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REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT

THIRD SESSION – 2019

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DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS  
REPORT ON ITS CONSIDERATION OF THE PETITION TO AMEND  
WORDING ON THE COAT OF ARMS BY MR. CHARLES KOINANGE  
MANGUA

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CLERK'S CHAMBERS  
DIRECTORATE OF COMMITTEE SERVICES  
PARLIAMENT BUILDINGS  
NAIROBI  
OCTOBER, 2019

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## **CHAIRPERSON'S FOREWORD**

The petition was presented to the House pursuant to the provisions of Standing Order 225 (2) (b) of the National Assembly. The Petition seeks to amend the Constitution as set out in the second schedule on national symbols by deleting the word 'Harambee' from the Coat of Arms and replacing it with the name 'Kenya'.

The Petition was referred to the Departmental Committee on Justice and Legal Affairs for consideration and thereafter respond to the petitioner within sixty days by way of a report addressed to the petitioner and laid on the Table of the House pursuant to the provisions of Standing Order 227.

The committee considered the petition during its sittings and invited the petitioner to make submissions on his prayers in the petition. The petitioner, Mr. Charles Koinange Mangua appeared before the committee and responded to issues raised by members in their inquiry regarding the petition.

The Committee wishes to express special gratitude to the office of the Clerk of the National Assembly for the support accorded to Members of the Committee and staff in execution of its mandate.

On behalf of the Committee, and pursuant to Standing Order, 227 it is my duty to table to the House the Report of the Committee on the petition by Mr. Charles Koinange Mangua.

**Hon. William Cheptumo, M.P.**

**Chairperson**



## **1.0 PREFACE**

### **1.1 Mandate of the Committee**

1. The Departmental Committee on Justice and Legal Affairs derives its mandate from Standing Order No. 216(5) which provides for the functions of Departmental Committees as follows-
  - a) Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;
  - b) Study the programme and policy objectives of ministries and departments and the effectiveness of their implementation;
  - c) Study and review all legislation referred to it;
  - d) Study, assess and analyse the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;
  - e) Investigate and enquire into all matters relating to the assigned ministries and departments as they may deem necessary, and as may be referred to them by the House;
  - f) Vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments)
  - g) Examine treaties, agreements and conventions;
  - h) Make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
  - i) Consider reports of Commissions and Independent Offices submitted to the House pursuant to provisions of Article 254 of the Constitution; and
  - j) Examine any questions raised by Members on a matter within its mandate.
2. The Second Schedule of the Standing Orders on Departmental Committees further outlines the subjects of the Committee as follows-
  - a. Constitutional affairs;
  - b. The administration of law and Justice
  - c. The Judiciary;
  - d. Public prosecutions;
  - e. Elections;
  - f. Ethics, integrity and anti-corruption; and
  - g. Human rights.

## 1.2 Committee Membership

3. The Committee was constituted on Thursday, 14th December, 2017 and comprises the following Honourable Members-

Hon. William Cheptumo, M.P. (Chairperson)  
**MP Baringo North Constituency**  
**Jubilee Party**

Hon. Alice Muthoni Wahome, M.P. (Vice Chairperson)  
**MP Kandara Constituency**  
**Jubilee Party**

Hon. John Olago Aluoch, M.P.  
**Kisumu West Constituency**  
**FORD-Kenya**

Hon. George Peter Kaluma, M.P.  
**Homa Bay Town Constituency**  
**ODM-Party**

Hon. Roselinda Soipan Tuya, M.P.  
**Narok County**  
**Jubilee Party**

Hon. Charles Gimose, M.P.  
**Hamisi Constituency**  
**FORD-Kenya**

Hon. Johana Ng'eno, M.P.  
**Emurua Dikirr Constituency**  
**KANU-Party**

Hon. W. Kamoti Mwamkale, M.P.  
**Rabai Constituency**  
**ODM-Party**

Hon. Ben Orori Momanyi, M.P.  
**Borabu Constituency**  
**WIPER-Party**

Hon. Zuleikha Hassan, M.P.  
**Kwale County**  
**ODM-Party**

Hon. Jennifer Shamalla, M.P.  
**Nominated MP**  
**Jubilee Party**

Hon. Beatrice Adagala, M.P.  
**Vihiga County**  
**ANC-Party**

Hon. Gladys Boss Shollei, CBS, M.P.  
**UasinGishu County**  
**Jubilee-Party**

Hon. John Munene Wambugu, M.P.  
**Kirinyaga Central**  
**Jubilee -Party**

Hon. George GitongaMurugara, M.P.  
**Tharaka Constituency**  
**Democratic Party**

Hon. Anthony Githiaka Kiai, M.P.  
**Mukurueni Constituency**  
**Jubilee-Party**

Hon. John Kiarie Waweru, M.P.  
**Dagoretti South Constituency**  
**Jubilee-Party**

Hon. Japheth Mutai, M.P.  
**Bureti Constituency**  
**Jubilee-Party**

Hon. Adan Haji Yussuf, M.P.  
**Mandera West Constituency**  
**Economic Freedom Party**

### **1.3 Committee Secretariat**

4. The Committee secretariat comprises the following staff-

Mr. Abenayo Wasike	-	Senior Clerk Assistant
Mr. Denis Abisai	-	Principal Legal Counsel I
Ms. Halima Hussein	-	Clerk Assistant III
Ms. Fiona Musili	-	Research Officer II
Mr. Omar Abdirahim	-	Fiscal Analyst III
Ms. Roselyne Ndegi	-	Serjeant-at-Arms I
Mr. Richard Sang	-	Assistant Serjeant-at-Arms
Mr. Joseph Okongo	-	Media Liaison Officer
Mr. Hakeem Kimiti	-	Audio Officer
  
5. Minutes of sittings of the Committee on the consideration of the Petition are attached to this report as annexure 1.

## 2.0 CONSIDERATION OF THE PETITION BY THE COMMITTEE

6. The Committee commenced its consideration of the petition by a meeting with the petitioner on 6<sup>th</sup> August 2019. The petitioner made oral and written submissions as follows;

### 2.1 Submissions by the Petitioner Mr. Charles Koinange Mangua

7. The petitioner made his submissions on the subject matter as follows;

- (i). **THAT** the term '*Harambee*' is of Indian origin with its derivation from two Indian words to form one. It is a sacred word for Indians used to invoke or worship their goddess named '*Ambee*'. He tabled before the Committee a photograph image of '*Ambee*'.
- (ii). **THAT** '*Hare*' means to praise or to invoke and '*Ambee*' means the Indian goddess with many hands that Indians invoked or praised when constructing the railway line in Kenya after the 1830's.
- (iii). **THAT** issues raised in the petition are not pending before any court of law, constitutional or legal body.

8. The petitioner prayed that Parliament amends the Constitution by deleting the words '*Harambee*' from the Coat of Arms and replacing it with the name '*Kenya*'.

### 2.2 Submissions by Furncon Limited

9. Following the publishing of an article in the Daily Nation on 3<sup>rd</sup> July 2019 titled '*Change Coat of Arms, Kiambu Man tells House*'<sup>1</sup> highlighting the contents of the Petition to change the wording on the coat of Arms, Furncon Limited through its Managing Director Mr. Solomon N. Kiore, made submissions to oppose the petition on 27/08/2019 vide an email (**Submissions are attached to this Report as Annexure 3**). They submitted as follows-

- (i) Guided by Articles 9 and 10, and the Second and Third schedules of the Constitution 2010, and College of Arms Act Chapter 98, they wrote in response to a newspaper report that the Speaker of the National Assembly Hon. Justin Muturi had directed the Committee on Justice and Legal Affairs to consider the Petition and report to the House within 60 days;
- (ii) They opposed any attempt to interfere, altering the features in any manner or treating with contempt the emblems and symbols of authority of independent Kenya as they were preserved for the historical and cultural sovereignty of the country;

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<sup>1</sup> Mwere, D. (3<sup>rd</sup> July 2019). Change coat of arms, Kiambu man tells House. Retrieved from <https://www.nation.co.ke/news/Why-man-wants-Coat-of-Arms-changed-/1056-5180534-v56g1f/index.html>



- (iii) Furncon Limited is a company specializing in the design of symbols, physical instruments of authority, interior furniture design and related components. It is the first African company headed by black people to be awarded the International and African award for the Most Coveted Award hosted in Spain in this competitive line of art. **(Attached as SNK 1 is a copy of the award Certificate)**. It was also the first black owned company to penetrate into the unique patent office of design in the United Kingdom and Isle of Man. **(Annexed and marked “SNK2” is a copy of Isle of Man certificate no.1040569)**.
- (iv) Sometime in 1990, the company was commissioned by the government of Kenya’s Department of Defence to design Described Presidential Instruments (Throne). In designing the instruments, the company had to do intensive and extensive research that took several years as the Presidency is a symbol of national unity and the holder of that office carries the authority of the country hence the significance of the Presidential Chair. The instruments were widely recognized both locally and internationally. **(Annexed and marked “SNK3” are copies of recognition letters)**.
- (v) The department of design at Furncon limited submitted to the Constitution of Kenya Review Commission that Kenya’s symbols of authority be part of the Constitution of Kenya 2010 in accordance with the Emblems and Names Act CAP 99 and therefore it became part of the Constitution. As such, any change or removal of any features therein can only be subjected to a referendum. **(Annexed and marked “SNK4” is a copy of the letter by the commission)**.
- (vi) When researching on the instruments of authority and the chairs of leadership so as to come up with distinct presidential instruments of authority, the company found very unique and important history associated with Kenyan emblem traditions and practices. For Example according to Anthony Howarth, at the time of the British intrusion into East Africa, the Company found that in 1898 there were instruments that were used by the British and the Africans when both sides took the oath of blood to solemnize the memorandum of understanding (covenants) between the Africans and the British. On the part of Britain, Captain Lugard took the oath while on the other part of the Africans Waiyaki Wahinga took the oath using a sword, a shield, a mace and a whisk to splash the blood as witnessed by Africans who mounted a -men -at -arms that signified “*harambee*” and fighting together as one to offer security to the African people and protection of African land. The instrument that was used by Captain Lugard for the British was a symbol of crossed firearms facing down to signify peace and that, the said instruments would never be used against Africans. There was also green vegetation to signify peace and agriculture. It is a fact that the British broke the covenant and hence the war between the British and Africans as they went against their own oath not to take the African’s lands or use guns against them. Therefore the word “*Harambee*” is part of Kenyan history and Kenyan generations need to preserve it for posterity.
- (vii) According to research, the first President of the Republic of Kenya Mzee Jomo Kenyatta requested Kenyan Africans to form societies and buy property

from the foreigners using “*Harambee*” movements so as to break the tricky law of easements that would have led this country into apartheid. Hence it is important to respect the design and the values of the Kenyan emblem with all features inclusive of “*Harambee*” which forms part of the history of independent Kenya- and impacts on the value of our heritage. **(Annexed and marked “SNK5” is a copy of apartheid document (1948-1994)).**

- (viii) Any interference with the instruments of authority of the Republic of Kenya will result in massive financial costs to the country. For example the East African Legislative Assembly in Arusha had requested their mace to be adorned with Kenyan, Ugandan, and Tanzanian emblems. It will also interfere with the swearing-in of Presidents, Deputy Presidents, Members of Parliament, Attorney Generals and Judges, among others. **(Find S.N.K6 a copy of daily nation dated 9<sup>th</sup> September 2002 and proposal by Furncon Ltd of the mace first option and second option by our counterpart Pagliari Group of South Africa).**
- (ix) Since the dawn of history, the instruments of war have been used as a symbol of security and bravery. Art and design illustrations based on facts are good to look at but more significantly, they promote harmony and cohesion in a society by marrying the society’s heritage to its present and future. Art and design articulate a society’s identity, and give it a sense of purpose, pride, hope and direction. All over the world, all countries have used art and design to articulate the values on which their survival, strengths, hopes and identity with decorum as society, comfortably rest.
- (x) In conclusion, Furncon Limited Company noted that Mr. Charles Mangua’s proposal was purporting to deal with wordings based on very local and layman perception. The Kenyan emblem was as a result of works of art and design whose value was enormous and could not be associated with superstitions as its graphics were based on the reality of historical events and passed the test of copyright.



### 3.0 COMMITTEE'S OBSERVATIONS AND FINDINGS

#### 10. The Committee made the following observations-

- (i). The coat of arms is one of the national symbols of the Republic of Kenya listed under Article 9(1)(c) of the Constitution and its specific form is set out in the Second Schedule to the Constitution with the word "**HARAMBEE**" inscribed boldly therein;
- (ii). The use of the word "Harambee" is protected under the National Flag, Emblems and Names Act, Cap 99 Laws of Kenya in order to avoid improper usage of the word which is also declared as a national *motto* in the Act;
- (iii). Any changes to the emblems and instruments of authority of the Republic of Kenya including the Coat of Arms would occasion great financial costs as they have been designed and developed at a huge cost and they are already locally and internationally recognized and used;
- (iv). The Constitution of Kenya Review Commission acknowledged that the word '*Harambee*' in the Kenyan context referred to the principle of self-help that has been successfully used to mobilize the Kenyan people to fight poverty, disease and ignorance<sup>2</sup>;
- (v). The Word *harambee* is a Swahili word adopted from Hindi and this has been in public domain since time immemorial;
- (vi). Swahili is a mixture of many languages including Hindi, Arabic and several local languages;
- (vii). Hindi is among the languages used in Kenya and Hinduism is also one of the religions practiced in Kenya and it would thus be discriminatory to the Hindus to expunge the word *Harambee* from the Coat of Arms on the ground of Indian origin;
- (viii). The petition was misconceived as it sought to give a foreign meaning to the word "*Harambee*" without any due regard to the accepted usage of the term in Kenya.


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<sup>2</sup> Final Report of the Constitution of Kenya Review Commission, 2005, pg 128

**4.0 COMMITTEE RECOMMENDATION**

11. In response to the prayers by the petitioner the Committee recommends that;

**The House rejects the petition for the introduction of a constitutional amendment Bill to change the wording on the Coat of Arms as requested by the petitioner.**

Signed..........Date.....03.010.19.....

**Hon. William Cheptumo, M.P.**

**Chairperson**

# **ANNEXURE 1**

**Minutes of Committee sittings on  
consideration of the Petition**

**MINUTES OF THE ONE HUNDRED AND SEVENTY FIRST SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS HELD ON TUESDAY 1<sup>ST</sup> OCTOBER, 2019 AT 10.00 A.M. IN COMMITTEE BOARDROOM, 2<sup>ND</sup> FLOOR, PROTECTION HOUSE, PARLIAMENT BUILDINGS**

**PRESENT-**

- |                                     |   |                         |
|-------------------------------------|---|-------------------------|
| 1. Hon. William Cheptumo, M.P.      | - | <b>Chairperson</b>      |
| 2. Hon. Alice Muthoni Wahome, M.P.  | - | <b>Vice Chairperson</b> |
| 3. Hon. John Olago Aluoch, M.P.     |   |                         |
| 4. Hon. Roselinda Soipan Tuya, M.P. |   |                         |
| 5. Hon. Peter Opondo Kaluma, M.P.   |   |                         |
| 6. Hon. William K. Mwamkale, M.P.   |   |                         |
| 7. Hon. George G. Murugara, M.P.    |   |                         |
| 8. Hon. Anthony G. Kiai, M.P.       |   |                         |
| 9. Hon. Japheth Mutai, M.P.         |   |                         |
| 10. Hon. Beatrice Adagala, M.P.     |   |                         |
| 11. Hon. John M. Wambugu, M.P.      |   |                         |
| 12. Hon. John Kiarie Waweru, M.P.   |   |                         |

**ABSENT WITH APOLOGIES-**

1. Hon. Ben Momanyi, M.P.
2. Hon. Johana Ng'eno, M.P.
3. Hon. Charles Gimose, M.P.
4. Hon Zulekha Hassan, MP
5. Hon. Gladys Boss Shollei, CBS, M.P.
6. Hon. Jennifer Shamalla, M.P.
7. Hon. Adan Haji Yussuf, M.P

**IN ATTENDANCE-**

- |                       |   |                           |
|-----------------------|---|---------------------------|
| 1. Mr. Abenayo Wasike | - | Senior Clerk Assistant    |
| 2. Mr. Denis Abisai   | - | Principal Legal Counsel I |
| 3. Ms. Halima Hussein | - | Second Clerk Assistant    |
| 4. Ms. Fiona Musili   | - | Research Officer II       |
| 5. Mr. Simon Maina    | - | Support staff             |

**COMMITTEE SECRETARIAT-**

**MIN No. 670/2019:-**

**PRELIMINARIES**

The meeting commenced at 10.00 a.m. with a word of prayer from Hon. John Munene

**MIN No. 671/2019:-**

**CONFIRMATION OF MINUTES OF PREVIOUS SITTINGS**

Confirmation of minutes of previous Sittings was deferred.

**MIN No. 672/2019:-**

**CONSIDERATION OF THE STATUTORY  
INSTRUMENTS (AMENDMENT) BILL, 2019  
BY HON. MUTURI KIGANO, MP**

The Committee considered the Statutory Instruments (Amendment) Bill, 2019 which sought to subject to Parliament for scrutiny rules and regulations made by courts of competent jurisdiction. The Committee observed that there was conflict between Articles 94(5) and 163(8) of the Constitution of Kenya. Whereas Article 94(5) exclusively vests in Parliament the powers to make provisions having the force of the law in Kenya, Article 163(8) empowered the Supreme Court to make rules for the exercise of its jurisdiction.

Against this backdrop, the Committee resolved to meet the Judiciary and the Sponsor to deliberate on the Bill before pronouncing itself on the same.

**MIN No. 673/2019:-**

**ADOPTION OF THE REPORT ON THE  
PETITION TO AMEND THE WORDING ON  
TH COAT OF ARMS BY MR. CHARLES  
MANGUA**

The Committee considered and adopted its report on the petition to amend wording on the Coat of Arms by Mr. Charles Mangua. The adoption was proposed by Hon. John Olago and seconded by Hon. Beatrice Adagala.

**MIN No. 673/2019:-**

**ADJOURNMENT**

There being no other business to transact, the meeting was adjourned at 11:20am until, Thursday 26<sup>th</sup> September, 2019 at ten o'clock in the morning at a venue to be advised.

Signed.....

**Chairperson**

Date.....



**MINUTES OF THE ONE HUNDRED AND SIXTY SECOND SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS HELD ON TUESDAY 6<sup>TH</sup> AUGUST, 2019 AT 10.00 A.M. IN THE COMMITTEE ROOM, ON 8<sup>TH</sup> FLOOR, UKULIMA HOUSE**

**PRESENT-**

1. Hon. William Cheptumo, M.P. - **Chairperson**
2. Hon. George G. Murugara, M.P.
3. Hon. Jennifer Shamalla, M.P.
4. Hon. Peter Opondo Kaluma, M.P.
5. Hon. John Olago Aluoch, M.P.
6. Hon. William K. Mwamkale, M.P.
7. Hon. Beatrice Adagala, M.P.
8. Hon. Japheth Mutai, M.P.

**ABSENT WITH APOLOGIES-**

9. Hon. Alice Muthoni Wahome, M.P. - **Vice Chairperson**
10. Hon. Anthony G. Kiai, M.P.
11. Hon. Adan Haji Yussuf, M.P.
12. Hon. Roselinda Soipan Tuya, M.P.
13. Hon. John M. Wambugu, M.P.
14. Hon. Ben Momanyi, M.P.
15. Hon. Charles Gimose, M.P.
16. Hon. Gladys Boss Shollei, CBS, M.P.
17. Hon. Johana Ng'eno, M.P.
18. Hon. Zuleikha Hassan, M.P.
19. Hon. John Kiarie Waweru, M.P.

**IN ATTENDANCE-**

**COMMITTEE SECRETARIAT-**

1. Mr. George Gazemba - Principal Clerk Assistant II
2. Mr. Denis Abisai - Principal Legal Counsel I
3. Ms. Roselyn Njuki - Serjeant-at-Arms
4. Mr. Simon Maina - Support staff

**MIN No. 651/2019:-**

**PRELIMINARIES**

The meeting commenced at 10.15 a.m. with a word of prayer from the chairperson.

**MIN No. 652/2019:-**

**CONFIRMATION OF MINUTES OF PREVIOUS SITTINGS**

Confirmation of minutes of previous sittings was deferred to the next sitting.



**MIN No. 653/2019:-**

**CONSIDERATION OF THE LEGISLATIVE PROPOSAL  
ON THE INDEPENDENT ELECTORAL AND BOUNDRIES  
COMMISSION (AMENDMENT) BILL, 2019 BY HON.  
PETER KALUMA**

Hon. Peter Kaluma who happens to be a Committee Member submitted as follows in support of publication of his legislative proposal-

- (i) His legislative proposal sought to do abolish the selection panel for recruiting chairperson and members of the Independent Electoral and Boundaries Commission and provide for bodies which would nominate members for direct appointment to the Commission. The proposal was providing for five (5) appointed Commissioners whom once appointed would elect amongst themselves a chairperson and vice chairperson and that the position of chairmanship be rotational amongst the five (5) commissioners.
- (ii) The Bill further proposes that when names of the five (5) nominees for appointment as Commissioners are forwarded to the National Assembly for approval for appointment, they be approved or rejected wholesomely.
- (iii) This legislative proposal seeks to enable the immediate filling of vacancies at the Commission as opposed to current situation where the President must declare vacancies. It also seeks to avoid the situation where the President handpicks the chairperson who could favour him.

While approving the legislative proposal for publication, the Committee noted that there were four (4) Bills before the House on filling of vacancies in the offices of Chairperson and members of the Independent Electoral and Boundaries Commission and resolved to seek the Speaker's direction on how they should be proceeded with in the House.

The Committee also observed the need to consolidate the enactment of all electoral laws to avoid duplication of effort and save on time.

**MIN No. 654/2019:-**

**CONSIDERATION AND ADOPTION OF PETITION FOR  
CONSTITUTIONAL AMENDMENT BILL TO CHANGE  
THE WORDS ON THE COAT OF ARMS BY MR.  
CHARLES KOINANGE MANGUA**

The Petitioner, Mr. Charles Koinange Mangua appeared before the Committee and prosecuted his petition. He submitted that the word *Harambee* was of Indian origin and is of two words joined together to form one. It is a sacred word for Indians used to invoke or worship their goddess named *Ambee*. He tabled before the Committee a photograph image of *Ambee*.

He submitted that *Hare* means to praise or to invoke and *Ambee* means the Indian goddess with many hands that Indians invoked or praised when constructing the railway line in Kenya after the 1830's.

The Committee observed as follows-

- (i) Kenya is a multi-religious state with Hindi among the officially recognized religions;

- (ii) Kenya is a multi-language state with Hindi among the officially recognized languages of Kenya;
- (iii) While Hindi is among the languages officially recognised in Kenya, it would be discriminatory to the Hindus to expunge the word *harambee* from the Coat of Arms because it is indian;
- (iv) Swahili is a mixture of many languages including Hindi, Arabic and several local languages;
- (v) The Word *harambee* is swahili word adopted from Hindi and this in the public domain since time immemorial;
- (vi) The word Harambee is protected under the National Flag, Emblems and Names Act, Cap 99.

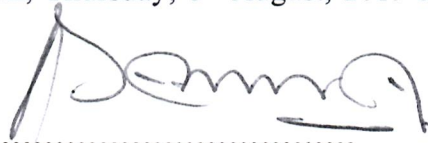
**MIN No. 655/2019:- ANY OTHER BUSINESS**

The Committee rescheduled dates for public hearings on the three Constitution of Kenya (Amendment) Bills, 2019 from 14<sup>th</sup> to 17<sup>th</sup> August, 2019 to 28<sup>th</sup> to 31<sup>st</sup> August, 2019 for the first leg and 2<sup>nd</sup> to 4<sup>th</sup> September, 2018 for the second leg.

**MIN No. 656/2019:- ADJOURNMENT**

There being no other business to transact, the meeting was adjourned at fifteen minutes past midday to noon until, Thursday, 8<sup>th</sup> August, 2019 at ten o'clock in the morning at venue to be advised.

Signed.....



**Chairperson**

Date.....

03  
04.10.19

# **ANNEXURE 2**

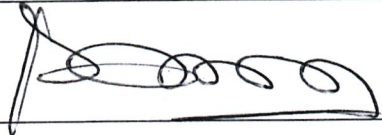
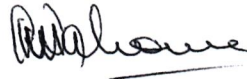

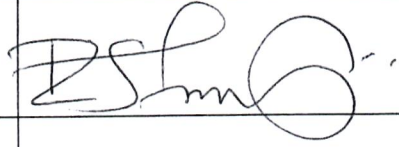






**Adoption list.**

**DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS**

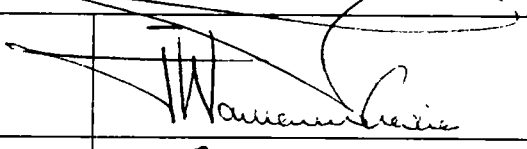
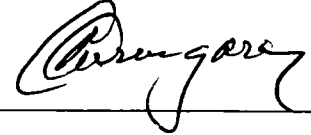
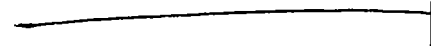
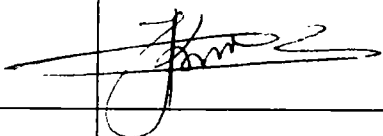
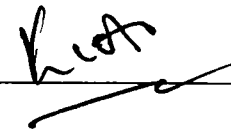
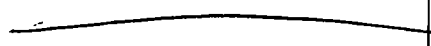
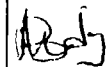

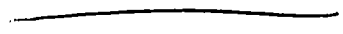
**ADOPTION LIST FOR THE REPORT ON THE CONSIDERATION OF THE  
PETITION TO AMEND THE WORDING ON THE COAT OF ARMS BY MR.  
CHARLES KOINANGE MANGUA**

**DATE: TUESDAY 1<sup>ST</sup> OCTOBER, 2019**

**VENUE: COMMITTEE ROOM ON 2<sup>ND</sup> FLOOR, PROTECTION HOUSE**

<b>NO.</b>	<b>NAME</b>	<b>SIGNATURE</b>
1.	Hon. William Cheptumo, M.P. - <b>Chairperson</b>	
2.	Hon. Alice Wahome, MP. - <b>Vice Chairperson</b>	
3.	Hon. John Olago Aluoch, MP.	
4.	Hon. Roselinda Soipan Tuyu, MP.	
5.	Hon. Ben Mōmanyi, MP.	
6.	Hon. William Kamoti, MP.	
7.	Hon. Peter Opondo Kaluma, MP.	
8.	Hon. Zuleikha Hassan, MP.	
9.	Hon. Johana Ngeno Kipyegon, MP.	
10.	Hon. Charles Gimose, MP.	



11.	Hon. John Kiarie Waweru, MP.	
12.	Hon. George Gitonga Murugara, MP.	
13.	Hon. Adan Haji Yussuf, MP.	
14.	Hon. Japheth Kiplangat Mutai, MP.	
15.	Hon. Anthony Githiaka Kiai, MP.	
16.	Hon. Jennifer Shamalla, MP.	
17.	Hon. Beatrice Adagala, MP.	
18.	Hon. John Munene Wambugu, MP.	
19.	Hon. Boss Shollei, CBS, MP.	

# **ANNEXURE 3**

**Submissions by Furncon Limited.**





THE CLERK,  
NATIONAL ASSEMBLY,  
PARLIAMENT BUILDING,  
PARLIAMENT ROAD  
P.O BOX 41842-00100  
NAIROBI

From:  
Designing Department

P.O. Box 49643-00100  
Factory Tel: 254-2-802943  
Cell Phone: 0722-784254  
Roysambu,  
NAIROBI-KENYA.

Date: 27/08/2019

Our Ref:

Dear Sir,

Email: [furnconltd@yahoo.com](mailto:furnconltd@yahoo.com)

**RE: SUBMISSIONS TO OPPOSE THE PETITION OF CHARLES MANGUA  
APPEARING ON THE DAILY NATION OF 3<sup>RD</sup> JULY 2019 TO REMOVE  
THE WORD "HARAMBEE" FROM THE COAT OF ARMS**

Guided by article 9, 10, second (2) and third (3) schedule of the constitution 2010, **College of Arms Act Chapter 98**, we are writing in response to a daily nation dated **3<sup>rd</sup> July 2019** and subsequent direction by Speaker of the **National Assembly Hon. Justin Muturi** as he was reported and directed the committee to consider the petition and report to the House within the mandatory 60 days we are writing to oppose any attempt to interfere, altering with features in any manner or treating with contempt the emblems, symbols of independent Kenya as they are preserved for historical and culture of sovereign Kenya and its regalia of freedom that became part of the making of the history to the instrument of authority of independent Kenya.

Furncon ltd is a company specialized in design of symbols, physical instruments of authority, interior furniture design and related components tradition and practices and is the first African company headed by black to be awarded International and African award for the Most Coveted Award hosted in Spain in this most competitive line of art. *Attached as SNK 1 is a copy of the award Certificate.*

**Recognised by the States**

Daniel arap Moi  
2<sup>nd</sup> President



Kenya

Queen Elizabeth II



U.K & Head of  
Commonwealth

Benjamin B. Mkapa  
3<sup>rd</sup> President



Tanzania

Bill Clinton  
42<sup>nd</sup> President



U.S.A.

It's the first black owned company to penetrate into unique patent office of design in **United Kingdom and Great Britain and Isle of Man certificate no.1040569. *Annexed and marked "SNK2" is a copy of Isle of Man certificate.***

Sometime in 1990, we were commissioned by government of Kenya the Department of Defence to design Described Presidential Instruments (**Throne**). When we were designing the instruments, we had to do intensive and extensive research that ran down to several years as the presidency is the symbol of national unity and the holder of that office carry authority of the country hence the significance of the Presidential Chair.

The said instruments were recognized by **President Daniel Arap Moi, USIU University, Nairobi University, National Defence College, Experts attorneys in Britain Edward Evans** who had noted that the work and research by us was interesting and forwarded the book of Kenyan Presidential instruments to House of Parliament in Britain, it was also recognized by **Her Majesty Queen Elizabeth II** in her capacity as the head of commonwealth and the crown of Britain, **the 42nd President of USA His Excellency Bill Clinton, Tanzanian President Benjamin Mkapa** and **1<sup>st</sup> African President of South African who is a grandfather of all times Nelson Madiba Madella. *Annexed and marked "SNK3" are copies of recognition letters.***

The department of design at Furncon ltd headed by me, guided by intensive and extensive research we had conducted prepared a memorandum and the undersigned appeared before the commissioners for the purpose of highlighting requesting that, Kenyan symbols of authority be part of the constitution 2010 in accordance to Emblems and Names Act cap 99 and therefore it became part of the constitutionality and any change or removal of any features therein can only be subjected to a referendum. It cannot be denied that Furncon ltd as an indigenous company made a great contribution as we foresaw some reckless persons without decorum of the state and its instrument may wish to interfere with posterity of this great country, hence this objection. ***Annexed and marked "SNK4" is a copy of the letter by the commission.***

When researching on the instruments of authority and the chairs of leadership so as to come up with distinct presidential instruments of authority, we found very unique and important history associated or compared with Kenya emblem traditions and practices.



For Example according to **Anthony Howarth** at the time of British intrusion into East Africa, we found in 1898 there were instruments that were used by British and Africans when the both sides took the oath of blood to ceremonize the memorandum of understanding (covenants) between Africans and British, on the part of British side **Captain Lugard** took oath and on the other part of African side was **Waiyaki wahinga** whose instrument used were sword, shield, a mace and a whisk to splash the blood witnessed by Africans mounted -men -at -arms that signifies “**harambee**” and fight together as one to offer the security to the African people and protection of African land. In fact the nature dictate that all human beings protect and preserve their territorial heritage and human rights and demand for decorum through justice and the symbols stand for those facts.

The instrument that was used by **Captain Lugard** for British was fire arm crossed each other facing down to signify peace and the said instrument would never be used against Africans. There was also green vegetation to signify peace and agriculture. Since dawn of history, the instruments of war has been used as a symbols of security and bravery.

Art and design illustrations based on facts are good to look at. More significantly, they promote harmony and cohesion in a society by marrying the society’s heritage, its present and its future. Art and design articulate a society’s identity, and give it a sense of purpose, pride, hope and direction. All over the world, all countries have used art and design to articulate the values on which their survival, strengths, hopes and identity with decorum as society, comfortably rest.

Coming back to the oath by British and Africans, it is a fact that the British are the ones who broke the covenant and hence the war between British and Africans as they went against their own oath not to take the African lands or use guns against Africans and therefore the word “**HARAMBEE**” is part Kenyan history and Kenyan generations need to preserve and honour the history of Kenya for posterity.

According to research, same meaning & spirit reveal that, the first President of the Republic of Kenya **Mzee Jomo Kenyatta** need to be put on record of the history of

patriotees of the world as a man who prevented Kenya drift into apartheid as it happened to **South Africa** where law of easement was key to apartheid as Kenya by the time of independent over 99% of Kenyan soil land titles deed were issued to foreigners, and the other allottee by the British government were either forest or game reserve and crown lands and a country cannot claim to be independent when its 99% of arable land being owned by foreigners where indigenou had no titles into their positions like it was the situation in Kenya. Those people who never do research take history of Kenya for granted and it is most likely why our economy is not growing after 50 years of independence. *Annexed and marked "SNK5" is a copy of apartheid (1948-1994)*

To fight apartheid in Kenya, we salute His excellency the first President of the Republic of Kenya as he requested the Kenya Africans to form societies and buy the properties from the foreigners using "**Harambee**" movements so as to break the tricky law of easements that would have led this country into apartheid hence important to respect the design and the values of the Kenyan emblem with all features inclusive as "**HARAMBEE**" which forms part of the history of the independent Kenya- and impact on the value of our heritage and that is the only way Kenya would have evaded apartheid as **President Mzee Jomo Kenyatta** and Kenyans succeeded through "**HARAMBEE**" spirit by buying and acquiring the titles. You may refer the Lancaster constitution to confirm those facts.

Any interfering with the instruments of authority of the republic of Kenya would cost this country trillions of shillings, for example. **East African Legislative Assembly** in **Arusha** had requested their mace to be embraced with Kenya, Uganda, Tanzania emblems and the list of the world embodiment of Kenyan emblem would be too long leave alone Kenya. It would also interfere with the swearing of **President Kenyatta, Deputy President, Members of Parliament and Senate and judge as including Attorney General etc.** *Find S.N.K6 a copy of daily nation dated 9<sup>th</sup> September 2002 and proposal by Furncon ltd of the mace first option and second option by our counterpart pagliari Group of South Africa,*

Thus **Mr. Charles Mangua's** proposal is purporting to deal with jargons of words and wordings based on Very local and layman perception. For example,

**Japan refers:-**

- United States as Amerika.
- Vietnam as Betonamu,



- China as Chugoku,
- France as furansu.
- Korea as Konkaku

Further in Japan there is a province known as **Kumamoto**. Historically, the area was called **Higo Province** and the province was renamed Kumamoto during the Meiji Restoration. The creation of prefectures was part of the abolition of the feudal system. The current Japanese orthography for Kumamoto literally means "bear root/origin", or "origin of the bear" this means parts of East Africa would feel offended for such name in Swahili language, Kumamoto since it typically refers to a part of the body of female that is hot. Further Japanese word **Higo** means Kidney in Kikuyu language. Here in Kenya, locally Kambas tribe refers a man as "*Mutumia*," whereas in Kikuyu "*Mutumia*" is a woman and in this case either vice-versa one would feel much offended. In these cases, one cannot deal with jargons or language pronunciation or different terminology of the tribes/ races of the world and if have to deal with it then you have a lot of work ahead of you and cannot be practiced in art and design.

The Kenya emblem is as a result of work of art and design and has no properties aesthetics, embodiment or embroidering and the value is enormous and cannot be associated with superstitions as its graphics is based on the reality of historical events hence it passes the test of copyrighting.

Yours faithfully,

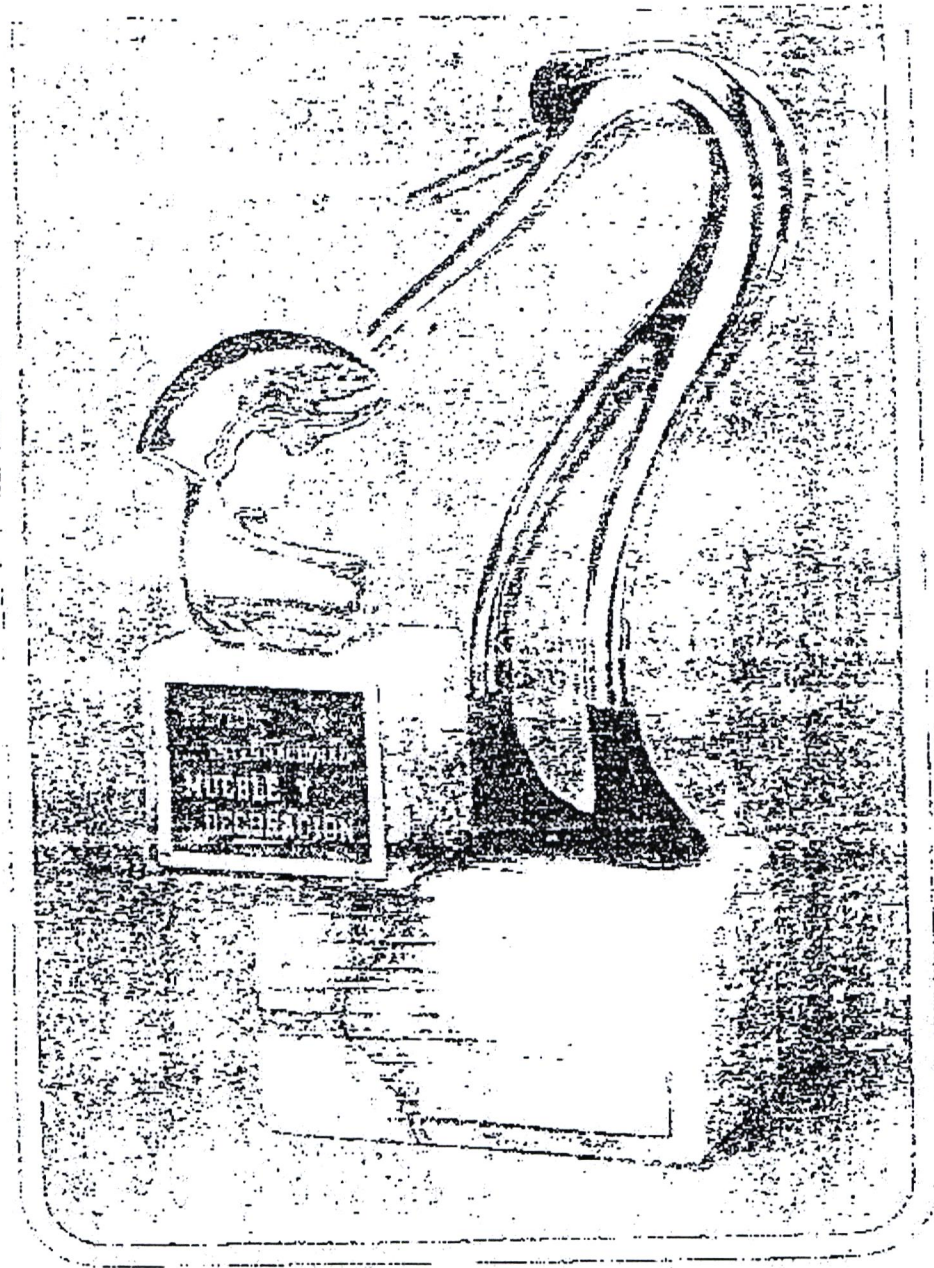


**SOLOMON N. KIORE**  
**MANAGING DIRECTOR**

**CC:**

1. THE HONOURABLE ATTORNEY GENERAL  
SHERIA HOUSE  
P.O BOX 40112-00100  
NAIROBI.
2. MS. MUNIRA MOHAMED  
HEAD OF PRESIDENTIAL, LIBRARY, MUSEUM AND EXHIBITION CENTRE  
STATE HOUSE  
P.O BOX 40530-00100  
NAIROBI.
3. NATION MEDIA GROUP LIMITED  
P.O BOX 49010-00100  
NAIROBI

"SNKI"



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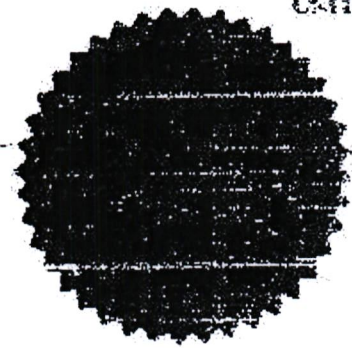
www.international-furniture-awards.com



SNK2

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND  
AND THE ISLE OF MAN

D.R. No. 1



REGISTERED DESIGNS ACT, 1949



*Certificate of Registration of Design*

<i>Number of Registrations</i>	1060564
<i>Term of Registration</i>	9th March 1987
<i>Date of Issue of Certificate</i>	22 JUL 1987

This is to certify that, in pursuance of and subject to the provisions of the Registered Designs Act, 1949, the Design, of which a representation is annexed, has been registered as of the above registration date in the name of Farncom Limited,

in respect of the application of such Design to a workbench.

*Designs Registry,  
The Patent Office*

H. J. COOPER  
*Registrar*

Please note: Copyright in this Design will subsist for five years from the date of registration and may be extended for two further periods of five years.

Although the Designs Registry normally issues reminders that extension is due it cannot guarantee to do so: the responsibility to apply for extension in time lies with the proprietor.

"SNK3"



STATE HOUSE

PARLIAMENTARY COMPLEX

NAIROBI

KENYA

SR/16/4 VOL. V/35

21th May, 1997

Mr. S. N. Kiore  
Managing Director  
Furnon Limited  
P.O. Box 49641  
NAIROBI

Dear Sir,

Thank you for your letter of 18th September, 1997 addressed to His Excellency the President.

I wish to congratulate you for your excellent workmanship and design.

Your singular and patriotic effort is most commendable.

Yours faithfully,

J. K. Lokoris

for: PRIVATE SECRETARY/COMPTROLLER





UNIVERSITY OF NAIROBI  
DEPARTMENT OF DESIGN

*J. O. O. 1999*  
*Amich Kinyo*  
*Telephone number 724524*  
*Kilimanjaro Faculty*

10th August, 1999.

The Managing Director,  
Fusion Limited,  
P.O. Box 43643,  
NAIROBI.

Dear Mr. Kuro,

DESIGN OPPORTUNITIES

Thank you very much for writing to us about the above Design Opportunities. We are interested in design research and are impressed by the achievements you have already made. We hope to learn from you and become partners in design research and product development.

After receiving your letter of 3rd August, 1999, we attempted to reach you by phone but without success. This letter is additional efforts to establish contact with you. Please ring us on 724132 and give us appointment to meet in our offices. We are between State House Road and Hamisah Road, 200 Building, University of Nairobi.

Yours sincerely,

*J.P. Gichia*  
J.P. Gichia, Fico,  
Chairman,  
Department of Design.

c.c. Dean,  
Faculty of ADO.

JPO/Gr.



UNITED STATES INTERNATIONAL UNIVERSITY

November 8, 1999

Mr. S. N. Kiore  
Managing Director  
Furncom Ltd  
P. O. Box 49643  
NAIROBI

Dear Mr. Kiore,

SUBJECT: KENYA PRESIDENTIAL INSTRUMENTS (INSTRUMENTS OF REPRESENTATION/AUTHORITY)

A copy of your book covering the above subject was availed to me by Prof. Munyoki of the USIU-A Department of Psychology for review.

There is no doubt that your designs and products are not only well focused, but also portray a accomplishments of a great artist and intellectual.

Keep it up!

With best wishes

Yours sincerely

A handwritten signature in dark ink, appearing to read 'John F. Lilech', with a long, sweeping underline that extends to the right.

John F. Lilech  
UNIVERSITY LIBRARIAN (USIU-A)

SAN LEANDRO • MEXICO CITY • NAIROBI

P.O. Box 14634, Nairobi, Kenya • Phone 254-2-861940 • Fax 254-2-862057





NATIONAL DEFENCE COLLEGE  
WESTWOOD PARK  
P. O. Box 24381  
KAREN  
KENYA  
NAIROBI TEL. 25421 / 254211 EXT. \_\_\_\_\_

When replying please quote

Ref. No. \_\_\_\_\_

24 June 1999

Mr. S N Kiore  
Managing Director  
FERNCON LTD  
P O Box 49643  
NAIROBI


Dear Sir,

TECHNICAL REPORT ON THE KENYA THRONE INSTRUMENTS

Returned herewith please find the subject report and M/S Edward Evans & Co. acknowledgement letter on the Mace and Throne instrument. The seminar read the report in its research of Kenya's cultural values and traditions and very much appreciate your valuable research on a very important and unique subject to the Nation.

We wish you success in your further research and in creating the awareness of the subject.

Yours faithfully,

  
G M K OSMERAH  
Brigadier  
Seminar B



# EDWARD EVANS & CO.

INCORPORATING CLEVELAND & JOHNSON  
AND HOUGHTON & JOHNSON

Patents, Designs, Copyright,  
Licensing and Trade Marks

T. L. JOHNSON B.S., B.A., M.I.P.A., C.A. (L.A.)  
S. S. SEABRIGHT B.S., C.Eng., M.A.S.E., C.A., C.M.  
M. A. LYND B.S., M.I.P.A., C.A., S.A.  
J. S. COLEMAN B.S., M.I.P.A.  
S. E. JAGGER B.S., C.A., C.A.

CONSTRUCTIVE  
R. L. CLINE, B.A., C.E., F.R.S., I.A.

Furness Limited,  
Designing Department,  
P.O. Box 49643,  
Kasarani Road,  
Nairobi,  
KENYA.

For the attn. of S. N. Kiore, Esq.,  
Managing Director

Dear Sirs,

Re: MACE AND THROUSE INSTRUMENT

Further to our correspondence earlier this year, we enclose a leaflet we have received concerning a guide to the House of Lords and which you may find of interest.

Yours faithfully,  
EDWARD EVANS & CO.

  
George S. Seabright

Chartered Patent Agents  
European Patent Attorneys

Chancery House,  
53-64 Chancery Lane,  
London, WC2A 1SD

TELEPHONE: 0171 400 4815  
INTERNATIONAL: +44 171 400 4815  
FACSIMILE: 0171 837 6252  
INTERNATIONAL: +44 171 837 6343  
<http://www.edwardevans.co.uk>  
E-mail: [mail@edwardevans.co.uk](mailto:mail@edwardevans.co.uk)

Your reference

Our reference: GSS/ARF/M1644

Date: 15 November 1999.

**EDWARD EVANS & CO.**

Accounting, Auditing, Taxation & Financial  
Administration & Management

Accounts, Auditing, Copyright,  
Accounting and Trade Marks

- 1. Chartered Accountants, Institute of Chartered Accountants
- 2. Chartered Accountants, Institute of Chartered Accountants
- 3. Chartered Accountants, Institute of Chartered Accountants
- 4. Chartered Accountants, Institute of Chartered Accountants
- 5. Chartered Accountants, Institute of Chartered Accountants

President, Institute  
Chartered Accountants  
P.O. Box 10641,  
Nairobi, Kenya,  
KENYA

For the year ended 31st March  
Management Director

Dear Sirs,

RE: INTERNAL FINANCIAL INVESTMENT

Thank you for your letter dated 23rd February 1999 and enclosures.

We have found the enclosures most interesting and we have passed a copy of the Technical Report on Internal Financial Investment to the Director of Parliament.

Yours faithfully,  
**EDWARD EVANS & CO.**

George V. Nathan

Chartered Accountants, Institute of Chartered Accountants

Chartered Accountants,  
75-85 Chancery Lane,  
London, WC2A 1EX

Chartered Accountants, Institute of Chartered Accountants  
Chartered Accountants, Institute of Chartered Accountants  
Chartered Accountants, Institute of Chartered Accountants  
Chartered Accountants, Institute of Chartered Accountants  
Chartered Accountants, Institute of Chartered Accountants

Yours faithfully,

EDWARD EVANS & CO.

105/106/107/108/109/110/111/112/113/114/115/116/117/118/119/120/121/122/123/124/125/126/127/128/129/130/131/132/133/134/135/136/137/138/139/140/141/142/143/144/145/146/147/148/149/150/151/152/153/154/155/156/157/158/159/160/161/162/163/164/165/166/167/168/169/170/171/172/173/174/175/176/177/178/179/180/181/182/183/184/185/186/187/188/189/190/191/192/193/194/195/196/197/198/199/200/201/202/203/204/205/206/207/208/209/210/211/212/213/214/215/216/217/218/219/220/221/222/223/224/225/226/227/228/229/230/231/232/233/234/235/236/237/238/239/240/241/242/243/244/245/246/247/248/249/250/251/252/253/254/255/256/257/258/259/260/261/262/263/264/265/266/267/268/269/270/271/272/273/274/275/276/277/278/279/280/281/282/283/284/285/286/287/288/289/290/291/292/293/294/295/296/297/298/299/300/301/302/303/304/305/306/307/308/309/310/311/312/313/314/315/316/317/318/319/320/321/322/323/324/325/326/327/328/329/330/331/332/333/334/335/336/337/338/339/340/341/342/343/344/345/346/347/348/349/350/351/352/353/354/355/356/357/358/359/360/361/362/363/364/365/366/367/368/369/370/371/372/373/374/375/376/377/378/379/380/381/382/383/384/385/386/387/388/389/390/391/392/393/394/395/396/397/398/399/400/401/402/403/404/405/406/407/408/409/410/411/412/413/414/415/416/417/418/419/420/421/422/423/424/425/426/427/428/429/430/431/432/433/434/435/436/437/438/439/440/441/442/443/444/445/446/447/448/449/450/451/452/453/454/455/456/457/458/459/460/461/462/463/464/465/466/467/468/469/470/471/472/473/474/475/476/477/478/479/480/481/482/483/484/485/486/487/488/489/490/491/492/493/494/495/496/497/498/499/500/501/502/503/504/505/506/507/508/509/510/511/512/513/514/515/516/517/518/519/520/521/522/523/524/525/526/527/528/529/530/531/532/533/534/535/536/537/538/539/540/541/542/543/544/545/546/547/548/549/550/551/552/553/554/555/556/557/558/559/560/561/562/563/564/565/566/567/568/569/570/571/572/573/574/575/576/577/578/579/580/581/582/583/584/585/586/587/588/589/590/591/592/593/594/595/596/597/598/599/600/601/602/603/604/605/606/607/608/609/610/611/612/613/614/615/616/617/618/619/620/621/622/623/624/625/626/627/628/629/630/631/632/633/634/635/636/637/638/639/640/641/642/643/644/645/646/647/648/649/650/651/652/653/654/655/656/657/658/659/660/661/662/663/664/665/666/667/668/669/670/671/672/673/674/675/676/677/678/679/680/681/682/683/684/685/686/687/688/689/690/691/692/693/694/695/696/697/698/699/700/701/702/703/704/705/706/707/708/709/710/711/712/713/714/715/716/717/718/719/720/721/722/723/724/725/726/727/728/729/730/731/732/733/734/735/736/737/738/739/740/741/742/743/744/745/746/747/748/749/750/751/752/753/754/755/756/757/758/759/760/761/762/763/764/765/766/767/768/769/770/771/772/773/774/775/776/777/778/779/780/781/782/783/784/785/786/787/788/789/790/791/792/793/794/795/796/797/798/799/800/801/802/803/804/805/806/807/808/809/810/811/812/813/814/815/816/817/818/819/820/821/822/823/824/825/826/827/828/829/830/831/832/833/834/835/836/837/838/839/840/841/842/843/844/845/846/847/848/849/850/851/852/853/854/855/856/857/858/859/860/861/862/863/864/865/866/867/868/869/870/871/872/873/874/875/876/877/878/879/880/881/882/883/884/885/886/887/888/889/890/891/892/893/894/895/896/897/898/899/900/901/902/903/904/905/906/907/908/909/910/911/912/913/914/915/916/917/918/919/920/921/922/923/924/925/926/927/928/929/930/931/932/933/934/935/936/937/938/939/940/941/942/943/944/945/946/947/948/949/950/951/952/953/954/955/956/957/958/959/960/961/962/963/964/965/966/967/968/969/970/971/972/973/974/975/976/977/978/979/980/981/982/983/984/985/986/987/988/989/990/991/992/993/994/995/996/997/998/999/1000

10 FEB 1999





BUCKINGHAM PALACE

21st November 1997

Dear Mr. Kiore,

The Queen has asked me to thank you for your letter and enclosure of 22nd September, and to apologise for the delay in replying to your letter, which has been caused by the particularly large number of people, many thousands in fact, who wrote to Her Majesty following the tragic death of Diana, Princess of Wales.

The Queen was interested to see the photographs and notes about the Tiro instruments which your company has made for the Republic of Kenya, and appreciated your courtesy in sending these for her to see. They have obviously been well received by the Office of the President.

Yours sincerely,

ANDREW DENT  
Special Assistant to the Private Secretary

Mr. Solomon Kiore



NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20520

October 18, 1999

Dear Mr. Kiara:

On behalf of President Clinton, I thank you for the Technical Report on the Kenya Throne Instrument. Yours is an interesting and commendable approach to promote a culture of peaceful transition. I am pleased that United States history and our commitment to democracy has inspired your work.

Sincerely,



Gayle E. Smith  
Special Assistant to the President  
and Senior Director for  
African Affairs

Mr. Simon M. Kiara  
Managing Director  
Furncom Limited  
P.O. Box 4643  
Kasarani, Nairobi  
Nairobi, Kenya



NELSON MANDELA  
FOUNDATION

Ref: Ha 29821008 Koro D (EA)

Eng. Ethel Arends  
Ext. 4117

09 October 2002

Furton Limited  
PO Box 48643  
Kisumu Road  
Nairobi  
Kenya

Dear Mr Mr Koro


Re: REQUEST FOR MR MANDELA TO INTERVENE

Thank you for your letter.

It is with regret that I have to inform you that Mr Mandela will not be able to intervene in this matter. We however recommend that you address this matter directly with the Kenyan Government and the officials around HE President Moi.

Mr Mandela has asked that I convey his best wishes to you.

Yours sincerely

  
John Samuel  
Chief Executive



"SNK4"



# CONSTITUTION OF KENYA REVIEW COMMISSION

Kenya Review Commission P.O. Box 20, Eldoret 30100, Kenya  
Mobile: 0734102207-2341027 Fax: 0202222222  
Email: CRC@kenya-review.or.ke Website: www.kenya-review.or.ke

30/8/2002

CR/C/75/04

Furcann Limited  
P.O. Box 49644 - 00100  
NAIROBI

Attn: Mr. S. H. Kiara

## RE: MEMORANDUM

Thank you for your memorandum and the proposals on constitutional reform. The Commission appreciates the time you have taken to prepare your proposals.

The Commission has noted your substantive contribution.

Thank you

Yours faithfully,  
for CRC

**PLO-LIMUMBA**  
**COMMISSION SECRETARY**



# PAST

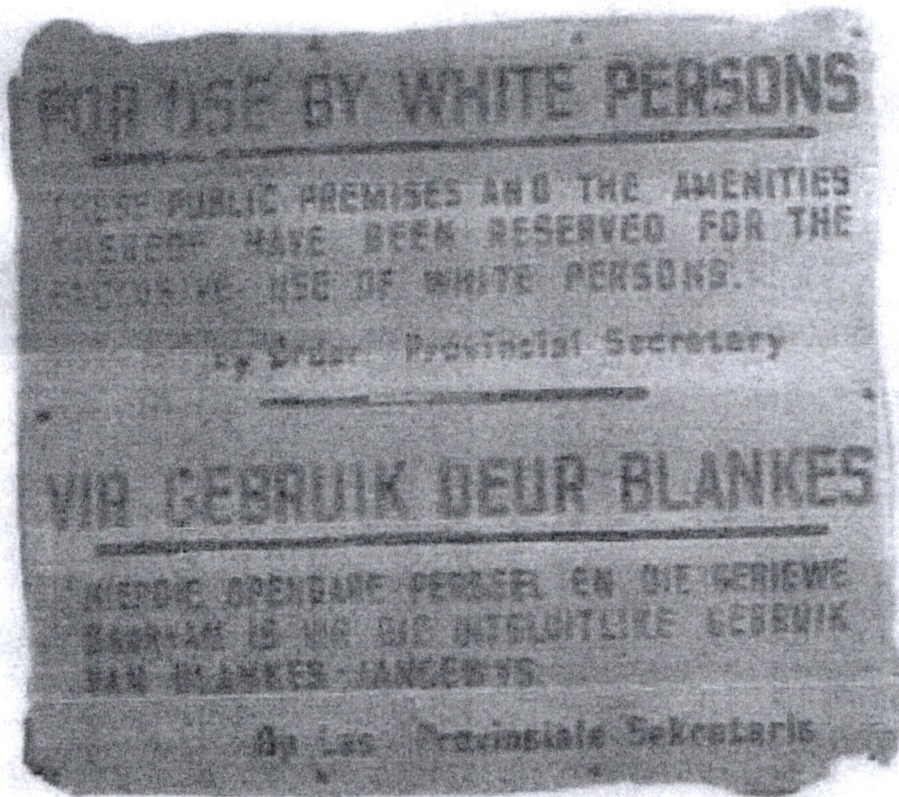
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SEARCH

## APARTHEID (1948-1994)

FEBRUARY 21, 2009 / CONTRIBUTED BY: MARISSA EVANS



Apartheid Sign, ca. 1980

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Apartheid is the name of the racial institution that was established in 1948 by the National Party that governed South Africa until 1994. The term, which literally means "apartness,"



019 reflected a violently repressive policy designed to ensure that whites, who comprised 20% of the nation's population, would continue to dominate the country.

Although the policy began officially in 1948, the practice of racial discrimination has deep roots in South African society. As early as 1788, Dutch colonizers began establishing laws and regulations that separated white settlers and native Africans. These laws and regulations continued after the British occupation in 1795, and soon led to the channeling of Africans into specific areas that would later constitute their so-called homelands. By 1910, the year that all of the formerly separate Boer Republics united with the British colony to become the Union of South Africa, there were nearly 300 reserves for natives throughout the country.

By 1948, Dr. D.F. Malan, the prime architect of apartheid, led the National Party in the first campaign that centered on openly racist appeals to white unity. The Party promised that if elected it would make permanent these reserves under the joint fundamental principles of separation and trusteeship. The National Party swept into office, winning 80 seats (mainly from Afrikaner voters), compared to the United Party's 64 seats.

Soon afterwards the new government instituted a number of policies in the name of apartheid which sought to "ensure the survival of the white race" and to keep the different races separate on every level of society and in every facet of life. One of the first acts passed was the Prohibition of Mixed Marriages Act, in 1949, which outlawed marriage between Europeans and non-Europeans. The following year new legislation banned sexual intercourse between Europeans and non-Europeans. Additionally, in 1950, the Malan government passed the Population Registration Act, which categorized every South African by race, and subsequently required people to carry with them at all times a card stating their racial identity. This Act was later modified in 1952, by issuing "reference books" instead of identification passes. Anyone caught without their "reference book" was fined or imprisoned.

The Group Areas Act of 1950, however, was the core of apartheid in South Africa. The act marked off areas of land for different racial groups, and made it illegal for people to live in any but their designated areas. Thousands of Africans were uprooted and moved into racially segregated neighborhoods in cities or to reserves which by the 1970s would be called homelands.

In conjunction with the Reservation of Separate Amenities Act of 1953, even black workers who during the day worked in the now residentially white only cities were still required to use different public transportation, post offices, restaurants, schools, and even separate doors, benches, and counters. The Natives Urban Areas Act in 1952 and the Native Labor Act in 1953 placed more restrictions on the black majority in South Africa.

Three important movements challenged apartheid. The oldest was the African National Congress (ANC) which was founded in 1912. The Pan Africanist Congress (PAC) broke away from the ANC in 1958 and initiated its own campaign against apartheid. Both groups were eventually banned by the South African government and forced underground where they began violent campaigns of resistance. In the late 1960s, the South African Students' Organization (SASO) was formed. Today it is known as the Black Consciousness Movement (BCM) in South Africa.

Apartheid formally ended in 1994 with the first election which allowed the participation of all adult voters. With that election Nelson Mandela became the first black president of South Africa.

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## SUBJECTS:

Concepts, , Global African History

## TERMS:

20th Century (1900-1999), , Europe - Netherlands (Holland), , Africa - South Africa, , Europe-Great Britain





# EAST AFRICAN COMMUNITY EAST AFRICAN LEGISLATIVE ASSEMBLY COMPETITIVE DESIGNS FOR OFFICIAL ATTIRES AND THE MACE OF THE EAST AFRICAN LEGISLATIVE ASSEMBLY

1. The East African Legislative Assembly (EALA) is one of the Organs of the East African Community (EAC) established by Article Nine (9) of the Treaty for the Establishment of the East African Community. The Treaty mandates the E.A.L.A. among others to legislate, approve the annual budgets, oversee the operations of the EAC and to regulate their procedure and operations.
2. The East African Legislative Assembly began formal operations upon inauguration by the Summit of the EAC on November 24, 2001. In order for the EALA to be fully operational, the key officers need to have appropriate attire and a Mace.
3. The East African Legislative Assembly has already received on the type, and colours of the Gowns, lounge suits, wig to constitute the official attire for the Hon. Speaker, the Clerk of the Assembly and other officers. Similar resolution has been resolved with regard to the shape, content, length and dimensions of the Mace.
4. The East African Legislative Assembly, hereby invites East Africans to provide suitable designs for the following:

- (i) Gown for the Hon. Speaker of the E.A.L.A.  
*(with colours of E.A.C. flag and blue background)*
- (ii) Gown for the Clerk of the E.A.L.A.  
*(with colours of E.A.C. flag and blue background with green/white/yellow stripes running down on the front)*
- (iii) Gown for the Principal Clerk Assistant and other Clerks of the E.A.L.A.  
*(with colours of E.A.C. flag and blue background)*
- (iv) Gown for the Sergeant-at-Arms and the Assistant Sergeant-at-Arms.  
*(light coloured long sleeve jacket with shoulder flaps and uniformed tie-clip, with black stripes at the front only for the Sergeant-at-Arms)*
- (v) The Mace of the E.A.L.A.  
*(the length of the mace to be one meter, the entire length to be made of gold plated, the thicker part should have four (4) protruding points with each carrying a lion, an eagle, a giraffe and a zebra, and in between the National Emblems there should be the E.A.C. Coat of Arms; the mace should resemble similar Maces used by E.A.C. Partner States of Kenya, Tanzania and Uganda)*

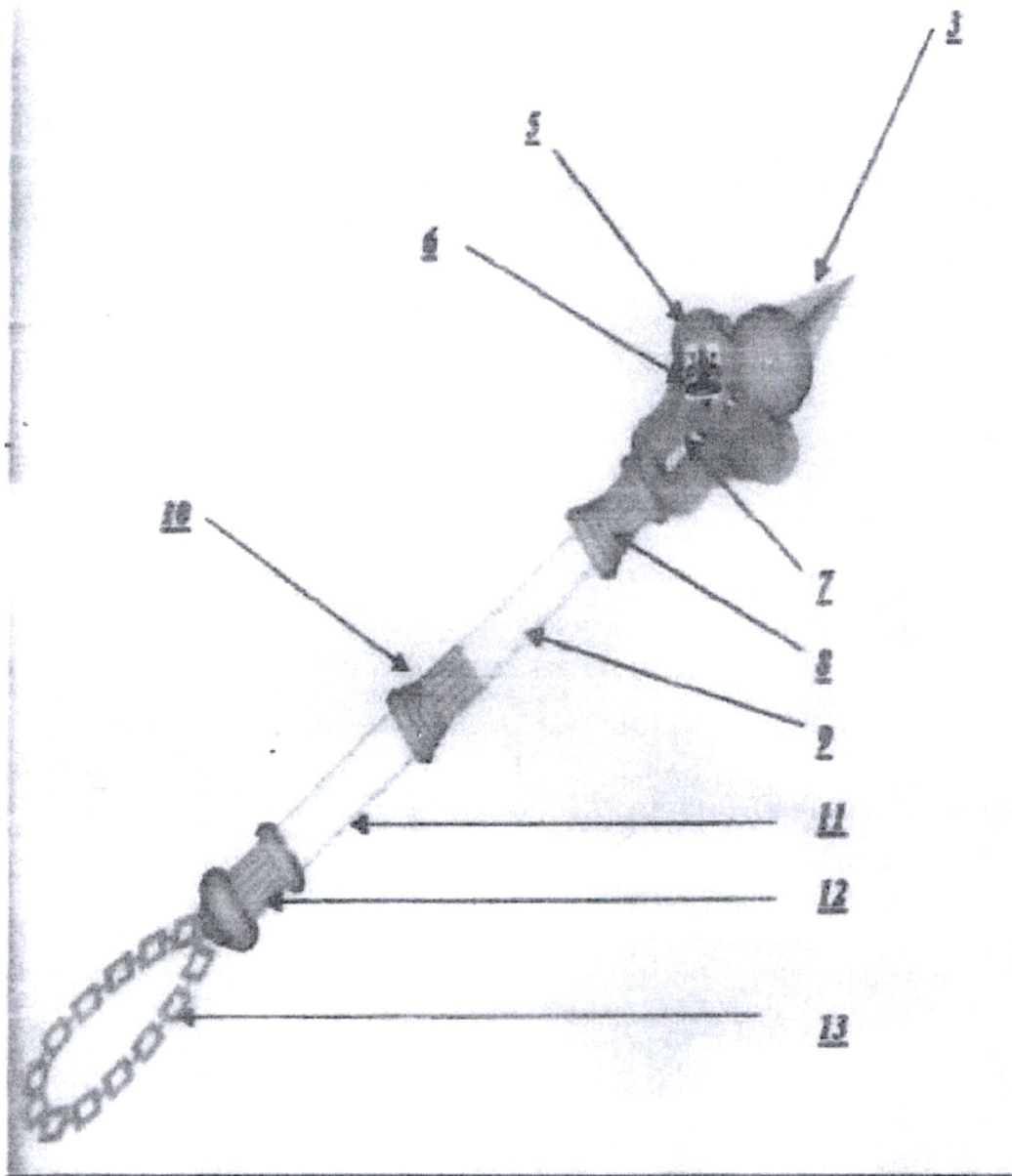
5. The East African Legislative Assembly will constitute a Panel of Judges to inspect on the designs submitted. The Panel of Judges will pick the top best and suitable designs for each of the five items above. The top three designers will be invited to present their designs to the Panel of Judges at Arusha, Tanzania, from which the winning designs for each item will be selected.
6. The designs should reflect the following attributes:
  - (i) simplicity and suitability for working environment of the office,
  - (ii) the best of the themes of East Africa in terms of natural resources, diversity of cultures, products and
  - (iii) suitable to be made from good, easy care fabric.
7. The top best and suitable designers for each item will receive a reward of USD 500. The decision of the Panel of Judges will be final.
8. All interested designers should submit their designs within to:

The Clerk of the East African Legislative Assembly,  
Office of the Assembly,  
Kilimojira Wing, Sixth Floor  
ABCC Complex, Room 019  
P.O. Box 198,  
ARUSHA,  
TANZANIA  
EastAfrican@eac.int

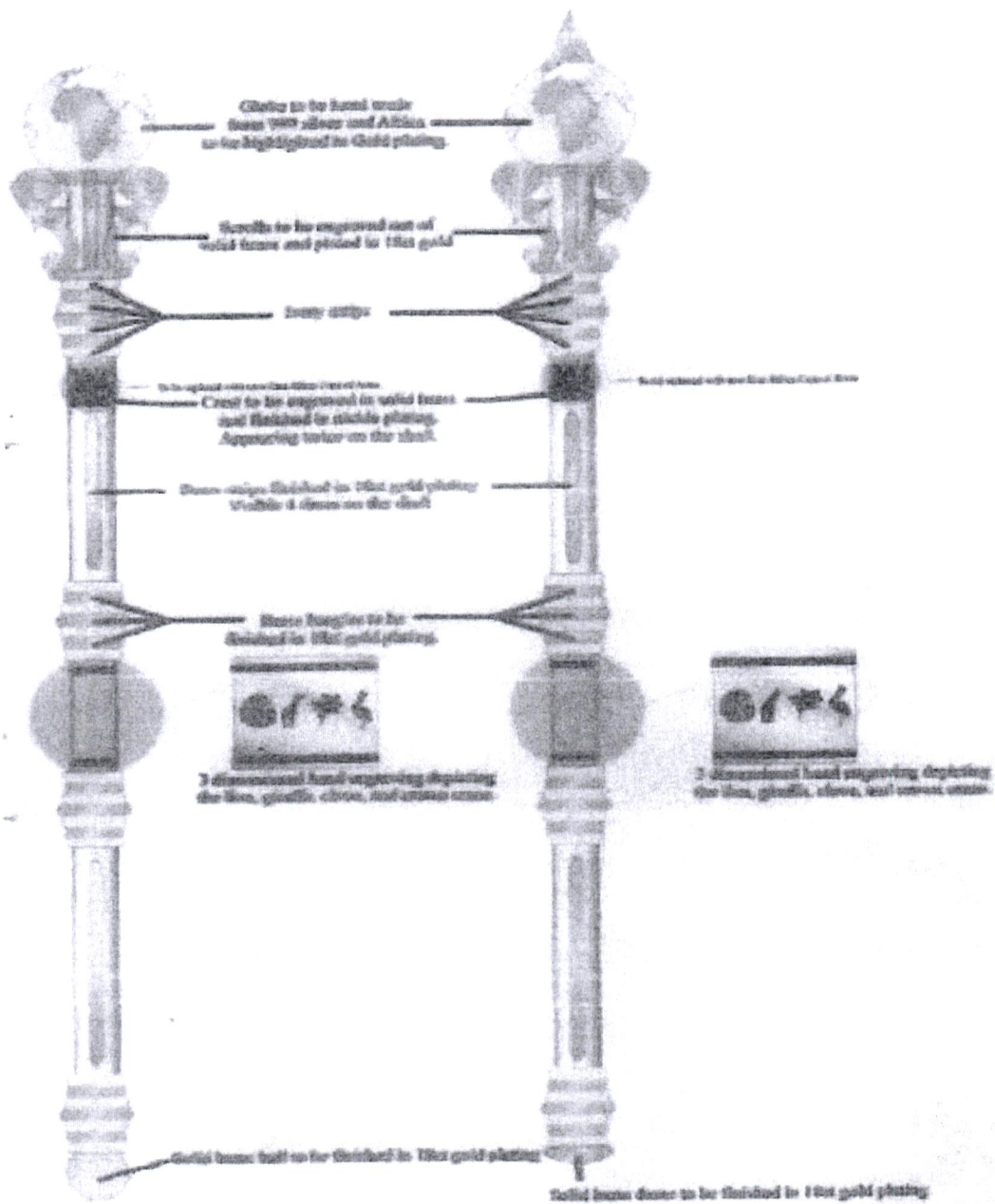
9. The designs should reach the Clerk not later than September 30, 2002



**Proposed East African Legislative Assembly Mace**



**BY: FURNCON LIMITED**  
*Option One*



## Option Two