They removed and chased away the squatters. It was divided by Moi. The place where the squatters were to be resettled was grabbed. We were beaten. You are removed from your house in the morning and the house is burnt. They brought people from Eldoret North and everyone got 20 acres and we are their workers. Their farms are very many and big; an example is Chelogoi Bwai. They are big farms. I will point them out to you. People are suffering because of the Government. Even if Kibaki is here, I will tell him that he has left us in the cold and he is living well with the Ministers; we are really suffering.

Taxes are high. The poor person is being taxed yet the Ministers are getting a lot of money. Poor people are miserable. I would like to suggest that they should sub-divide their land and give it to the poor people. Other people have become like our colonialists. The TJRC should listen to us because the Government does not hear us at all. Due to unemployment, our neighbours who are also poor, come to steal our cattle. When you go to the authorities, they ask for money so that they can trace the stolen cattle. We are told

to give out Kshs5, 000 in order for the cattle to be recovered. If you do not have that money, you go back home to suffer. What can we do so that we come out of these problems?

I recorded a statement with the TJRC. I started from Kitale Vision Gate, the Sitatunga Farm, Alia Farm and Maridadi Farm. The late Kenyatta divided the 1900-acre Maridadi Farm and gave it to the people, but when he died people were blocked by President Moi from getting the title deeds. He took that farm and sub-divided it to police officers, who went to Namibia and came back. They were given 100 acres because they were rich. Poor people were given nine acres in a swampy area where mosquitoes breed, yet children sleep without mosquito nets, which were brought recently. Children are dying because of hunger. They brought mosquito nets so that we could protect them. We have a lot of problems. We are asking the TJRC to visit the people in the grassroots, so that they can see how the people are living, and so that you make your recommendations.

There is River Suam in Mount Elgon and you live about 300 metres from it. People get trees to make beds and sleep above while water flows below. You wade with your children through the water. It is painful. When the people of Kolongolo were evicted from Rere they went to market places where they have been since 1992. They just rent houses. Even my own mother is at the market place. There is no food and we are unemployed. I am asking the TJRC to tell the rich to sub-divide their land to everybody. Kenya should be sub-divided. May God of peace bless you. Thank you.

Ms. Nancy Kanyago: Thank you. She has spoken mostly about land issues, squatters and thank you for the names that you have given us. I do not know if the Commissioners have any questions? Thank you.

Ms. Dorothy Cherop: I greet you in the name of Jesus. My names are Dorothy Cherop. I am a Sabaot and I live in Kisiwai, but now I am in the municipality. On behalf of the other women, I thank you for this sitting. Before I start, I would like to say that we are enemies of our fellow women. Today, you will see that there are women who have “seen” ahead but they do not want others to “see” ahead, so that they remain like that and continue begging from others. I request you to have a new beginning. The Kshs50 is what makes us slaves. There are able women but they want to use other women to climb the ladder of success. We should not look at a person through their work, but we should see whether they can take us to another level. In my opinion, we have problems of historical injustices in our community. If the truth comes out, it will heal us, but if we continue to hide it, it will continue affecting us. Since you have our history, I will not go deep into it.

How are the Sabaot women affected? Sabaot women and children have been affected since the Government scattered them. We are Kalenjins in general. The Sabaots were herders but the Kalenjins were not. They were promised that when they come back, their rights would be given back to them. So we were stepped on our feet. Who will raise his feet in this case? Sabaot people have been stepped on and I ask the Government to look for the truth. We want our peace. We need peace and reconciliation; we should look at the root cause of the problems that have brought violence and clashes. We hope that you

will be the last commission to help us get three quarter acre parcels for settlement to cater for the Sabaot people and other tribes. When we were told that the Government was bringing IDPs from Rongai, we rose as women and closed the Endebess area. We did that as women and not as tribes. We asked them why they brought IDPs from Rongai yet we had problems as women and they did not want to look into our problems. We chased them away and we had one vision. We told our MP that he could not allow that. He surrendered and said that he was not ready for it too. He said that Trans Nzoia people should be settled before they brought other people. However, we are surprised that our leaders betrayed us. They refused to speak to us. The Minister said that squatters and IDPs in Trans Nzoia were not recognised. In the next elections, we should be settled anywhere in Kenya since they allowed the people of Rongai to settle here. We are very bitter. Even the money that they are giving to elderly people should also be given to women. Any woman who is above 19 years should be given that money so that they can look after their families. In the 1992 General Election and in other elections, women have faced a lot of problems. We ran away despite the fact that I was pregnant. We are not tribalistic.

In 2007 elections, there was lack of freedom and the leadership violated our rights as women. We are poor. We have FGM. I thank God for the Bungoma people. When they said that they wanted to circumcise women, I was the first one to refuse and I was chased away from home. My father said that I had disrespected him and I told him it was okay. I left my children there and they love me very much. I say that if you have educated a girl-child, then you have educated the whole family. So the women should help the girl-child to be educated. Men use women to demoralise other women, so that we do not fight for the rights of women. You also find that women who sell vegetables are harassed so that they can pay taxes; you find that there are people who are working for men but they do not pay taxes. Help women so that they have revenue to continue with their businesses. We have heard about the Women Enterprise Development Fund (WEDF), which was introduced to save women from poverty, but you find---

Micro-finance groups should come. They will help the women. They will raise the women from poverty. You will find that the women who get the money are the able ones. What about the poor woman? There should be a formula to educate the women at the grassroots so that they can rise up and be able to help themselves to get jobs, so that they can be empowered. In 2007, there were insecurity issues. I was an example. I vied for a councillor's post in 1997 and I did not get it. Even recently, I also vied for the seat. You know about the SLDF. Being a woman, I went through hell. As I told you, we pay taxes. Even the *Mungiki* pay taxes and there is a reason for that. The *Mungiki* come out there for fighting reasons. Even the SLDF had their own reasons, but they did not get the right way of bringing them out and so they decided to fight. So we should find out the root cause of the violence so that peace prevails. As I struggled, some people wrote text messages warning me; I was threatened. At that time, I was single and I never wanted to get married because of detention. Even if I was married, I could not help my family because of the poverty that was in my family. So, I stayed single in order for me to help my family. I have seven brothers and sisters. They were working and it was good. I was in Kitale and I was called a prostitute, but I had my people behind me. Most of them are

working. Now, I have my children. I look after children of my late brother. I am helping them. When they wrote the threatening text messages to me, I went to the police station to report. While there, the officer who was recording my statement asked me to give him money so that he could send it to Nairobi. I did as I was requested. However, I did not get any peace of mind after that. During campaigns in 2007, I was warned against vying. I reported the threats to the police station but no action was taken. I was given a two weeks's notice to give them Kshs50, 000 or they would kill my children. In the first two weeks, they poisoned my first born. I had ran away. I was single and living alone. We had two farms in Kitalale and Hilbruk. Due to politics, I was chosen to serve in the task force which was surveying Kitalale. That was when I was given two-and-a-half acres. I was at home with my children when I got the text message. I reported to the police but they did not help me trace those people who had threatened my life. Until now, I have not found out who they were. After they poisoned my first born, I ran away and left my children in the homestead. We lived for seven days in the hospital with my poisoned son and he got better. My second born was in Eldoret. They followed my second born at school. They used somebody to poison him and he died in school. The Government could have helped me, but it did not. I was told that was the first discipline I got. They told me that either I surrender and give out the money or I move away from that place. So I left my homestead and went away. That is how I suffered.

Another thing is that we were divorced because our men were oppressed by the Government. Our men feared our attackers because they seemed not to have hearts of human beings. They stole maize from farms. Most of youths who went to the forest were not educated. We need to rehabilitate them. Those who are educated need to be helped to get employment. In this area, there was food shortage. I do not know whether it was because we had very many divorce cases, separation and break up of families. Therefore, if there will be any settlement scheme, let us involve women. Farms should not be registered in the men's names. If a farm is registered in a woman's name, then she will be able to help her children and assure them of a better life. Let us educate women on their rights. Three quarters of these women do not know their rights as provided for under the Constitution. We usually have problems of inheritance. Women do not have their rights. They just surrender to their men. I will ask the government to help women once their husbands pass on. Most women in this area are housewives. It becomes very difficult for them to claim their husbands' property when they pass on. For example, when my brother died, I was the one who followed the matter. The Government did not help me. If you look at the report which I wrote in my statement, you will find that I have evidence which shows corruption in the Government. I thank God that in some places, I was helped. In others, I was not helped. In Busia, there is a wife of a chief who is waiting for the Government to help her get her husband's benefits. Up to now, she has never received that money. So, if it is possible, the Government should have officers to specifically deal with widows' cases. I am oppressed because the Government is saying that it is helping people who are affected by HIV/AIDS pandemic. However, some of us are suffering more than anybody else. For example, my brother was oppressed. He was interdicted and yet, he was sick and he was officially on leave. He had documents to show that he was on leave, but still they interdicted him. I would like to sue the Government for oppressing

my brother until he died. I have documents to show that and even the things that they said about his position.

The other thing is Female Genital Mutilation (FGM) which has killed people in Mt. Elgon. I do not know how we are going to get help to teach the girls and make the women understand that this practice will not help and that education is the most important thing. Educated people should discourage this practice. We should discard aspects of culture that are retrogressive. I urge youth and women to work together, so that we develop our district. I ask our women to be united and bring development in this district. Thank you very much.

Ms. Nancy Kanyago: Thank you very much. Perhaps, the Commissioners will ask you questions. We are very sorry for what happened. We are selecting you for your courage since you became the heart of the women. As you can see behind, the leaders are men. So we congratulate you for your leadership skills. Do you still have the SMS in your phone? In which police station did you report?

Ms. Dorothy Cherop: I reported to Kitale Police Station. I changed the number of my first phone which I was using then. So I have a different number. I still have the old number. If I can activate it, I am sure, I will get those messages. That message can also be accessed by the service provider.

The Acting Chair (Commissioner Namachanja): Madam Dorothy, for the sake of those ones who are reporting, I do not think that they got it when you said that: “*Wanaume wakazimwa*”. Just be candid and say exactly what you mean, so that it can be recorded?

Ms. Dorothy Cherop: We do not refute the fact that they did the right thing at that time. However, whatever they did was not right. They took men to Kapkota and castrated them. We were told that they will never sire again for the next 100 years. Sabaot men were fighting because of historical injustices. They wanted a fair distribution of resources and a balanced leadership. That is what they saw. If they can be balanced, there will be sustainable peace. Why were they castrated for fighting for their rights? We have many “widows” because their men cannot function any more. Some women do not like talking about it. They keep it secret although they are suffering. They should be assisted because they are undergoing psychological torture. There are some NGOs who are using them as baits to get money from donors.

The Acting Chair (Commissioner Namachanja): And you also said that you tried to vie for the councillorship. Where was it?

Ms. Dorothy Cherop: It was Kinyoro Ward, in 1997. That is the time we had FORD (K) and KANU. I wanted to contest on a KANU ticket. People came from Kiminini and registered at a place called Sikulu Simaele. I did not succeed in 1997. In 2007, I also vied and I did not succeed. There were threats which I have talked about. Women who wanted to vote for me were threatened by men. We were 11 candidates. The elders wanted educated people. Eleven of us had attained Form Four education. After vetting, they

decided on me. However, the youth protested saying that they could not be led by a woman. They formed another team. Elections did not happen in the grassroots. There was war. Elders met again and advised me to seek a ticket from another party. I went to Nairobi and secured a certificate of ODM(K). I vied on that party. The elders said that even if I had gone to another party, they wanted me to lead them. However, two weeks before the elections there were threats. There was something called *Nyumba Kumi* and they told us about the procedure. They warned other women not to vote for me or they will be evicted the next day. Above all, I think that *Maendeleo ya Wanawake* should also assist us. They do not assist women candidates and they do not even make physical appearances. However, when a woman succeeds they say that it is them that are responsible.

The Acting Chair (Commissioner Namachanja): What recommendations do you have for the Government, so that we have a fair playing ground at the community level for women candidates like you?

Ms. Dorothy Cherop: I would appeal that if there was a possibility at the moment of there being a general election, a woman representative should come from a particular ward. But you will find that county representatives will be men only. Why? A woman does not have resources to campaigns. We know wards will be like divisions. So which woman will be a county representative? They could look for a way of nominating a woman to be a county representative; one who will represent women welfare at that level. Women should have representatives at the grassroots level.

Commissioner Shava: Thank you. Dorothy, I really admire your efforts, but I can tell you one thing; the way you are talking, you have understood the structures very well in terms of the politics. The women have said they want a woman leader because men are not looking at the welfare of women. Identify candidates in all the wards and start working now because you have got one year. If you start working well, there are organisations that help women in terms of understanding elections, campaigning and funding. Do not organise only in one place, but get together and you can change Trans Nzoia. You cannot be defeated since women are more than men. If you have fears, you will be defeated.

Ms. Dorothy Cherop: We have a problem in these organisations. We have tried to tell them. They come to Vision Gate to educate 50 women. They know me, but I do not have the resources to take the information to the grassroots area. When you try to tell the women at the grassroots what you have learnt, they tell you that you are the people who are mismanaging their money. So, we appeal to those organisations to come to the grassroots level. So, I think sensitisation in the urban areas is what is spoiling the process. The women should vote for their fellow women despite what their men say.

We can reach many of them. In the new Constitution, women will have their tier. In fact, it is now possible to have a woman heading a county if the necessary structures are put in place.

Ms. Julia Moraa Nyamongo: I support the woman who has just said that education should go to the grassroots levels. This woman is very powerful. She is a Sabaot and I am a Kisii. When we were in the camp, I used to go and campaign at Kinyoro. We are not of the same tribe. She has the potential to represent women as a councillor. I normally go to Kinyoro to campaign for Cherop so that she can make it. I really want her to make it.

Her son died and we cried a lot. He was killed. At that time, he was in Form III. When she started talking, I felt pain. I want to appeal to the Commission to take into account the fact that leaders at the divisional level need to take information to women in the grassroots level. There is nothing like a committee at the divisional level which could mobilise people at the location and sub-location. At the grassroots, five leaders are elected. She is an official of *Maendeleo ya Wanawake*. However, she does not get any information. When I was contesting for the *Maendeleo ya Wanawake* seat, women came to my house to support me and I managed to get the seat. Women are not tribalists. They just look at the heart and one's potential. This woman called Cherop is powerful in her job. However, since she is a Sabaot, she cannot raise her voice in her family that she is vying for a seat. She was threatened. We witnessed this when we attended a *harambee* down here at a place called Karakara.

I am appealing to this Commission to help women. We have very powerful women and that is not a joke. One of them is Cherop, but you see, we do not have funds. Cherop is not employed. She is just a housewife. She is not on payroll, but she takes care of women. The councilors have money and we wonder how she will go through. The other person has funds, but Cherop here, like other powerful women, does not have resources for campaigns. I am a volunteer in these efforts to empower women at the grassroots level. We need to enlighten women because we have been recognised by the Government and the Constitution. We need to give services to women.

My names are Julia Moraa Nyamongo. I am the Secretary of *Maendeleo ya Wanawake* here at Central Division. I have worked for five years with women. We have worked hard and volunteered to bring peace. During the post-election violence, we visited various camps to see how women were faring on. We saw women suffering. Some of them were living in the same tents with their married sons. We meditated over the scripture of Job in the Bible. Job lost everything, but when God discerned the heart of Job, there was restoration in Job's life. We ask women not to concentrate on wealth because wealth will remain here.

We met two women at Cherangany Camp. They had lost everything. They were walking barefoot. We counselled them. One of them had gone crazy. She lost 16 hybrid cows. The husbands to these women ran away to live in hotels. They left the women suffering with children. I am happy that a woman is the Acting Chair of this Commission. I am a Seventh Day Adventist but I said I should honour the invitation of my fellow woman. I have even gone against the law of my church to come and listen to our fellow women. These women really suffered. Many Sabaots were killed. They were shot with arrows. I am saying so because I live in town and I witnessed these things. If you have something

little, bring it to the women because they went through a lot of pain. We have experienced a lot of issues such as unwanted pregnancies.

We need to look for a way where there will be a woman representative in every ward. These men are joking. Nobody can intimidate me. I speak the truth. Martha Karua came here and she was told that she has women supporters at the grassroots level. I was straightforward even as I spoke to her. I want the truth, transparency and justice. Unfortunately, if you hold on to that, people alienate you simply because you are speaking the truth. You will be stigmatised. You will not be allowed to join any committee. I do not have any post at the location level because I speak the truth. These committees like people who sweep things under the carpet.

The women had told me that they would not make it today. They used all the money they had and I gave them Kshs5, 000 for transport so that they attend this forum. They told me that they did not have money for transport. A few of them are here. However, a good number of them could not make it here because they lacked money for transport.

These women do not have clothes. The *Maendeleo ya Wanawake* group collected clothes to distribute to these women. We had expensive clothes, but we gave them clothes. Their items were burnt in their houses. Women were tricked to attend a meeting by a chief who is a Marakwet. The youth then went to burn the women's houses. We volunteered to move within the camps for two years. We were not given any salaries. The woman from Handicap International helped us a lot. We cannot forget her help. She gave us vehicles for six months. The people's attitude towards us changed because they could see us use the vehicles to go visit the camps.

God opened our way. We were trained by UNDP. When UNDP officers came to the ground, they saw our work. We were trained on peace and reconciliation. We studied so many things, including small arms. In 2008 and 2009, we were in the field preaching peace. We were being paid a small amount of money by the UNDP. We preached peace in the camps until people decided to reconcile. Before, the Kikuyus could not speak to the Sabaot, but after we moved around preaching peace, they accepted to reconcile with them.

Ms. Nancy Kanyago: Please, because of time, just give recommendations.

Ms. Julia Moraa Nyamongo: We are women from different communities. You can even get married to a European. We need to forget about the differences between us. Let us help each other. We need to unite and help each other in times of trouble. Women can ensure that they elect their fellow women. I am a Kisii, but I have stayed in Trans Nzoia for so many years. My last born did her KCSE last year. Let us all unite and look at things as fellow women.

Ms. Nancy Kanyago: We only have one hour left and yet only four women have spoken. We would like to listen to as many women as possible. Please, let us take five minutes each as we make our presentations to the Commission.

Ms. Celestine Saliama Naibei: I greet you in the name of Jesus. I am very grateful for this opportunity that will enable us dialogue. My name is Celestine Saliama Naibei. I am a Sabaot from Trans Nzoia West.

I was married to a squatter. My father-in-law was a squatter. The European evicted us. My husband died and I am now a widow. I live in a rented house. We are many of us here whose grandfathers were working with the white settlers. I want to appeal to the Government to remember the squatters so that they can be resettled. We are very many widows here. We have suffered here in Trans Nzoia West. I heard that the Government is assisting the elderly and the widows, but we have not accessed that money yet.

I have just been on the side of Endebes and Mt. Elgon and also the other areas. The widows and the elderly are getting their portions every month but in Trans Nzoia, we have not accessed that money. I do not understand if we are in Kenya or not? I am appealing to the Government to look at what has happened in Trans Nzoia because we have not accessed that money. As the Sabaot and the Luhyia community, we got problems as a result of the clashes. We have lived together and we have intermarried. Even my mother who is a Maragoli is married to a Sabaot. We loved each other and we have been living together like brothers until the clashes started. We brought tribalism amongst ourselves and now we are lacking love. When we vote, we want to join hands together so that we can get a leader. You will find that the population of our brothers is high, but the Sabaot do not give birth to many children. In our community, we are the minority in Trans Nzoia and even if we vie for a leadership positions, we do not get them. I am appealing to our fellow brothers to remember us, the Sabaot. I even want to vie as a county representative. Let us just have love so that we can get a leader of integrity who can lead us. Let us put tribalism aside. That is my appeal. My brother lost three children, eighty cows and forty sheep in the clashes and up to today, he does not know whether the children were killed or not. They did not even get a bone to bury back at home. So all the tribes suffered during the clashes. It is not one tribe that suffered. I have not seen any leader who has come to say that we should fight. It is, maybe, the devil because it is written in the Bible that a time will come when there will be tribal fighting and brothers will kill each other. I think that happened and we all suffered but I would like the Government to remember the squatters in Tiwani. It should not use the leaders in high positions because they have really oppressed us. When they are given that opportunity, they give the land to their families and subdivide it among themselves. But at the grassroots, we are still suffering. A leader who does not have anything should be found on the ground so that he can help other people.

As a Sabaot, I was circumcised when I was thirteen years and my teeth were also removed when I was around seven or eight years. It was done forcefully. I tried to run away but they held me, took a stick and removed the teeth. That was a violation because I did not want that. I was circumcised when I was thirteen years and I was told that I had to be circumcised because my fellow people were being circumcised at twenty years. They said that I had to be circumcised because I was the first born of the second wife and my mother wanted to wear skin clothes so that she can say that she has a daughter who is

being circumcised. I was circumcised by force and even my daughters; it is because of clans. One time, I went for a journey and my children told me that Cherop wants to go and be circumcised at the neighbour's place. I told her that the Government has outlawed circumcision and asked her who would pay. I refused and my daughters are not circumcised although the circumcision does not have any effect on the body of the woman. If it is sex, we just enjoy like any other person. We do not see any problem. That is what I would like to clarify to you today because there are people who say that there are some effects but there are no effects. These are my rights I am talking about and my name is Celestine. Thank you very much.

Ms. Nancy Kanyago: Thank you very much. We want to hear what the women are saying just in brief.

Ms. Stella Tanui: Thank you very much, for giving me this opportunity. I am not going to repeat what has already been said. Mine will be different and it will be very short. My name is Stella Nyakoa Tanui. I am a Luhya who was married to a Kalenjin from Kericho, I come from Kwanza Constituency and I am a widow. I would like to say that what has made us not to go into leadership is poverty. That is because the men are able but the women are very poor. Another thing is that women are enemies of their fellow women. Men use women to abuse us and tell us bad things. I have already vied for a political seat together with *Mama* Cherop. I have tried two times and the first time, I vied on a bad party. But this time round, I went to Nairobi to take a certificate, but they told me to give it to another person to be nominated. I was the one who took the certificate and gave it to my opponent who stood there. But I did not get the nomination. We are still continuing.

In Kenya, I do not know if it is in the law that a man must marry one wife. If it is not there, women who are married as second wives really suffer. A man's children with his first wife will be educated because the man is still working but if the man dies, it is very difficult for the widow to get a death certificate, especially if you were a second wife. Even if the second wife had children, the farm will be taken away from her and somebody will come from nowhere and say that the man had written a will saying that you and your ten wives should be given one acre. The woman with children is supposed to be given nine acres. They can even take you to court. We do not know if it is right or not. We have seen a lot of suffering because they started by raiding the cows and then tribalism came in. I survived because my child helped me when they wanted to burn the house. That is because when they came, I called out the name of my daughter and the son's name was Kalenjin and so, they were scared. They said that the son has really helped me because he was a Kalenjin. If we stop the tribalism, we will be good people. When our elders planned to go and kill somebody and burn people's houses, where do they plan all that? They plan in our houses and we are the ones who cook food for them and the man comes out of that house and goes to participate in clashes. Why are we, as women, not convincing our men to stop the conflicts and killings so that we can live in peace? It seems that as women, we support our men because you cannot just wake up one day and the man goes and burns another person's house and they go and kill other people. There must be a committee that plans it and we must look into that. I know all the women who are sitting here, they know me. They are from the grassroots and they go out early

with *jembes* to go and farm but the political leaders who want our votes are not here with us. We are wondering why the leaders are not here to come and sit with us. None of the women in Trans Nzoia who want the women representative seat is here. The women in Trans Nzoia have come out and they want one seat. They do not want the senator and the governor's seat. They are not here today. If I say that I am going to vie for such a seat today, they will ask what will Stella give us and she lives in a rental house? We want a woman who has a house. But they do not know that this person who is very poor is the one who understands your problems because she is from the grassroots and she will be able to help you. I ask the women in Trans Nzoia to join hands. We should not look at people because of their wealth. We should not choose a person because of how she is dressed. Some of us even ask for clothes. I borrowed clothes and shoes from my neighbour. I am asking the women of Trans Nzoia to rise up and vote for a leader who will care about the women issues. We have children who are orphans and some of them are very bright. They have been called to national schools but they stay at home because they do not have school fees. If you did not campaign for an MP and if you are not closer to a political leader, it is very difficult to get the bursary. I do not want to repeat what my fellow women have said. But what we need is civic education at the grassroots. Up to now, we do not know which party we are going to vie on. We do not know the seats we are going to vie for. I am Stella. Thank you.

Ms. Nancy Kanyago: Thank you very much, women. I just wish we heard about the problems the women are facing in leadership. We want to listen to other issues. If you wanted to speak about the issues of women and elections, I would like you to give a chance to other people.

Ms. Nifa Sishala: I greet you, fellow women, in the name of Jesus. My name is Nifa Sishala from Kwanza, Kamboboi Ward, in a small village called Kapkoi. That is where we have had problems as women since 1997. There is a place called Kanyarakwat SFT and that farm has brought a lot of problems in Kapkoi and Kolongolo. The people bought that parcel of land and they have sufficient documents. But they were evicted and they are staying at a market-place called Kapkoi. We do not have security, water, hospitals and people are getting sick. They have no access to medication at Kapkoi because the hospital was destroyed and all the medicine taken away. The people are really suffering. There was a woman who was six months pregnant and she was raped by six people. The foetus died in the womb and she just stayed in the house with no medication and assistance. We came together as women and started assisting her and some good samaritans chipped in and helped her. The NCKK organisation took her to hospital and the foetus was removed and the woman recovered. There are women who were raped and when they went to the police station, the policemen would tell them that they are better because they will give birth to a child who will be called a Pokot. It was really painful and many families have been separated because of that issue. The police officers impregnated the women and girls. We are not fighting on our part but we are being fought because we are weak and we do not have any power. The Sabat and the Kolongolo are all tribes of Kenya. People from outside came to fight us. When I started rendering services to women, they came and beat my son and his hand was broken. There is another woman who was raped and the husband ran away from her because she had

been infected. She now has seven children. There is another one who was raped and the husband abandoned her and the children. Her children now lack education. I am asking that the policemen who are impregnating women and the girls be arrested. I am talking about the Administration Police and the GSU. The girls are just wandering around because they are idle. They have not gone to school because they were impregnated when they made love. When a woman goes to the police for assistance, she makes love and she is also impregnated and abandoned. That is how unwanted pregnancies come about.

Lastly, at Kapkoi, we were told that water will be provided. We have waited for it year in, year out, and we still do not have sufficient water and medication. We have many cases of typhoid that are brought about by dirty water and the Government promised that it will bring some water projects. That is all and may God bless you.

Ms. Nancy Kanyago: Thank you very much. She has spoken briefly and that will be the same trend.

Ms. Beatrice Kitiabi: My name is Beatrice Kitiabi from Kwanza. I am the Assistant Chairlady of *Maendeleo ya Wanawake*. I live in Kapkoi West in Kapkomboi Ward. When they separated Kapkoi ward and Kapongoi, I remained in Kapkomboi. I was born in Cheranganyi and was married in Kwanza. In 1997, I bought a parcel of land in the Kalenjin community. The houses of those people who were not natives of that particular place were burnt. My house was the first to be burnt and I had three children. I could not manage to carry the children to go and hide them in the forest up to dawn. Afterwards, the people whose houses were burnt were paid and compensated. But I was not compensated because they were saying that I am able. The money was paid by the DO through the chief's office and I could not access it. I said that even without being paid, I can speak out and build a house. I decided to rebuild my house because when my first houses were burnt, one was grass thatched; the other one was made of iron sheets and it was semi-permanent. It was difficult for everybody who wanted to reconstruct their houses because we had to go and look for cow dung. When you go and borrow cow dung and you are from a different community, you will be told that the cow dung has been booked and you would not be able to have the cow dung to smear your house. I decided to build a different house. I decided to cement it even if it was a semi-permanent house. I built that house to show them as an example. When the chief came, I told him that I was not compensated because they thought that I was able but I was not able. That is because when somebody burns your house, you may not be able to rebuild another one. I decided I will vie for leadership and when we went to meetings, I spoke out. They found that I am a very courageous woman. I said that now, we will go hand in hand. There was hatred because in the Kalenjin Community, they do not want women to speak.

So, they looked at me in negative light because I was speaking. The enemy of a woman is the fellow woman. We have campaigned for women who are in high posts so that we can be on the lower posts but those women have overlooked us. When you elect a woman and she gets to office, she will disrespect you. We have seen that when women get posts, they become proud and we have to change.

Ms. Nancy Kanyago: My fellow women, you have heard that you should support your fellow women.

Ms. Dorcas Wanjiru: My name is Dorcas Wanjiru and I come from Cherangany. We live near the people from Kaboret. We have gone through big issues in that place. In 2007, it is true that there was post-election violence. We did not know if the violence was about tribalism or land. What were the clashes all about? It really confused us because everyone ran away. The Kalenjin, the Kikuyu and the Bukususu ran away because there were gunshots from all over. We did not know who was shooting at us. When people ran away, I stayed there because I was seven months pregnant. In that state, I did not know where to go. I tried to run but I could. I wondered whether that violence was planned. That is because we did not know that there was going to be violence and clashes. When they came near, I was able to see that their faces were very new. That is because they asked me why I had stayed there and the Kikuyus had gone. I was able to understand then, that it was tribal clashes. I got somebody who was a Sengwer and he told me that the Kikuyus should go because our homes are in Central Province and the Bukusu should go to Western Province. I wondered because there was a Pokot who had a gun and the Sengwer person also had a gun. I did not know what to do because I was not able to walk. They burnt houses and stole things. If a house could not be burnt, they stole everything from it and took them to Kaboret Forest.

I went to the security officers and asked them if they could help us because our things had been destroyed and others were taken by people I knew. The security officer said that as long as they did not touch me, they will not do anything. When I was in my house, the people came to me and they told me that since I had refused to leave, they needed me to give them my wealth. I had a shop and when they came, they told me that they wanted money and my husband. When my husband saw them, he hid himself. They looked for him until they found him. They took him. They took him and put a bicycle on his back and they went to the forest with him. I stayed there and I was put under the protection of two robbers. They told me that if I screamed, they would kill me. I did not even know where they had taken my husband. They told me that they came from another place and I remembered that two days ago, they had raided seven houses and now they had come to me. They said that I had to keep quiet because they had to do their work. Those people started to rape me. One of them put a cloth in my mouth and another one held my legs and they started to rape me, I did not even know what to say. Two people raped me and they asked me where my mobile phone was. I had a business for charging mobile phones. I had fourteen phones and they took my husband's phone. They released me and I wondered what to do. There were security officers nearby but I did not get any help from them. That is because I could not move. It was around 3 a.m. They left and I asked myself: "What am I supposed to do because I do not have a phone to call the security officers." In the morning, I went to report to the security officers and they asked me why I did not scream. I asked them how one could scream with a gun pointed at you. They told me that I wanted them to do that to me. I started crying and I wondered what I was supposed to do. When the chief came, he told me that he had heard the news that they would get me because I was a woman who had remained in that area. They called me Kikuyu *moja* meaning one Kikuyu. When they started calling me one Kikuyu, I was very

sad. I remembered that my people had been chased away. Their houses had been burnt and there was nothing I could do. I tried to run to Trans Nzoia where the people were camping at Makutano area, but my heart was not settled there. That is because I did not have anything. My five children had disappeared in three days and one of my boys had gone very far. I borrowed a phone from a neighbour to try and call my children. Life was very difficult in that camp in Cherangany. We faced so many problems. That is because even people who did not know about prostitution did it so that they could help themselves. People were confused because these are things that they had not seen as Kenyans. We did not get any help in the camp.

When operation *Rudi Nyumbani* began, we realised that the Government was not helping us. When we were taken back home, my husband's mind had gone a little crazy and I first hid. I did not tell anyone in the morning because I felt very bad about what had happened to me. I have seven children and my husband left me. He does not provide anything for me because he married another woman. We really suffered as women because our husbands left us behind and they do not help us. The IDP's and those who were affected are really suffering because they have not been helped. We were given Kshs10, 000. The money was only given to a few people. We were also told that they would build houses for us but they have not built those houses up to now. I have been forced to live in a rental house. But I have not been able to pay the rent because I am supposed to pay Kshs700. I go to work so that I can feed my seven children. I am really suffering and I am asking TJRC and the Government to help the people at Kaboret Forest because we are not secure. I cannot go to fetch firewood because the Pokot will attack us. The Pokot stay in that forest waiting for women and they kidnap them. They later call demanding a cow or Kshs100, 000 to release the women. We wonder where we will get that Kshs100, 000. They kidnap our young children who are under 18 years and take them to the forest. I have witnessed a girl who was kidnapped by the Pokots. When I asked her where she had been, she told me that she had been taken to Uganda. She was 14 years. When she was taken to Uganda, she wondered how she could come back to Kenya. God helped her. She told the people that she had been removed from her home and taken to the forest for one month. From the forest, she was taken to another country that she did not know. That girl told me that she did not even know how she came back. That child suffered a lot because she was raped by eight men. When she was taken to the hospital, she did not want to say what had happened to her but the urine just passed by itself.

We have really suffered in Cherangany and yet, there is somebody who can stand and say that there are no people who were affected. We do not have houses and we are forced to rent houses. We are asking the TJRC to follow-up on these issues and see if we can get help. I sometimes sit and lose my memory. I have documents from the hospital showing that I do not have any problems. Sometimes, I lose my mind. Please, God, help us. I have children and I do not have work. I do not have a place where I can go. I am landless. When I got married to my husband, their land was very small. So we used to rent. I am not alone. Landless people are so many and we are really suffering. We are asking the Government to help us. We are asking the Government to intervene and get us a place where we can raise our children. My son was in Form I and he dropped out of school. We

left the money in the school. He is now saying that if this is the life, then I should not suffer. I have another son who is in Standard VII and I do not know if he will go to school or not because we are hungry. The maize did not grow well this season. Even if I harvest, it will only be one sack. I am really suffering. I am really pained because what we went through as women was very bad. We do not have people to help us.

Ms. Nancy Kanyago: We are very sorry for what you had to go through. Thank you very much, for telling the Commission about your problems. I have one question. You spoke about an officer whom you reported to, but he did not take any action. Did you report at Kwanza where there is a police post?

Ms. Dorcas Wanjiru: We have a police post called Kapterit.

Ms. Nancy Kanyago: Is that where you first reported about the people and that is when they said it is better that--- Can you remember the date?

Ms. Dorcas Wanjiru: I remember the date. It was on 3rd January, 2008.

Ms. Nancy Kanyago: Is that the date you went to report at dawn?

Ms. Dorcas Wanjiru: Yes, that was the day.

The Acting Chair (Commissioner Namachanja): I have a question to Dorcas. First of all, I am very sorry for what you went through. For sure, as a person who was seven months pregnant, you could not manage to run. There are very many women who have undergone the same thing that you went through. I want to thank you for the courage and standing before the women to express yourself. I would want to know if the unborn child survived after you were raped.

Ms. Dorcas Wanjiru: I would like to say that God protected the child. The child is well and I called him Gideon.

The Acting Chair (Commissioner Namachanja): After the rape and you went to the hospital, were you diagnosed with any diseases?

Ms. Dorcas Wanjiru: After the rape, I stayed about seven months and then I went to the VCT to know my status. I thank God that I was HIV/AIDS negative. Some of the people who were raped at that time are now HIV/AIDS positive.

The Acting Chair (Commissioner Namachanja): We also thank God for saving you. Do you have any other problem that needs some medication?

Ms. Dorcas Wanjiru: As I have said, my issues are just in the mind. Sometimes, I become confused and at such times, I cannot do any job because I just feel hot from the legs, on my neck and I just feel tired. When I feel such symptoms, I alert my children.

The Acting Chair (Commissioner Namachanja): It is okay. The person who is from the support unit will see how we can take you to a nearby hospital so that they can examine you and see what the problem is. You also said that the urine of the child who was taken to Uganda was just flowing. Was she treated?

Ms. Dorcas Wanjiru: That child got medication and at the moment, she is well and she is a married woman by now.

The Acting Chair (Commissioner Namachanja): Thank you very much, Dorcas. As I said, you have spoken on behalf of many. There were others who were raped like you and the testimony you have given out is not your own. It is for all the women who have also undergone the same problem. On behalf of the Commission, we are saying that we are very sorry and it is only God that will enable you to heal.

Commissioner Shava: Dorcas, I have one question. I would like to know where you were born.

Ms. Dorcas Wanjiru: I was born in Marakwet District.

Commissioner Shava: Thank you very much.

Ms. Nancy Kanyago: Women, we are running short of time. We only have about fifteen minutes so that is about three people. I am just going to select a few people who are going to speak. If your issue has been highlighted, please, let us give a chance to others. I would ask my fellow sister here to speak and then another two but only for five minutes then we finish.

Ms. Emily Cherop: Praise God! I am saved and Jesus is Lord. I am very grateful to God for what he has done in my life. My name is Emily Cherop from Mount Elgon but I was born in Teso. I want to highlight some issues in my personal life. I was raised by my mother in Teso; when I was born, my grandmother told my father that there was no need of staying with a wife who has given birth to children with legs like *jembes*. When my mother told me those stories, I felt sick and I was taken back home in 2003. In the process of being taken back home, my grandmother said that if I stayed in this family, she would slaughter me and give the pieces to the dogs. I went back to be raised by my maternal grandmother. I stayed there and went to church. My mother asked me to go and assist her. She was married and she was forced to raise me in a certain forest. I told my mother that my step father had raped me and I asked her why he raped me. I went to the police station at Kapsokwony and reported the incidence. Before he raped me, he first broke my left leg and I am now lame. I recently got injured and my sister who I live with, took me to the hospital where I got some medication.

Yesterday while I was coming from church, I met my sister Florence. After I was raped, I reported to Kapsokwony Police Station and I explained to them and to the doctors what had happened but nobody took any action. I took a P3 form and my mother burnt it. I looked for some casual employment. I used to wash people's clothes and save the money.

I was given the shoes I am wearing by a volunteer when we were in the hills fasting for seven days. He asked me whether I had shoes and I told him that I did not have. He then sent the shoes to Eldoret and when I got to the bus station, I asked how much the fare was and they told me that they will not charge me. I went and took the shoes and came back and continued with the prayers.

I recently went to a certain Kikuyu woman and the husband told me that instead of wandering around, I should go and stay at their place. They are feeding me and they are spiritually helping me and they also give me clothes. I have one child and he is not going to school but I thank God that I have tested HIV negative three times. I thank God because He is the one who is protecting me and may He bless you.

Ms. Nancy Kanyago: Thank you very much, Emily.

(The Acting Chair led the women in a song)

Ms. Susan Moss: My name is Susan Moss. I cried when I heard what my fellow women have said. I would like to thank the Commission for coming to listen to us. I would also like to repeat what one of us said; that the women who want political seats do not want to listen to the troubles of the women. We would like to tell them that they are fellow women like us and if you are a woman, then you should help your fellow woman. The first thing women should know is that we are vulnerable and when you are poor and vulnerable, you should know that you are the one who can raise yourself to a higher level as a woman. We are our own worst enemies but if you look into it, it is not the women but a social culture that has pestered in such situations. When we were raised as girls, we were told that we should stay in a particular way and that our intelligence only reaches the kitchen and the men move around to get knowledge and advice. I blame the Government and it should look for a way of changing the social culture to help the women. The social culture can be changed if we are given the leadership and then the people at home can see that even women can be leaders. In leadership, they know that as women we can lead and they know that women have leadership, especially in the kitchen.

The second thing is the development of women which has not impacted all women. The *Maendeleo ya Wanawake* meet in Nairobi and we do not even see the money that comes. That is the women that should come to the grassroots and it should be given to the divisions and locations so that it can reach other women, so that they can be empowered and educated because the men do not care about us. We have not seen any parliamentarian who loves women, all they do is just use the women to get elected and there is no woman who can go and speak to the MPs to tell them their problems.

The right of ownership is another thing. You cannot expect the women to know their property rights. We know that if a man dies, the in-laws come and inherit all the wealth. Which in-law would like a woman from another community to come and inherit the land of their brother? Lack of education is a problem at this time because the in-laws are bringing problems. You should be friends with the in-laws but you should not give your husband's wealth to them to help you. Are you crippled? You have your brains and you

gave birth. The pain of giving birth is known only by the woman. We should tell the Government that the women need education because they were not educated; the Government should take the responsibility and educate the women so that we can move ahead.

We want to get rid of hate speech. Men say that “that is just a woman, what can she do”? Men say that women urinate from behind and that is hate speech and we want that to be punishable because the Government has said that people who do hate speech should be arrested. If a man abuses a woman, it should be considered as hate speech and the women should not keep quiet when they abuse you and you say there is nothing you can do and you start crying. If it is hate speech, you should go and report to the TJRC and say that you have been abused so that the men can respect us.

We have a council of elders, especially in the Bukusu community, and we fought and told the council of elders that at least a third of the group should be women and if not so, then the donors will not give you money because you are discriminating against the women. The Bukusu refused and they do not want the women in their council of elders. How can we get our rights and have people who can help us? If you go to parliament there are no women there so we have to teach them that women are part of the community. We want you to help us so that in any community that has a council of elders, thirty percent should be women. There are some people who are elected very quickly every time we do an election because they are many. What can we do to help so that everyone can eat this *ugali* that has been put on the table? There is no woman who said that her husband helped carry one of their children when they were running. We should come together and hold our country and we should not be tribal because tribalism has brought problems. I am a Sabaot but I do not live in my area because I fear my fellow Sabaots. I do not fear the Bukusu. It is the men who are killing us and telling us to leave our homes. Are we going to continue electing these MPs and ministers? Those are the minorities in the elections.

Let me talk about my personal experience. I am a widow and when my husband died in 1984, I have not had peace. They want to take away my land and I believe that if I was not able and if I was not educated, that land would have been taken away from me. That problem has not ended so I am wondering if there is a Government. They said that the elders should look into it but the elders who are supposed to look into it are not educated. They do not even know about the issue of land in the laws and they say that if you go to the court, you will go alone and then when you come back you go to the elders and explain to them and you have to bribe them. The women are not economically empowered. If I was another person, would that land still be there by this time? Women should rise up and I blame the *Maendeleo ya Wanawake*. If I speak about my farm, you will cry. I do not live in my land and I will not agree for my land to be taken away from me. That is all I have to say.

Ms. Nancy Kanyago: Thank you very much. I can see that there are very many women who still want to speak, but I will finish on the other side because nobody got a chance from the other side. If you have not got an opportunity to speak, do not feel that it will be

over here. We have an officer who can record statements from those who still feel like doing so. You can still record a statement about your issues.

Ms. Jennifer Maiyo: Praise God! My name is Jennifer Maiyo and I thank God for enabling us to come here. When I heard the issues of the other woman called Cheptoo, I was upset. I am also a widow and I bought a parcel of land at Kitalale. One woman educated me and we should also listen to other people's advice. She told me that I should not be sending my son to ask for money from my plot because these people can even kill him. I listened to what this woman was telling me and I thought that if we have sons, as widows, we should not be giving them the rights of the property because they will be killed. I only have one son and one orphan who was just thrown into my house. The child was naked and when I went to give the child to the chief, the chief told me that I was saved and I was able, so I should take care of the orphan. I have taken care of the orphan and I just want to encourage you that if you find people who have problems, help them. When I helped the orphan, God helped my son and he was helped by another person. The orphan is now in standard seven and he is in boarding school like my children. Husbands should also allow us to buy things and invest. I was educated and I bought a plot without his consent. He was saying that in the Sabaot culture, a woman cannot buy a plot and when I bought the plot, I told him that that belongs to him.

I thank God for helping me. When he died, I was told that I should be inherited by his brother. I said that I am saved and I will not allow such a thing to happen to me. I started making a follow-up of his properties. The Government should take into consideration issues affecting women. We went to Kapomboi and found very many orphans with no food. At times the office contributed Kshs200, 000 but it was very little. We went around the district and found children walking naked and crying, but we could not manage. We would like the Government to go to the grassroots and educate the women so that they could bring a detailed report on how people are suffering without food for even three days. That is all.

Ms. Nancy Kanyago: Thank you very much, my fellow women. I know that most of you would still like to speak but we are running short of time and as I had said, you still have an opportunity to submit all your issues to our Commission through our officers. Those who would like to record statements can still get that opportunity after this hearing but at the moment, we would like to urge you to allow us to finish this meeting and give this opportunity to the Commissioners to tell us their view before we close this session.

Commissioner Shava: My fellow women, listening to you, some of the stories have been very sad and some of the stories have been very encouraging about how you have supported each other. The Chair and I must now leave for another meeting but as our director Nancy, has said, you will continue talking here amongst yourselves. I think that the women of Trans Nzoia have spoken out and you have spoken well. What I have heard is that whether we are Sabaot or Bukusu or Teso or Kikuyu, our problems are all the same and so, our tribe is woman. We hear the problems of widows, we have heard the issues of inheritance, issues of livelihoods and how to make your living. The problem of education for women and also our children, the issue of civic awareness and even if we

are here, we have a new constitution and what does it say? If that is supposed to be my weapon or my tool, how do I use it if I do not know what it says and I do not know how it helps me? We need education in that area. We also need to understand that women are people and human rights belong to people and they belong to people because they are people. Human rights are not things which are given by politicians or constitutions, human rights are given by God and they are given to all human beings and women are human beings so your rights are the same as the rights of any other human being.

We have heard issues of healthcare and the particular issues around women. I just like to say that for me, it seems that the key is education and I really thank my sister there who is trying to make sure that children go to school and we ourselves also have to go to school. The key is education and the power to make decisions. We should not allow other people to make decisions for us; whether we live in peace or whether we are going to be killed and raped, whether we are going to live in the land where we were born, or whether somebody has decided that we should live somewhere else by threatening us and our children. These decisions have been made for us by other people so we need to figure out how we are going to sit on those chairs where we make decisions about our own lives.

Sometimes the situation may look impossible but I say it is not impossible because you are all here. You are the ones telling us these stories of the things that have happened to you but you are still here so nobody has been able to remove you from here. I salute you and I salute your courage and ask you to keep fighting. I will leave you with a saying which has helped me when I am in situations which look as if you cannot win, “first they ignore you, then they laugh at you, then they fight you and then you win”. *Asanteni*.

The Acting Chair (Commissioner Namachanja): My fellow women from Trans Nzoia, on behalf of the Truth, Justice and Reconciliation Commission, I would like to thank you sincerely for coming to share with us the painful stories. The tears are never enough. From the time we started the hearings, for almost a year now, we started from North Eastern, Upper Eastern, Western including Mount Elgon, Nyanza, we are about to conclude Rift Valley before we move to Central, Lower Eastern, Coast and Nairobi. We feel honoured that during the special sessions we have had with the women, we honour each other through the common tears that have been shed. This is partly the reason why when this Commission was created by disbandment, some of us women stuck to it because we know that we shed so many tears in privacy and the only way we can affirm the tears we have shed for so long in privacy is through this Commission. I do not think that we were wrong.

So today, we have heard you as my sister Margaret, has shared on how you have struggled with your lives under very difficult circumstances. That is why some of you like Florence, feel that you are not a part of Kenya and maybe she is justified by asking that it is high time this country is sold. What Florence did not tell us is, sell it to whom so that each one of us can get a piece of Kenya? As it is now, Kenya belongs to almost three of five people and it is not fair.

You have shared how you have lived a life of squatters. Your grandparents were squatters, your parents were squatters, you are squatters, your children will be squatters and you fear that your grandchildren will also be squatters. This is not fair. We have heard you on how you have struggled with the education of your children. As one of my sisters said, indeed, education is the key to a better life but you have also given us a challenge. How do you educate your children when even clothing them and feeding them is a struggle? But you have not given up. Amidst the struggle, you have ensured that your children are in school. It does not matter what level they will reach but as long as you are able, your children are in school. Some of you have questioned what happened to the peace that we lived in for so long until around 1991/92. Somebody shared how the Dorobos and Bukusus used to live peacefully as they worked on colonial lands. We need to reflect on the turning point and when I reflected on the turning point, it is around the period of the introduction of multi party politics; so could politics be a part of our problem and how do we deal with it? We have heard the struggles of the IDPs of the ethnic clashes and the impact to you as women and the children. I have worked as a relief and rehabilitation coordinator of internally displaced people and when you go to the camps, you meet the children and the mothers and a mother will do everything to protect the child from cold and hunger even if it means giving up your clothes and food.

It is as if rape has become another weapon; maybe a weapon of mass destruction. The impact it leaves behind, a woman will never be the same after having been raped. We want to encourage you to struggle because in life, you have to struggle. You have to continue. We have also heard on how you are struggling in the area of leadership and how you are being locked out at times using culture but again, you have not given up. You have struggled, continue struggling and we shall push and one day, the egg will walk. Do not give up. I know that one day we shall see on that lime there among the many men, we may have one woman or two. Let us keep the hope but we need to support each other.

Do not be cheated the way you have been cheated, do not sell your vote for five shillings equivalent of one shilling per year. As you have seen, the women leaders here need to speak and speak and cry until they can cry no more. Unfortunately for us at TJRC, we do not have time. We were given a limited time of two and half years to complete our work which is coming to an end in May next year. We hope that the dialogue that we have started, that the healing that we have started, that some of you will pick it up and continue. The women have not had counselling sessions and one way of healing from the traumas and the wounds of violence is just talking the way we are talking and the way we are crying. Please women leaders, can you pick up this and you can assist these women to heal.

On behalf of everybody that was involved in organising this meeting, I want to thank you sincerely. For all who came to share, I want to thank you. I know that you may have denied your children a meal for you to be here. We feel honoured and thank you. All we can assure you is that all the recommendations that you have given us and for those who wrote statements and memoranda, we are going to analyse and will form part of our

report. You have just helped us write a history of this country in our own words. Thank you, and may God bless you all.

Ms. Nancy Kanyango: Thank you very much, my fellow women. We started with prayers and I would like us to finish with a word of prayer. After the prayers, I will ask you to allow the Commissioners to leave but for us, we will sit and have a soda together.

(Closing Prayers)

(The Commission adjourned at 1.20 p.m.)