

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Thursday, 23rd October, 2014

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

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

PRAYERS

PAPERS LAID

REPORT OF STEERING COMMITTEE ON THE AFRICAN PARLIAMENTARY NETWORK DEVELOPMENT AND EVALUATION

Sen. (Dr.) Machage: Mr. Speaker, Sir, I beg to lay the following Paper on the Table of the House:-

The Report on the meeting of the steering Committee on the African Parliamentary Network Development and Evaluation held on 25th to 26th September, 2014 in Addis Ababa, Ethiopia.

(Sen. (Dr.) Machage laid the document on the table)

NOTICES OF MOTIONS

REVIEW OF CATEGORIZATION OF SECONDARY SCHOOLS AND RENAMING THEM AS COUNTY SCHOOLS

Sen. (Dr.) Zani: Mr. Speaker, Sir, I beg to give notice of the following Motion:-

THAT, aware that devolution is the transfer of functions, resources and power to the sub-national levels of government in order to promote participation, democracy and sustainable development for the benefit of all citizens of Kenya; noting that pre-primary education, village polytechnics, homecraft centres and childcare facilities are devolved functions; concerned that the Department of Education still upholds the historical classification of secondary schools into national, provincial and district; cognizant of the fact that such categorization has implications in terms of funding, administration and eventually academic performance; appreciating that in a devolved system, counties will play a big role in the educational outcomes of their counties and that the current classification

limits choices and admissions besides lack of consistency in the types of schools nationally; the Senate urges the Department of Education to take immediate action to review the categorization of secondary schools as national, provincial or district schools and instead rename all secondary schools as county schools.

TRIBUTE TO THE LATE PROF. ALI MAZRUI

The Senate Minority Leader (Sen. Wetangula): Thank you, Mr. Speaker, Sir, for allowing me, although I was not listed on the Order Paper – I am very grateful for this – to give notice of the following Motion:-

THAT, recognizing the role played by Prof. Ali Mazrui in the pre-and post-independence history of Africa; noting that Prof. Ali Mazrui, who was born in Mombasa, Kenya, rose to be one of the most respected scholars, political writers and thinkers who laboured to improve the African situation as a distinguished academic scholar on African and Islamic studies and in the process indelibly putting Kenya on the global scholarly map; recognizing that due to his exemplary credentials and attributes, he was honoured with numerous national and international leadership positions and awards; regretting that Prof. Ali Mazrui passed away on 13th October, 2014 in the United States of America; the Senate joins the family, friends, the people of Kenya and the international community in eulogizing and paying tribute to the academic icon, nationalist and Pan-Africanist, who has left a remarkable and lasting legacy in the world.

The Speaker (Hon. Ethuro): Order Members! Given the nature of that particular matter of the Motion by the Senate Minority Leader, I would like us to dispose it today. So, we will allocate time from 5.30 to 6.30 pm. Sen. Wetangula has petitioned that he will be representing the Senate at another meeting at that particular time and also given that the House must address itself to this matter, I will allocate one hour after the end of Statements.

Next Order!

STATEMENTS

DESTRUCTION OF INSULIN MEANT FOR CHILDREN WITH DIABETES

Sen. Wangari: Mr. Speaker, Sir, on 1st October, 2014, I had requested a Statement from the Standing Committee on Health on the status of the drugs that were destroyed at the Kenyatta National Hospital (KNH) which were meant to treat type II diabetes in children. It was due this week, maybe I could get a status on the same from the Committee.

The Speaker (Hon. Ethuro): Is the Chair of the Committee, the Vice Chair or any Member of the Committee in the House?

Sen. Nabwala: Mr. Speaker, Sir, I am a member of the Committee on Health and I have taken note of what Sen. Wangari has said, I will put it to the Chair when he turns up.

The Speaker (Hon. Ethuro): Order, Sen. Nabwala. Membership of a Committee for an old matter like this one cannot be for you just to be a bearer of news.

You need to tell us whether you considered it or not.

Sen. Nabwala: We have deliberated on the matter but the Statement is with the Chair.

The Speaker (Hon. Ethuro): Can you commit him to bring the Statement on Tuesday? Failure to do so, you will bring it yourself.

Sen. Wetangula!

MOTION

TRIBUTE TO THE LATE PROF. ALI MAZRUI

The Senate Minority Leader (Sen. Wetangula): Mr. Speaker, Sir, I beg to move the following Motion.

THAT, recognizing the role played by Prof. Ali Mazrui in the pre and post-independent east of Africa; noting that Prof. Ali. Mazrui who was born in Mombasa---

The Speaker (Hon. Ethuro): Sen. Wetangula, what are you doing?

The Senate Minority Leader (Sen. Wetangula): I am moving the Motion. The Speaker said after Statements and I thought there were no more Statements.

The Speaker (Hon. Ethuro): I said after Statements, but I did not say you should move the Motion. You had indicated that you wanted to request to move the Motion and I also know that you have a Statement.

The Senate Minority Leader (Sen. Wetangula): So, have you called me under Statements?

The Speaker (Hon. Ethuro): Yes, but I have not called out the next Order.

The Senate Minority Leader (Sen. Wetangula): Okay.

The Speaker (Hon. Ethuro): Proceed.

THE UNLAWFUL REMOVAL OF MR. FRANCIS ATWOLI FROM OFFICE

The Senate Minority Leader (Sen. Wetangula): Mr. Speaker, Sir, I requested for a Statement in regard to the unlawful removal of Mr. Francis Atwoli from office. The Statement came, but we did not prosecute it. Since my request, and being a lawyer and a respecter of court processes, Mr. Atwoli went to court, the unlawful and illegal activities of the Minister for Labour were reversed. They now have a *status quo* and the matter is pending before the court. Consequently, I seek your indulgence to stay the request for the Statement until we see the outcome of the court process.

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

GOVERNMENT'S ACTION ON IMPENDING
FOOD SHORTAGE IN THE NORTH RIFT

Sen. (Prof.) Lonyangapuo: Mr. Speaker, Sir, I rise to seek a Statement from the Chairperson of the Standing Committee on Agriculture, Livestock and Fisheries regarding the impending food shortage occasioned by the damage to maize in the farms due to the onset of short rains. In the Statement, the Chairperson should address the following:-

- (i) Whether the authorities are aware that there are ongoing prolonged *El Nino* like rains, especially in the North Rift, threatening the little maize in the farms and if there are plans to provide farmers with mobile dryers to redeem the maize from rotting.
- (ii) When the National Cereals and Produce Board silos in the North Rift will be opened to allow farmers deliver their maize produce and save them from exploitation.

The Speaker (Hon. Ethuro): Chairperson, Committee on Agriculture, Livestock and Fisheries?

Sen. Ndiema: We can respond to that matter in two weeks time.

The Speaker (Hon. Ethuro): Two weeks is okay. Sen. Kembi-Gitura, do you have an intervention?

Sen. Kembi-Gitura: Yes, Mr. Speaker, Sir. It is on the issue of Statements.

The Speaker (Hon. Ethuro): Let Sen. Gwendu proceed, then I will give you a chance.

PLIGHT OF FARMERS IN NYAMTHOWI, KOLWA CENTRAL
LOCATION, KISUMU EAST CONSTITUENCY

Sen. Gwendu: Mr. Speaker, Sir, pursuant to Standing Order No.45, I rise to request for a Statement from the Chairperson of the Committee on Land and Natural Resources regarding the plight of farmers in Nyamthowi, Kolwa Central Location, Kisumu East Constituency. The area in question is a wetland that was converted to community land. There is no title deed to the land even though it is very fertile and arable whereby once it rains, the top soil is eroded from Rift Valley regions and settles in the area. However, it also floods thereby destroying crops.

Farmers have been trying to farm beans, kales, maize and other products but have not been reaping benefits due to perennial flooding. There is also a poor road network and rampant attacks by hippos on the farms that eat up most of their produce. Agriculture being at the heart of farmers in this area, I would like to know what the Government is doing in regard to the following:-

- (i) the measures being taken to deal with perennial flooding;
- (ii) what the Government is doing to contain the hippo menace to the farms through the Kenya Wildlife Society (KWS);
- (iii) what measures are being taken to develop a proper road network so that farmers' produce can reach prospective markets; and,
- (iv) what the progress is in terms of title deeds to the land being availed.

The Speaker (Hon. Ethuro): Chairperson of the Committee?

Sen. Khaniri: Mr. Speaker, Sir, although the Statement is directed to my Committee, you notice that it is cross-cutting. The Senator wants to know some issues about the road network and about the control of hippos by the KWS. It is a cross-cutting Statement and we will need to consult other Ministries which are not under our purview. We will therefore ask for four weeks to come up with a comprehensive Statement.

The Speaker (Hon. Ethuro): What is your reaction, Sen. Gwendo?

Sen. Gwendo: Mr. Speaker, Sir, I would rather work with three weeks.

Sen. Khaniri: Mr. Speaker, Sir, my request is for four weeks but should we have the Statement ready even in two weeks, then we will notify the Chair and be allocated time to issue it.

The Speaker (Hon. Ethuro): I think Sen. Gwendo will appreciate that you need to work across Ministries because of the cross-cutting nature of the issues raised. Therefore, four weeks will be okay but if you can also demonstrate your commitment by doing it sooner the better.

ESCALATING BANK INTEREST RATES

Sen. Kembi-Gitura: Mr. Speaker, Sir, sometime in or about June this year, a Statement was issued by the Chairman of the Committee of Finance, Commerce and Budget on the escalating bank interest rates but the House sought a better Statement on this matter. The Statement came in or about August from Treasury. Since then, it has not been issued to the House. I would like to get an indication from the Chairperson of the Committee when he expects to issue the Statement so that we can interrogate it.

The Speaker (Hon. Ethuro): Chairperson.

Sen. Billow: Mr. Speaker, Sir, my apologies. I missed the question. I want to seek your indulgence because the hon. Senator for Nandi had engaged me in consultations. I would appreciate if the matter is repeated.

The Speaker (Hon. Ethuro): You need to do better than that, Sen. Billow. It is not just good enough to apologize. The House also demands an apology from Sen. Sang for engaging the Chair.

Sen. Sang: Mr. Speaker, Sir, we were engaged in a very crucial consultation on matters affecting the future of this House and how we need to proceed on a number of issues while proceeding for a serious discussion in Mombasa. I want to apologize but we were doing a great service to this great House.

The Speaker (Hon. Ethuro): Except that there are no threats to the future of this House. So, you can only be imagining your own wild things to the extent that you are denying us the present as you think of a future that is not threatened.

Hon. Senators, I want to remind you that when a Statement is addressed to you, you should be attentive and other colleagues in the neighbourhood should also intervene.

Sen. Kembi-Gitura: Mr. Speaker, Sir, I am happy that you have told Senators to take the work of the House seriously. In or about June this year, I had sought a Statement on the escalating interest rates in this country which are affecting development nationally and in the counties. A Statement was issued by the Chairman but it was not sufficient. Therefore, the House requested further details or a

deeper look into the escalating interest rates. I know that in or about August this year, Treasury issued a fresh Statement giving details and I was given a copy.

Mr. Speaker, Sir, I know the Statement came in August this year. Since that time, I have been asking for the Statement to be issued because it is the property of the House but it has not been issued. I am seeking your direction as to when the Chairman of the Committee, Sen. Billow, can issue the Statement.

Sen. Billow: Mr. Speaker, Sir, we have seen that Statement and our Committee has looked at it but we are not satisfied. Treasury has actually failed this country because, pursuant to a presidential directive in February this year, they set up a team of experts including the private sector that came up with a formula that would result in lower interest rates. Today, there is no significant reduction. What we decided yesterday is to have the Minister appear before the Committee next week to shed light on the progress since that new formula was set up to address the concerns of Members.

It is not only that, there are other topical issues linked to this one including the exchange rates. After the sovereign bond, instead of the rates going down when we got US\$2 billion, the rates rose from US\$87 to US\$91. Therefore, I have requested to give an answer in two weeks time from today. *In shaa Allah*.

The Senate Majority Leader (Sen. Wetangula): Mr. Speaker, Sir---

The Speaker (Hon. Ethuro): Are you a Member of the Committee, Sen. Wetangula?

The Senate Majority Leader (Sen. Wetangula): Yes, but I am entitled to urge the Chairman to do something further than that.

The Speaker (Hon. Ethuro): You are not entitled, Sen. Wetangula. You can only plead.

The Senate Minority Leader (Sen. Wetangula): Mr. Speaker, Sir, I am a Member of the Committee but sometimes because of other duties, I miss meetings. I want to urge the Chairman in furtherance of the distinguished Senator for Murang'a's request, we have a law in this country which says that banks cannot charge interest rates to loans payable to exceed the amount that was borrowed, that is, the *in duplum* rule. We passed that law under the watch of hon. David Mwiraria. I want the Chairman to pursue that point to augment the good issue that the distinguished Senator for Murang'a has brought up so that the public is advised that if one borrows Kshs10,000 even if one defaults he or she cannot pay more than Kshs20,000 on that loan. That is what the rule says, but people are paying up to 20 times and end up being auctioned and humiliated.

Sen. Billow: Mr. Speaker, Sir, that is a very welcome intervention. I strongly support the request for additional information because that law is there. The famous Donde Act on the *in duplum* rule is there and therefore, we will get further clarification on why the Government is unable to implement some of the provisions of the Banking Act. When it comes to the banking community, Treasury seems to have challenges in implementing the law including the hidden charges by banks.

The Speaker (Hon. Ethuro): Mr. Chairman, you have mentioned to us about next week, so we expect the report in two weeks time.

Sen. Kembi-Gitura: Mr. Speaker, Sir, since you have ordered, I will accept two weeks because it is an important issue. I would like to remind the Chairman that one of the issues to be

clarified by Treasury is the issue raised by Sen. Wetangula. I would like the Chairman to interrogate the Cabinet Secretary on all these issues and come up with a very comprehensive answer. Last week, Sen. Murungi, the Chairman of the Committee on Agriculture, Livestock and Fisheries convened a very important meeting of all stakeholders in the tea industry. What continues coming up is that with lower and lower bonuses being paid to tea farmers, more and more of them are very likely to go bankrupt because they owe money to banks, lend on account of tea sales and if they do not get due income from tea sales and the banks deduct them at source, then the tea farmer is going to be left with nothing, rendering him or her bankrupt, children not going to school, being unable to service the loans and banks not taking into account the *in duplum* rule.

The Speaker (Hon. Ethuro): Order, Sen. Kembi-Gitura.

Sen. Kembi-Gitura: Mr. Speaker, Sir, that is all I would like to say.

The Speaker (Hon. Ethuro): Order, Sen. Kembi-Gitura.

Sen. Kembi-Gitura: Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Ethuro): Are you thanking me for ordering you?

(Laughter)

Two weeks Senator is not too far. You will still ventilate the same. There is really no Statement you are responding to before the House.

Sen. Kindiki!

BUSINESS FOR THE WEEK COMMENCING
TUESDAY 28TH OCTOBER, 2014

The Senate Majority Leader (Sen. (Prof.) Kindiki): Thank you Mr. Speaker, Sir. I rise under Standing Order No. 45 to briefly give the Business of the Senate for the week beginning 28th October, 2014.

On Tuesday next week, there will be the usual meeting of the Rules and Business Committee (RBC) of this House and subject to the directions of the RBC, the Senate will continue with business that will not be concluded in today's Order Paper including the debate on various Bills that are going through the Second Reading.

On Tuesday 28th October 2014, next week, we are going to have the Public Finance Management Bill being considered by the Committee of the Whole.

So I take this opportunity to appeal to the Majority and the Minority Whips to remind all Senators to be present on Tuesday next week so that we can achieve the required threshold to dispose of the Public Finance Management (Amendment) Bill which will be coming for Third Reading before a Committee of the Whole.

Mr. Speaker, Sir, on Wednesday the Senate will continue with the business not concluded on Tuesday and it will consider any other business scheduled by RBC, including the following Motions:-

1. Resume debate on the Motion by the Chairperson of the Standing Committee on Information and Technology on Adoption of the Committee Report.
2. Motion by Sen. Ndiema on challenges facing health services that have been devolved in accordance with the Fourth Schedule of the Constitution.
3. Motion by Sen. Leshore on establishment of National AIDS Control Council county offices.
4. Motion by Sen. (Dr.) Khalwale on action to be taken against those perpetuating acts of genocide in South Sudan.
5. Motion by the Chairperson of the *ad hoc* Committee on adoption of the report on establishment of a Public Compensation Bureau.
6. Motion by the Chairperson of the *ad hoc* Committee on adoption of the report on legislation on *Harambees*.

Mr. Speaker, Sir, finally on Thursday 30th October 2014, the Senate shall continue with Business that shall not have been concluded on Tuesday and Wednesday in particular deliberating on Bills at Second Reading, Committee stages and any other Business scheduled by the RBC. In this regard, I similarly want to appeal to Senators who are proposing amendments to the Public Procurement and Disposal (Amendment) Bill National Assembly Bill, No. 31 of 2013, and the Public Finance Management (Amendment) Bill, Senate Bill, No. 10 of 2014 to forward them to the Office of the Clerk as soon as possible for incorporation into the Order Paper so that the Business that we have on those two Bills before the Committee of the Whole on Tuesday and Thursday respectively can be transacted.

Mr. Speaker, Sir, once more, I just want to emphasize that – especially on Tuesday and Thursday next week – we have Bills that will be going through the Committee of the Whole. Senators are reminded to be present so that we can get done with that business.

Thank you.

(Sen. (Prof.) Kindiki laid the document on the Table)

The Speaker (Hon. Ethuro): Senators, I think that is the end of Order No. 7. Order No. 8 is deferred.

Second Reading

THE REPRODUCTIVE HEALTH CARE BILL, (SENATE BILL NO. 17 OF 2014)

(Bill Deferred)

The Speaker (Hon. Ethuro): We can now have the Motion by Sen. Wetangula.

MOTION**TRIBUTE TO THE LATE PROF. ALI MAZRUI**

The Senate Minority Leader (Sen. Wetangula): Mr. Speaker, Sir, before I move the Motion, may I seek your guidance on timing. Ordinarily, I am entitled to an hour and I can speak for the whole hour, but that will defeat the purpose of the Motion because I want other colleagues also to eulogise this great Kenyan. So before I start the clock on the hour, you may guide us as to how much time, as the Mover, I should have. I propose you give me 15 minutes. I propose you give the Seconder ten minutes and then all Members speaking depending on the interest, you can oscillate between three and five minutes so that we can give Members as much time and opportunity as possible to eulogise our departed brother.

The Speaker (Hon. Ethuro): Order Senators. Let me get an indication. I had allocated one hour because the real essence is for the House to express itself. It should not mean that everybody should get an opportunity to speak. But given the time considerations proposed by Sen. Wetangula, I am wondering whether we should do one and a half hours or one hour.

The Senate Minority Leader (Sen. Wetangula): Mr. Speaker, Sir, One and half hours would be good.

The Speaker (Hon. Ethuro): Let us do a maximum of one and a half hours.

The Senate Minority Leader (Sen. Wetangula): What about the timings?

The Speaker (Hon. Ethuro): As for the timings, I think you are perfectly in order; 15 minutes for the Mover, 10 minutes for the Seconder, five minutes to every other contributor.

You do not need to respond because this is not a Motion that requires any reply.

The Speaker (Hon. Ethuro): Proceed, Sen. Wetangula.

The Senate Minority Leader (Sen. Wetangula): Mr. Speaker, Sir, I beg to Move:-

THAT, recognizing the role played by Prof. Ali Mazrui in the pre and post-independence history of Africa; noting that Prof. Mazrui, who was born in Mombasa rose to be one of the most respected scholars and political writers who laboured to improve the African situation as a distinguished academic and scholar on African and Islamic studies, in the process indelibly putting Kenya on the global scholarly map; recognizing that due to his exemplary credentials and attributes, he was honoured with numerous national and international leadership positions and awards; regretting that Prof. Mazrui passed away on 13th October, 2014, in the United States of America; the Senate joins the family, friends, the Kenyan people and the international community in eulogizing and paying tribute to the academic icon, nationalist and Pan-Africanist who has left a remarkable and lasting legacy in the world.

Mr. Speaker, Sir, may I thank you for allowing me to move this Motion. I will squeeze my comments in the 15 minutes allocated. The late Prof. Ali Mazrui passed on, on the 13th of October this year. The news came as a shocker to everybody; it was run as breaking news given the stature of the person that we are talking about.

The late Prof. Ali Mazrui had very humble beginnings in Mombasa but rose to become one of the greatest scholars, not on the African Continent, but globally. His writings, public lectures, speeches and achievements are distinguishable from any other. I personally came into contact with Prof. Ali Mazrui when I started reading his writings while in Form Two and they were very prolific. His writings were so moving that when you started reading, you were unlikely to put down what you were reading. His book on *Heroes and Uhuru Worship* was a must read at our “A” levels for anybody who wanted to broaden their mind.

Mr. Speaker, Sir, one may recall that when Prof. Mazrui was in Uganda and Iddi Amin unlawfully took over the leadership of the country, he singularly challenged the morality, legality and the manner in which the dictator was running the country. In fact, he published an article that read: “Politics without morality leads to corruption and confusion.” On that note, Iddi Amin sent him out of Uganda in six hours and he left Makerere. Being the distinguished scholar he was, he could never lack a place to go to pursue his scholarly works. Prof. Mazrui used to give public lectures at The University of Nairobi, which was then the only university. The bookings to attend his lecture were massive. I remember at one time when I was in Form Six, we were ferried from Friends School Kamusinga to come and attend a Mazrui lecture. We had to do a booking for only 10 seats one month in advance. I have never regretted listening to him on that day.

Mr. Speaker, Sir, you may recognize that at the dawn of Independence when we had intellectually driven Heads of State in Africa; Mwalimu Nyerere and Milton Obote in particular, Prof. Ali Mazrui used to go to Makerere and Dar es Salaam universities and engaged these Heads of State in public debate. Everybody used to see the value of this kind of intellectual orientation. Unfortunately for Prof. Ali Mazrui, like we say, many prophets are never recognized in their homes. You will find that all the acknowledgement and honour given to Prof. Ali Mazrui, his country of origin never recognized him until very late in the day. You may recall that the Government of Kenya once invited Prof. Mazrui to come to the country through the university, I believe, for some academic discourse. But because of what he said that rattled the Government of the day, he was evicted from the Intercontinental Hotel here and sent out of his own country to go back to America, where he was teaching. It is a bit of a shame; a shame that we collectively carry as a country for not recognizing our distinguished sons.

Mr. Speaker, Sir, I salute the immediate former President, hon. Mwai Kibaki. When he came to power, he quickly noticed and recognized the value of using distinguished and accomplished intellectuals in running our public universities. That is the time we stopped having the President as the know-it-all Chancellor of every university in the land; professor number one, *mkulima* number one and everything number one. Hon. Mwai Kibaki relinquished the position of Chancellor of every public university and that is when Prof. Ali Mazrui, for the very first time in his life, was honoured in his country. He was appointed the Chancellor of Jomo Kenyatta University of Agriculture and Technology (JKUAT). He did a sterling job even in old age as his health looked like it was deteriorating.

Mr. Speaker, Sir, through his scholarship, we are talking of a man who was rated among the world’s top 100 public intellectuals by readers of *Prospect Magazine* of the United Kingdom (UK), which is a foreign policy magazine of Washington. Being among

the top 100 intellectuals in a population of the world of 7 billion is no mean achievement. The professor never let anybody down on this. He is the only Kenyan who has been rated as such.

Mr. Speaker, Sir, in his illustrious life, Prof. Mazrui won the following prestigious awards:

1. Millennium Tribute for Outstanding Scholarship; House of Lords Parliament Buildings, London.
2. Special Award from the Association of Muslim Social Scientists in the UK honoring Prof. Mazrui for his contribution to the social sciences and Islamic Studies in 2000.
3. Honorary Doctorate of Letters from various universities for fields which include Divinity, Humane Letters, and the Sciences of Development.
4. Icon of the Twentieth Century, elected by Lincoln University, Pennsylvania, 1998. This is no mean achievement.
5. Appointed Walter Rodney Professor, University of Guyana, Georgetown, Guyana 1998
6. Icon of the Twentieth Century Award, Lincoln University, Pennsylvania, 1998
7. DuBois-Garvey Award for Pan-African Unity, Morgan State University, Baltimore, Maryland, 1998
8. Appointed Ibn-Khaldun Professor-at-Large, School of Islamic and Social Sciences, Leesburg, Virginia, 1997–2001
9. Distinguished Faculty Achievement Award, University of Michigan, Ann Arbor, Michigan, 1988
10. Appointed Distinguished Andrew D. White Professor-at-Large, Cornell University, Ithaca, New York, USA (1986–1992)

He had many other awards.

Mr. Speaker, Sir, I believe some of my distinguished colleagues like Sen. (Prof.) Kindiki, Sen. Billow Kerrow and all my brothers across here, including Sen. (Prof.) Lesan, saw one of the landmarks of Prof. Mazrui's achievements in scholarship. A documentary called *Africans: A Triple Heritage*, is a must watch for all of us who have not watched it, if you want to know and appreciate the depth of scholarship, the attendance to detail, the knowledge of history, the appreciation of conflict of cultures and the future of the African Continent, which he said was waking up. Prof. Mazrui, at that time, made a prediction that the final chapter of the history of apartheid in South Africa was being written and the pen was dripping with blood.

Less than seven years later, South Africa was liberated, not because the whites wanted to leave, but because the pen dripping with blood wrote letters in blood and caused South Africa to be liberated. In that episode, Prof. Mazrui says: "Africa was conquered by what he called "the 3 Gs;" God, gold and glory of the British and the group that sat in Berlin in 1886 to share Africa as if it was a possession. You will remember that in that sharing, King Leopold of Belgium was seating in the room sulking and Bismarck called him and asked him: "Why are you sulking?" He said: "I have come out with nothing." He was told: "Take the Congo" and with that single statement, Congo became a personal possession of King Leopold. Many other atrocities were committed in the continent. Prof. Mazrui was the living and most vivid, articulate commentator on these

injustices of our continent. He has gone to his maker a distinguished man and I hope that his work, legacy and respect will live on. I remember when I was growing up, due to my tremendous admiration of Prof. Ali Mazrui, I nicknamed my own kid brother, who is a Member of Parliament for Westlands, hon. Tim Wanyonyi Wetangula, Ali Mazrui. In our family, we still call him Ali Mazrui in honour of this great man.

This Senate enjoins the family, the people of Kenya, particularly the residents of Mombasa County where he was born, grew up and outgrew Mombasa but remained rooted in Mombasa. We join them in passing our condolences as a Senate. We eulogize him as a great man, a great scholar and distinguished citizen of the world. We hope that Kenya will produce many more like Mazrui.

Remember that Mazrui is a lesson in history that a setback in early stages in school should never stop you from achieving your goals and dreams. Prof. Mazrui did not get a Division I or II at Form Four. However, he rose to speak for the world to the extent that one time, I met a colleague from the United Kingdom (UK), a former foreign minister, who told me: "I have listened to a Kenyan man called Mazrui. He speaks better English than we the English." That is the man we are talking about.

When he stood up to speak, even if you did not like what he was saying, you could not fail to admire how he was saying it. This is the art of intellectualism. That is why we lawyers say, you must be heard and I will also hear you even if I do not like what you are saying. Ali Mazrui is a son of this country that we are all proud of, and we must eulogize, remember, respect and urge the upcoming intellectuals not just to be men of letters but to write distinguishable, acknowledgeable and respectable materials that help the generations to come. A hundred years down the line, we shall read Mazrui the way we are reading Shakespeare, Tolstoy, Dostoyevsky, Chinua Achebe and everybody else who has distinguished themselves that way.

Mr. Speaker, Sir, finally, you remember the famous book by Mazrui, *The Trial of Christopher Okigbo*, a distinguished scholar who abandoned scholarship to go and fight in the Biafra War and how he agonized in Mazrui's mind what he was doing, whether it was right or wrong, at his trial. It takes a genius to produce that kind of imagination from a real situation.

As I finish, I stand here to send my personal condolences and thank the people of Mombasa County for giving Kenya the privilege to own Mazrui who was born among them. This is a man who was born in tremendous privilege and wealth, but lived an ordinary life because of pursuit of scholarship, human dignity, human equality, true and meaningful democracy, respect and equality of religions and ideals of Africa. He stood and said that the rape of Africa has gone on for too long and it has to come to an end. Africa's rape will not end by the benevolence of the rapists. It will end by the resolution to fight, resist and protect our integrity, our resources and our image as a people.

Mr. Speaker, Sir, that is the man we are eulogizing, the great son of this country.

I invite my distinguished colleague from Tharaka-Nithi County, The Senate Majority Leader (Sen. (Prof.) Kindiki, to second this Motion.

Thank you.

The Speaker (Hon. Ethuro): Sen. (Prof) Kindiki.

The Senate Majority Leader (Sen. (Prof.) Kindiki): Thank you Mr. Speaker, Sir. I take this opportunity to thank the Senate Minority Leader, Sen. Wetangula, for bringing

this very important Motion. I know that 15 minutes was not enough for him to talk about Mazrui. I doubt if 10 minutes can be enough.

Mr. Speaker, Sir, I met Ali Mazrui twice in my life. Those two meetings took 14 years in between. The first time I met him, I was a doctorate student at the University of Pretoria, finalizing my Doctor of Philosophy (PhD). That was the time when the world was finalizing discussions around the establishment of the International Criminal Court (ICC). Two panelists were called to talk to us about their perspectives on the ICC. One of them was Prof. David Shafer, professor of International Law and former Ambassador-at-Large on war crimes and crimes against humanity. The second panelist was Prof. Ali Mazrui. That was my first encounter with an intelligent, proud African, a very sober and balanced intellectual.

I must admit that at that time, I was an ardent supporter of the formation of the ICC. I had even started doing a bit of academic writing because I believed and I still believe that there is need for an international judicial system. During that time, Prof. Mazrui did not agree with my world view.

At that time, I belonged to a school of thought of the likes of Prof. David Schafer, the American Ambassador-at-Large for war crimes and crimes against humanity. At that time, I believed that the ICC was necessary to tame small countries like Kenya and others from the brutality that leaders mete on their citizens. I still believe that the ICC has a role to play in Africa. That time, Mazrui still believed that there was need for that kind of system but it must be tamed so that it does not become rogue and oppress poor countries including African countries. It is now 15 years down the line, Mazrui has been proven right and I have been proven wrong.

Mr. Speaker, Sir, the second meeting was just a year ago at Moi International Airport Mombasa. Mazrui was leaving Mombasa going back to the United States (US). I had a chit-chat with him at the VIP lounge. I could see a man who has run a full course; a proud Kenyan, proud African and unapologetic, in charge of his destiny, an intellectual, who had accomplished and does not need to shout about it. We had a chit-chat and I promised that if I got time I would visit the USA and maybe have a moment to imbibe part of his vast intellectual resources.

It is sad that he never lived to see that third meeting but I am here today to say that what Mazrui has done is to make the dignity of the African man entrenched in posterity.

He has shown that an African can rise to the highest level of intellectual success. He has shown that an African scholar can succeed anywhere in the world. That is something that our children and grandchildren should be able to live with and build on.

Mr. Speaker, Sir, today, I feel so sad but at the same time I feel so proud that Mazrui has given us the kind of dignity that he has left behind especially for those of us who are in academia. Words will fail me to eulogize him enough. May I take this opportunity to say on my behalf, on behalf of my family, the people of Tharaka-Nithi County and on behalf of the Jubilee Coalition, for whom I speak in this House, to send my condolences to the family of Mazrui, his uncles, nephews, his teachers, neighbours and everyone who had a part in raising Mazrui and making him what he was. May his soul rest in peace in eternity and may God bless him; God bless Kenya; God bless Africa.

Thank you.

(Question proposed)

Sen. Wangari: Asante sana Bw. Spika. Ningependa kumshukuru Sen. Wetangula kwa kuleta Hoja hii mbele yetu.

Kwa wale ambao hawakuweco katika miaka ya 1960s, kile tumefanya ni kusoma mambo yanayomhusu. Ningependa kuungana na wenzangu kwa kutuma rambi rambi. Ali Mazrui alikuwa na talanta ambayo sio wengi waliyo nayo. Alikuwa msomi, mtaalamu na sio wa Kenya tu, bali wa Afrika na dunia nzima.

Nimesoma vitabu vyake na hakuandika tu kuhusu Afrika; ameandika vitabu vya dini ya Kiislamu hata kiyahudi. Ninadhani itakuwa muda kabla tuwe na mtu kama huyu. Ameandika vitabu zaidi ya 20 na makala mengi ambayo nimeyasoma na kusikiza. Sisi kama nchi tunafaa kujifunza sana haswa Serikali ambavyo ilivyo sasa. Serikali hii imefanya muhula wake wa kwanza. Hatujafanya vizuri kuwatambua mashujaa ambao wameweka nchi hii mahali ilipo. Ninadhani mambo ya Ali Mazrui yatatufungua macho, wale ambao tuko uongozini leo na wale ambao watatufuata kesho ili watambue mashujaa wa nchi.

Kila mwaka tutasherehekea siku ya *Mashujaa* ambayo tulikuwa tukiita *Kenyatta Day*. Ni wangapi tumewatambua ambao walifanya kazi kwa kalamu na kutaja mambo ambayo hayangesikizwa? Watu hawa walikuwa na ujasiri wa kuyasema. Wakati alipopewa kazi ya kuwa Chancellor wa Chuo Kikuu cha Kenya, alikuwa na haki ya kuikataa kazi hiyo akikumbuka vile alivyomizwa hapo mbeleni. Lakini kwa sababu alikuwa na mapenzi kwa nchi yake na kwa vile yeye ni mzalendo, aliichukua kazi hiyo na kujifanya mdogo hadi akakiongoza chuo cha Jomo Kenyatta University of Agriculture and Technology (JKUAT).

Niliyafuata mazishi yake kwenye *television* kwa sababu singeweza kuhudhuria. Niliwasikiza wale ambao walikuwa wakimjua kibinafsi na nikatamani watu kuongea mazuri kunihusu wakati nitakapokuwa nikiwekwa kwa kaburi. Sisi wote tumepewa changamoto. Lazima tuhakikishe kwamba hata tukifa, hatufi na mambo ambayo tumeona duniani. Tunaweza kuyaandika ili yasomwe na watoto wetu. Mambo ya Ali Mazrui yatasomwa na watoto wetu na vizazi vingine vijavyo. Ningependa kusema kwamba Mungu amlaze mahali pema. Ningependa kutuma rambi rambi zangu kwa familia yake na kwa wale ambao walimtambua alipokuwa hai.

Asante, Bw. Spika.

The Speaker (Hon. Ethuro): Sen. Martha Wangari, nakupongeza kwa Kiswahili sanifu. Television kwa Kiswahili yaitwa runinga.

Sen. Wangari: Huo ni uchokozi, Bw. Spika.

The Speaker (Hon. Ethuro): Hayo yamenipita.

Sen. (Dr.) Machage: Asante Bw. Spika kwa kunipa wasaa ili niangaze mawazo yangu kwa maisha ya msomi huyu wa Kenya. Kifo ni kudra ya Mungu na kila mtu ni kaburi; yule atakayebahatika kuipata. Wengine hawatapata kaburi kwa sababu watakufa vifo vya ajabu. Sisi twamsifu Mungu kwa maisha ya msomi huyu wa Kenya aliyezaliwa, kukuzwa na kupata nafasi ya kuishi miaka 80.

Kuishi miaka 80 ni bahati. Kwa hivyo, badala ya kulia sana na kububujikwa na machozi, tunafaa kusherehekea maisha ya mkombozi huyu wa akili za binadamu.

Mawazo yake huenda yasitambuliwe na kueleweka kwa vizazi kwa sababu akili zake zilikuwa za mbali.

Marehemu Einstein, yule mwanafisia mkuu hakueleweka. Alipokufa, walitoa bongo zake wakaweka nje kusudi wajaribu kuona ni nini kilichomfanya kuwa hivyo. Huenda isiwe mila na desturi ya Mwafrika, tungemfanyia mzalendo huyu hivyo kusudi tutambue hasa ni nini kilichomfanya kuwa na hekima na uerevu kiasi hicho. Lakini maisha yake bado yataangaza kwa vitabu na makaratasi aliyoandika ili yasomwe na vizazi na sio tu wanakenya, bali ulimwengu mzima. Yeye hakufa hivyo. Ameacha mwanga na akili nyingi kwa vitabu zaidi 30 alivyoviandika.

Mimi sikuwa na bahati ya kuwa mwanafunzi wa msomi huyu kwa sababu ya kazi niliyoisomea. Lakini fikira na uzalendo wake ulidhihirika na kusikika ulimwengu mzima mpaka viongozi wetu hawangemuelewa. Walimwita katili ambaye hakutakikana. Basi ilibidi atoke na kuenda katika nchi ambazo zingempa nafasi ya kujieleza. Hiyo ni aibu kubwa.

Ninashukuru vile Sen. Wetangula ameyanakili maisha yake. Ametoa usia Kimazrui ingawa alimwita mdogo wake. Huyu ndiye Mazrui kwa sababu ameangaza maisha yake kwa muda mfupi na kuyaeleza vile tunavyoelewa wale ambao hatukukutana naye uso kwa uso, msomi huyu mkuu wa Afrika na ulimwengu mzima. Yetu ni kumkumbu na pengine kutoa rambi rambi zetu kwa jamii na marafiki ambao walimpoteza msomi huyu. Tunawaomba baraka za Mungu. Wasilie sana.

Ninashukuru.

Sen. Omondi: Thank you Mr. Speaker, Sir. This afternoon, I want to join fellow Senators in passing our condolences to a departed hero of this country. As I was watching television, something came to my mind. What will I be remembered for in this country? As a leader, what can I do so as to be remembered?

This gave me a lesson that in whatever we do, we must work hard to ensure that we are remembered for the good things we do and not for the bad things we have done. We must work hard to ensure that we do good deeds that can lift the generation. This will make others learn from what we leave behind. This will encourage the young generation that is coming after us. I also learnt that despite the country and the coastal people joining the family during this hard time, it was also a lesson that we remain focused. Challenges may come our way but we must have a focused mind despite the opposition. They should not wear us down because at the end of the day if we cannot achieve what we plan to do, then the country is not achieving. We have so many people that depend on us. Academic wise, even though our brother left us, our country still benefits from the material he left behind in terms of the books he wrote.

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

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

It is not easy to get somebody who can fit everywhere, but this is a man who managed to go through all things.

At the end of the day he achieved what he wanted. The Kenyan people and others globally can read and learn from the books he wrote. I join Kenyans and fellow leaders to mourn this great man.

Thank you, Sen. Wetangula for enabling us to discuss this. We should not assume that his death is a passing cloud but we should take it as something that has touched our souls and hearts.

The Temporary Speaker (Sen. (Dr.) Machage): Sen. (Prof.) Lonyangapuo.

Sen. (Prof.) Lonyangapuo: Thank you, Mr. Temporary Speaker, Sir. I want to thank Sen. Wetangula and all the colleagues who have spoken before me for remembering to bring this Motion after the recess to discuss the character of a man who left us. He was not just an ordinary Kenyan; he was a professor of high standing here in Kenya and outside. These are the type of people who made the Kenyan flag fly high in the world particularly in the academia. He can be equated to some of the athletes that have brought fame to our land.

Despite this, it is only people outside Kenya who give them recognition. What a pity that we end up proving the saying that a prophet is never recognized at home. We only talk about them when they are no more. Mombasa and its children from will have a testimony of somebody that should be emulated particularly in academia.

Mr. Temporary Speaker, Sir, I keep looking at the results of the Kenya Certificate of Primary Education (KCPE) and Kenya Certificate of Secondary Education (KCSE) every year and sometimes the coastal regions do not perform quite well. When we look at it, we almost say that we need people like Mazrui to be around so that people can have examples or testimonies of people in order to be encouraged. He had to leave Kenya to serve the academic world in America. The problem is the way we do not recognize and take value of ourselves. We are very good at giving tribute when we are burying people. We do not talk about them when they are alive. I do not know if it is African or Kenyan nature but it is good to value people when they are alive. We know that they can give us more if we talk about them and recognise them wherever they are, and give them assignments to do. I am happy that the former President Kibaki identified and made professor Mazrui the Chancellor of Jomo Kenyatta University of Agriculture and Technology, which is not the same again.

We have people that we may need to tap and talk about when they are still alive, so that we challenge the Committee that is dealing with *Mashujaa* to do the profiling of every Kenyan that we need to be proud of while they are still alive. There people like Prof. Ngugi in the academia. How much does it take us to bring him to give a lecture or even talk to us as politicians or even in the academia? We only take advantage when he comes to talk to the civil society, we see him around but we want people---

Sen. Omondi: On a point of information Mr. Temporary Speaker Sir.

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

Sen. (Prof.) Lonyangapuo: Yes Mr. Temporary Speaker, Sir.

Sen. Omondi: Mr. Temporary Speaker, Sir, I would like to inform the honorable Senator that he has reminded me of, if I quote professor “professor *wa kipekee*” Prof. Ndurumo, who does not have the ability to talk. He is deaf professor.

The Temporary Speaker (Sen. (Dr.) Machage): You are so informed.

Sen. (Prof.) Lonyangapuo: Mr. Temporary Speaker, Sir, I am happy that my colleague has reminded me. I worked with him in Moi University and he is a professor of renowned standing. Those are the people I am saying we should recognise and use. As we create a syllabus for our Early Childhood Development (ECD) --- Sen. Kagwe, who is the Chairperson of the Committee on Education is here, and he is not listening.

The Temporary Speaker (Sen. (Dr.) Machage): Order! How are you able to assess that somebody is listening?

(Laughter)

Sen. (Prof.) Lonyangapuo: Mr. Temporary Speaker Sir, I was saying that the Chairman of the Committee on Education is here, thus to prepare the ECD syllabus of our children in the counties, these renowned people in the counties must be identified so that our children know their value and contributions. People like Prof. Bethwel Allan Ogot, the most serious renowned historian is here. Moi University, Maseno University, the University of Nairobi and Makerere University are what they are because of people like Prof. Musangi, Prof. Munavu and Prof. Kiptoon and many others. Do our children in Kenya know about them?

We have renowned professors in South Africa and Europe of Kenyan origin and others who may not be professors but they are known and they bring a lot of contribution to this world. As we discuss this Motion in the Senate, the Committee that deals with it should make sure that whatever has been discussed here is followed up. The Committee of the people that are dealing with *Mashujaa* should identify and be able to recognize people appropriately. We know that professor Mazrui died on 13th October, 2014, and then on 20th, October, 2014, we had *Mashujaa* Day, and I know the people of Mombasa County and Kenya also talked about him. Suppose he was still alive, would he have been among the people who were going to be mentioned on 20th October? We rarely recognize people when they are still alive.

Thank you, Mr. Temporary Speaker, Sir.

Sen. Nabwala: Thank you, Mr. Temporary Speaker, Sir. I also rise to thank Sen. Moses Wetangula for bringing this Motion, so that the Senate can join the other Kenyans in mourning our distinguished author who departed on 13th October, 2014.

Mr. Temporary Speaker, Sir, Prof. Ali Mazrui was a distinguished scholar. He was well known in the field of academia and has done a lot. He received many awards and was a talented person. I never met him in person, but from the accolades that I have heard on the Floor, he was a good man. He has left a lasting legacy which all of us should emulate.

Mr. Temporary Speaker, Sir, we should not honour or remember people only when they are dead. Prof. Ali Mazrui was a distinguished scholar who had to leave the country to go and work elsewhere, because Kenya, as a country, did not recognize his talent. That is why he died outside the country. I would like to send my condolences on behalf of my family and as a Senator from Trans Nzoia to the family of the late Professor. May God look after them. He was the head of the family. Indeed, his departure has left a gap in the family, but God will fill the gap because He looks after the orphans. It is a great loss for Kenya, as a country, because we have lost somebody who was great.

Kenyans are very talented people and should be given opportunity to perform in our own country, instead of elsewhere like what happened to Prof. Ali Mazrui.

I rest my case.

Sen. Gwendu: Thank you, Mr. Temporary Speaker, Sir, for giving me this chance to also eulogize a great man who lived his life well. At 81 years, he was educated and had withstood criticisms. He had also written many books.

Therefore, we need to celebrate his life. While doing that, we need to encourage our children to work hard and emulate such people whom we can learn from.

This was a man who, not only made Kenya proud, but also Africa as a continent. His achievements make us, as a country, feel very proud of him as a man. We, as the Senate, need to encourage the young people to work hard, because it is sad to lose professors. In the part of the country that I come from, we do not have many people joining universities lately. It is our responsibility, as legislators, to encourage our young people to work hard and join universities. We may lose professors because of their age, but we can still make more professors. This is because God has given us a chance to follow the footsteps of such great men.

Thank you, Mr. Temporary Speaker, Sir.

Sen. Kanainza: Thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity to join my colleagues in eulogizing Prof. Ali Mazrui.

Mr. Temporary Speaker, Sir, as a young person, there are a lot of things that we learn through our mentors and role models. This is one of the people that young people are proud of. We celebrate his life. We, as the Senate, should think of coming up with a Bill to recognize other heroes at the county level.

This is because the national Government is not able to recognize all the heroes that we have in this country. It is not the professors who are heroes, but also other people at the county level who have done many things. For example, there are people who help in peacemaking in Samburu, Isiolo, West Pokot and Turkana counties. We need to recognize such people because they play a big role in our community.

Mr. Temporary Speaker, Sir, when it comes to academicians, most of the time we talk about Moi University and the University of Nairobi but we also have other heroes in other universities, for example, Masinde Muliro University of Science and Technology.

In this country we have people who deal in humanitarian services. They deal with issues that affect our people. For example, whenever we have floods in the lake region, there are people who have come out strongly to support the victims. In particular, the Red Cross team is doing a lot in this country. We need to recognize these people when they are still alive. Let us not wait for them to die before we recognize them. A few months ago, a young man climbed the monument of his grandfather in protest, because his family was suffering yet they played a big role in our country.

Mr. Temporary Speaker, Sir, I also commend Sen. Wetangula for finding it wise to bring this Motion for debate, so that we can appreciate the good work that this great scholar did.

Thank you, Mr. Temporary Speaker, Sir.

Sen. Billow: Mr. Temporary Speaker, Sir, I also rise to support the Motion on this very distinguished scholar. First and foremost, I wish to express my condolences to the

family, friends and, indeed, the people of Kenya. I pray to the Almighty that he grants him his mercy.

Mr. Temporary Speaker, Sir, some of us may not have personally known him, but indeed, as many speakers have said, his works have touched many. I want to very briefly refer to some of the words that have been used to describe this distinguished scholar by some of his contemporary scholars and friends specifically, there is one Prof. Mohamed Haidara who was his classmate.

To give a bit of background to the Members, Prof. Ali Mazrui was the son of one of the most distinguished and outstanding scholars and teachers in the whole of East and Central Africa in terms of Islamic leadership. His father was called Sheikh Al Amin bin Ali Mazrui. He was, in fact, a leading teacher and Islamic scholar in the whole of East and Central Africa. So, he was born in an environment, in Old Town, where there were many scholars, and teaching was one of the main things.

Prof. Mohamed Haidara who was his classmate actually said that Prof. Mazrui developed interest, particularly in English and English Literature when they were in school. That was his area of excellence. He would always get distinction in those areas. That is how he ended up as a showpiece. Prof. Haidara says that he became a showpiece of potential African intellectual vigour and versatility. Of course, he left behind a legacy of a very informative and stimulating written literature, which he mesmerized many of us when we were in school and even now, many people in Africa. I agree with the Mover that we need to watch his documentary on the *Triple Heritage of Africa*.

Mr. Temporary Speaker, Sir, of course, he had a lot of achievements. I was just reading a piece by Ngugi wa Thiong'o on how Prof. Mazrui ended up getting more positions in Makerere University when he had a problem in the University of Nairobi. He was teaching Creative English and Pan Africanism in the Political Science Department of Makerere University. This took him all the way to the United States of America (USA). You remember both of them ran away after they fell out with KANU government. They were always outspoken about human rights abuses in Kenya.

That is why they ended up in exile. In fact, some of the people today, scholars and professors in this country who have been critical of the way African governments run their institutions, human rights abuses, political prisoners who were being held those days, are still out of the country. It is one of the things that the government really needs to look at.

Mr. Temporary Speaker, Sir, the professor was also very prominent on one thing; challenging the dominance of western culture. He always talked about that subject, relative and in relation to the Islamic and the African culture. He talked about the fact that western culture was liberal. That is why it allowed him and others to survive in that environment. However, he always emphasized the need to enrich that western culture with some of the values that we find in the African, Islamic and in other Asian cultures. He was particular when it came to tolerance. He mentioned one of the things he liked in the Islamic culture, was tolerance. He gave the examples of western Africa where he talked about majority of the population being Muslim, but you find the president is none Muslim. He also gave an example of Asia where some countries like Pakistan and Bangladesh had women presidents when, in fact, countries in the west, could not tolerate that idea at that time.

Mr. Temporary Speaker, Sir, this academic professor and political writer on African and Islamic Studies, was a man who really had moved away from this narrow view of the way we look at our religions, cultures and so forth ---

(Sen. Njoroge entered the Chamber without bowing to the Chair)

The Temporary Speaker (Sen. (Dr.) Machage): Order! Sen. Njoroge, go back to the bar and bow to the Chair.

(Sen. Njoroge went back and bowed to the Chair)

The Temporary Speaker (Sen. Machage): Very well. You can come in.

Sen. Billow: Mr. Temporary Speaker Sir, Prof. Mazrui was not looking at religion, culture and so forth with the narrow view the way we do or in the context in which today we profile religions very narrowly. He had a very wide picture of the way we look at these things. He really enriched a lot of people in getting a better view of issues and never shied away. Even from wherever he was in the USA, he criticized many contemporary issues, especially arising from the western view of some of the conflicts in Africa and examples like the one he gave about the apartheid in South Africa and others. We have this kind of people in many parts of the world who are Kenyans; they are acclaimed outside, but not in their country. Today, we have a situation, and I agree with the Senator there, where we have freedom fighters starving in their houses here with no resources yet they are people who have given a name to this country. In the same way, that there are scholars who have lifted the name, image and reputation of this country globally, but again, do not really enjoy the fruits of this country.

Mr. Temporary Speaker, Sir, I agree with the Motion fully that we need to recognize this scholar. Already Uganda has announced that they want to put up commemorative things there in respect of his work at Makerere University and Africa. Understandably, our Government is silent let alone visiting or even taking part in the funeral in Mombasa. In fact, it is surprising that both the President and the Deputy President did not physically attend his funeral. They ought to, even now at least pay some visit to the relatives of these people. It does not really matter the political inclinations, but I think it is important that as a nation and as leaders, we need to stand up with people who have made a contribution to this country and its history.

Mr. Temporary Speaker, Sir, with those few remarks, I support the Motion.

Sen. Hassan: Thank you, Mr. Temporary Speaker, Sir, for this opportunity. Let me start from where Sen. Billow left. I recall during the time we were organizing his funeral, I had the opportunity to chair the organizing committee, because Mombasa and its leadership felt that it was befitting to give Prof. Mazrui the full honour. There were loud murmurs as to why people of that highest apex of leadership did not see the need to come to that funeral.

Mr. Temporary Speaker, Sir, that notwithstanding, whether they came to the funeral or not, his work and achievements over the years say it all. That is what Prof. Mazrui fought for many years. I recall some of the private conversations I had with him about the stereotyping of the people of the coast region as being a lazy, laid back and a

bunch of under-achievers. That is why in every forum that he stood, he spoke of his coastal heritage, Mombasa background and more precisely about Kibokoni where we were all born. All of you have said so many great things about him, but I knew him quite personally because I was born in that household too because, maternally, my mother was a cousin to him. That said and done, I remember one of the final conversations I had with him was about nation state.

I recall what Prof. Yash Pal Ghai said at the advent of Kenya's Independence. The concern about building a state based on ethnicity; that is, an ethno state. Prof. Ghai even said it during Prof. Mazrui's memorial. I think he was fairly very kind to the former President Kibaki. I recall his very kind remarks telling me that you, probably, will never see a Head of State of this nature. He called him Africa's political gentleman. Just one or two years into this regime, I believe it is difficult to find another Kibaki in the foreseeable future. Why was he very cordial about Kibaki? He felt that as a President, he recognized his excellence in academia. His first substantive appointment in the field of academia that he got in his own country was given by former President Kibaki. He did his best to discharge that responsibility.

Mr. Temporary Speaker, Sir, Prof. Ali Mazrui was a man full of humour. His humour transcended most of our expectations. Outside the public gallery, he would be a very easy. He was down to earth kind of a person. He was very amiable and very focused in terms of encouraging young people to pursue their education with excellence. I recall when I was chased from the university, he was really interested that I join one of the universities in the USA so that I could be away from the constant humiliation and that my study programme could not be interrupted adversely.

However, I believe at that time, I was too focused on studying law. I did not want to do the Jurist Doctorate degree which would have meant that I first do a basic degree.

Mr. Temporary Speaker, Sir, it is befitting to erect a monument to honour Prof. Ali Mazrui. In Mombasa, the leadership is talking of the possibility of starting an Ali Mazrui Institute of Government or political science or as faculty in one of the existing institutions because that is what would be befitting of his legacy and not necessarily to erect a monument or name a road after him which is a very standard practice. We should do something which will capture what he really stood for and lived for.

Mr. Temporary Speaker, Sir, as we eulogize Prof. Mazrui, let us not have the hypocrisy to talk about his great notions; the things he represented and yet did the reverse of what he stood for. Therefore, as we eulogize Prof. Mazrui and say all these nice things about him, I think what would be the greatest challenge to all of us to ensure that we live his legacy.

We should live on the tenets of democracy, fair play, justice and human rights. Most important – many people tend to underestimate – is the courage Prof. Mazrui had. He wrote countless on African dictatorships. Most recently, he had gotten quite actively in Islamic activism; talking about the Jews State and the humiliation of the Palestinian people.

It is important in life when you see victimization anywhere, you talk with candor. You remember the wise words of Malcolm X; "injustice anywhere is a threat to justice everywhere". Therefore we must broaden our discourse to be more global and that is why the Motion by Sen. (Dr.) Khalwale about South Sudan is in place. Therefore, we should

be a country and a people who can export values more than just some kind of reckless activism and diplomatic interactions that really bear Kenya no fruit or moral leadership across the world. If we need moral leadership, we must now be able to be in a position to export values. Let people know that it is best done in Kenya when it comes to governance and justice. We should speak against evil wherever it is because, for example, just because you are the Senator for Laikipia, it does not preclude the fact that you can talk about injustices anywhere. These injustices affect Muslims, Christians, your tribesmen and women, people of the African continent or otherwise. More importantly, Africa must open a new chapter and stop lamenting about what the “white” people did, but see what we can do as African people to ensure that we blockade our continent rightfully in its place of history.

Mr. Temporary Speaker, Sir, the whole of Mombasa mourns this great professor. He has made us proud and as Sen. Billow said, many members of his family, including his father have left a legacy of intellectual dominance. Many Chief Kadhi have come from the Mazrui family. That does not mean that nobody else has that capacity. What it is, is that the family believed so much so in the intellectual quest. I think it is important for us to ensure that we nurture a very vibrant and educated population that will be the best tools of resistance and development for this country.

I beg to support the Motion and on my behalf and on behalf of the people of Mombasa thank him profoundly for having deemed it appropriate to suspend the business of this House to discuss this great man and legend.

Sen. (Prof.) Lesan: Mr. Temporary Speaker, Sir, let me also take the opportunity to condole this great scholar of this country who has since rested. I join the rest of my colleagues who have expressed very wonderful words about this scholar who is a native of our country.

I had the opportunity to see Prof. Mazrui only one afternoon for about five minutes at the University of Nairobi in 1973. This, in fact, was the afternoon that he had his last activity in that university. That time there was a lot of academic freedom in the University of Nairobi.

We valued individuals like Prof. Mazrui who made us exercise our minds. One of the ways he got the students to exercise their minds was the questions he posed to them. I think it is one of the questions that he posed to them that sent him into exile. He posed a question which depicted Jomo Kenyatta as the last colonial Governor of Kenya. I think for those who were there at that time, that period of time it was very offensive for those who were outside the university, but for us who were in the university, this was a very good topic to exercise our minds. It was an opportunity to express ourselves without jeopardizing the Government that was there. Unfortunately, I think this is the kind of thing that sent this scholarly individual out of this country. It was very unfortunate.

Mr. Temporary Speaker, Sir, I think it is because of what happened to Prof. Mazrui, that we should learn to be tolerant to some of these divergent opinions and try to find out more about others. We should find out what it is that Prof. Mazrui had that other people could see that we could not see here until his death. We know that brain power is really what builds the superpowers. I think if we recognize this earlier, we would know that brain power does not grow on land or trees; it is inherent in individuals. I think we

should learn to recognize and appreciate these individuals early enough so that we can reap the greatest benefits from them.

We know that the existence of superpowers is as a result of individuals. There are individuals who can calculate a parabolic question that can send a missile to the moon or shoot a target which is many kilometres away. This is how superpowers express their power all over the world simply because we have individuals who have the brain power to be utilized in that manner.

I regret that in this country, we have not been able to recognize and appreciate those individuals who are gifted with this kind of brain power. We know there are many Kenyans around the world who are not directly benefiting our country because they are serving in other countries. This is one of the things that we should address as early as possible so that we can maximize the benefits of these individuals both as living examples within us rather than just reading them in books. I, therefore, join my colleagues in condoling Prof. Mazrui for who he was and also urge my colleagues from the coast to actually do a monument of some kind in honour of Prof. Mazrui. It should not be a monument on the roadside, but an institution that will carry the name of this individual so that even if we will not be able to see him physically, we will see the monument and, probably, this would encourage us to value such individuals in time. For those Kenyans who are still out of the country, we should at the earliest time possible bring them back home when they are still alive rather than wait until they are dead.

I condole Prof. Mazuri's family, may his soul rest in peace as we continue to remember and value his virtues which he has left with us. Thank you.

Sen. (Dr.) Zani: Mr. Temporary Speaker, Sir, I stand to pay tribute to a great leader of this country and a great leader from the coast. He was a role model, especially to the people from the coast. He transcended right from the region to the country and into the international realm. There is no Kenyan who does not know Prof. Mazrui. Everybody associates the name of Prof. Mazrui with the great work that he did. He was such a hard working person, full of humility and with a lot of energy and focus. He was never ashamed to speak about an issue just because nobody else was speaking about it for as long as he felt that, that issue was important. Indeed, as an academician, he is well renowned for the intellectual input in terms of publications and books. He had written a total of 30 books. That is no mean feat. Therefore, even in the sort of topics and issues that he dealt with, the forthrightness, he put into these issues shows the academic effort he put in to ensure that his thoughts and ideas were passed on. One of the key things that he always communicated was about the empowerment of the African continent. With everything that is associated with it, he still looked at the positive aspects of it and what good could come out of it. Indeed, in 1967, he wrote a book *Towards a Pan African Society*. What he had in mind was that Kenya and all other countries within Africa should identify what their issues are, then have an ideology and a methodology of solving problems. He said that African nations should remain united rather than divided. In that quest, he made very many communications all the time, especially in the media. He was very forthright and always came forward to talk about African affairs. He never shied away from the issues. Indeed, he also wrote about two presidents; Kwame Nkrumah and Nelson Mandela, as an epitome of what African leadership can be. He wrote about these two also as a way to encourage other states that had not reached the level of these two

countries so that the people could begin putting their countries first and to put the ideals of those countries before their own ideals.

Mr. Temporary Speaker, Sir, indeed, throughout most of his writings, he had three inter-connected strands that he always talked about; one, indigenous traditions – and he never shied away from them – right from his religion.

He was born a Muslim. He remained a Muslim right from the coastal cultures and traditions. Even while he was in the USA, he still kept close to his community. He kept calling his friends and relatives. He kept on visiting people and he opened up his home, especially for those who were going to the USA for the first time. So, he kept those indigenous traditions, especially those from the coast; that is, friendliness towards people and respect towards elders. This was an epitome of a foundation that he was very proud of and which he upheld throughout his own life.

Mr. Temporary Speaker, Sir, Prof. Mazrui kept to his Islamic faith and he was very keen on it. Indeed, many of his writings are on the same Islamic faith. So, he not only practiced the religion of Islam, but he also talked about it, discussed about it and wrote about it, so that people would understand it. Yet he was also critical, for example, in looking at issues of terrorism or extremism.

He would actually try to contextualize issues so that it is not seen as a religious issue, but it is put completely aside. Therefore, he educated people and tried to make sure that people tolerated each other. In fact, one of his main outstanding attribute was that of humanism. For Prof. Mazrui, the dignity of all human beings was the key thing.

It did not matter the religion, gender, where you came from or the race; all these did not matter. The most important thing for him was the humanity and the dignity of a person. He kept that dignity himself by being and living a very simple and very down to earth sort of life, where he saw and looked at things from a very simple perspective. Indeed, even when it came to amassing wealth, we have read and we were told that he is not the person who amassed this wealth. In fact, at the end of the month with his salary, he would give it away and said “let us just wait for the next month and we pick it up from there.” That should be a lesson because sometimes we spend too much time amassing wealth and we forget the key lessons about humanity, which are key and instrumental in our lives.

He also spent a lot of time also talking about the need to free ourselves from the colonial past and to think about a development trajectory that removes those ties from that colonial past, be it in the form of the actual colonialism or in the form of neo-colonialism. Therefore, he advocated a renewal and an enlightenment of Africa, starting afresh, starting anew and focusing on what is good in Africa so that people could move to the next level.

Throughout most of his life, especially in America for over 40 years, the real themes of racism and oppression were not only themes that he wrote about, but probably things that he felt as well. But, again, in his very articulate and humane way, he still discussed this and encouraged others to live beyond that. In one of his writings, this was very key, apart from the two presidents that he wrote about – Kwame Nkrumah and Nelson Mandela – he also did some work on Barrack Obama’s father, I guess as a way of really showing what good can come from Africa. So, he was always very positive, very enlightened and

very focused in dealing in matters Africa all the time. He remained with those ideologies right through.

Mr. Temporary Speaker, Sir, he advocated for the Pan African Movement and he wanted to have a full unification of all the peoples of Africa – that was very important. But within that, he removed and did not want to have any form of extremism. I think one of the things that stand out most was his level of fairness in terms of his dealing with people. First of all, treat the other person first as a person rather than thinking about what you are going to gain as an individual. So, again, it is that level of humanity and hospitality that is very important. He was also not shy to move away from within his realms in terms of interaction.

Both the wives that he married were non-Muslims and from different continents. That shows the level of outreach that he had in terms of communicating with other people and giving out what he had to share. Indeed, I think even us, from the coast, have not paused enough to appreciate this great son from the coast. We need to even have courses within primary schools; we need to acknowledge him as a hero; we need to keep on talking about him; we need to have writings put out so that we actually showcase and say that from the coast, we have produced Prof. Mazrui; from the coast there will be many other Prof. Mazrui's and it is possible. I think we need to nurture the talent. He acted as a true role model. Therefore, we only have to look at what he did, his capacity, what he was able to put in because we have a route and a path to follow. From the coast, we can stand up and say that we are proud of Prof. Mazrui. From an academic point of view, he is a well renowned person. He was Vice Chancellor in various universities and he worked hard. I remember once meeting Prof. Mazrui when I was in Oxford, in the UK, where he was presenting a paper and we had a chance to talk. From the way he spoke about that paper and from the input that he put into that paper, you only saw humility. But through that humility, there was great academic experience and great knowledge.

In conclusion, Mr. Temporary Speaker, Sir, Prof. Mazrui was a model of integrity and decency. May the Lord rest his soul in eternal peace; may Allah rest his soul in eternal peace. Thank you, Sen. Wetangula, for giving us this chance to pay tribute to our great leader, Prof. Mazrui.

Mr. Temporary Speaker, Sir, I beg to support.

The Temporary Speaker (Sen. (Dr.) Machage): Proceed, Sen. Kagwe. You will have only two minutes.

Sen. Kagwe: Thank you very much, Mr. Temporary Speaker, Sir. I rise again to thank Sen. Wetangula for doing us an honour by bringing this Motion.

Mr. Temporary Speaker, Sir, it was Abraham Lincoln who said many centuries ago that “in the end, it is not the years in your life that count; it is the life in those years.” Clearly, Prof. Ali Mazrui had a lot in his life. It is not just as he lived to the ripe age of 81 but, clearly, in those 81 years, he did a lot for himself and for the nation, particularly for the country.

Mr. Temporary Speaker, Sir, on behalf of the Nyeri people, I wish to---

The Temporary Speaker (Sen. (Dr.) Machage): Sen. Kagwe, I think I will give you more time; *wewe ni msomi*. Speak for all your 15 minutes.

Sen. Kagwe: Thank you very much, Mr. Temporary Speaker, Sir. I was hard put to try and finalize. I wanted to thank Sen. Wetangula and sit down, but thank you for your generosity.

Mr. Temporary Speaker, Sir, on behalf of the people of Nyeri and, indeed, on behalf of those of us who feel very strongly about Prof. Ali Mazrui and his contribution, I also wish to condole the family and, indeed, the people of this great Republic. It is not often that we rise to mourn and eulogize academicians. Usually, what we do is mourn and eulogize politicians. But it is in the spirit that Sen. Wetangula has brought to this House that we begin to recognize that leadership is not just political leadership. Prof. Ali Mazrui was a global leader and a global citizen; but he had nothing to do with elective politics as such. Therefore, it is good for us to note that and encourage young people, particularly the people in the coast region, to note that you can come from any background and you can start from any step. It is the Chinese who say that “the journey of a thousand miles start with the first step.” This is exemplified in what Prof. Mazrui has done; from a small village somewhere in the coast that Sen. Hassan has explained to us all the way to universities in Manchester, United States of America and back again to Oxford in the United Kingdom. This is encouraging. It is the song we should sing to our young people. This is the song that should permeate throughout our nation so that people can see that irrespective of where they come from, they can go places and that in this country, given the opportunity, our young people can be achievers as, indeed, Ali Mazrui was.

I congratulate Sen. Hassan and the Committee that put together the funeral arrangements for Professor Mazrui. However, we must remember that only when it is dark can you see the sun. Sometimes, when we are speaking, we do not praise those who have achieved. For example, on Mashujaa Day, many names were mentioned. It is in keeping with that spirit that I will agree with one Senator who said that even as we have Mashujaa Days in our counties, we should also remember and recognise the people in those counties who are doing great things. We can mention many names and others who have gone before us. It is good to recognise and praise those who are with us.

Often, in our cultures, even the words “thank you” are not used often. We do not say, thank you, Senator, for what you have done for us. Even amongst the citizenry, no matter what you do, often what you get is criticism. You do not get any praise. The Senators here can give numerous examples of things they have done.

That behavior continues to permeate in leaders and to the nation as a whole. We do not know how to praise. We do not also know how to recognise those people amongst us who have done great things; not just for our communities but, in fact, for our country and perhaps further than that as Prof. Mazrui did. Look at what our athletes do. When you go with an athlete to a place like London, New York or Boston, you will find that this athlete is much more recognised than anybody around you. However, here in Kenya, there is no recognition of such people. I would like to encourage, in memory of Prof. Mazrui, that we adopt an attitude of praise for our heroes and an attitude of saying thank you. Let us adopt an attitude of appreciating each other as a people away from anything that divides us. We should recognise more what unites us as, indeed, Prof. Mazrui did.

The Temporary Speaker (Sen. (Dr.) Machage: I will give some latitude. I think there is one more request.

Sen. Chelule: Asante sana, Bw. Spika wa Muda, kwa kunipa nafasi kuunga Hoja hii mkono ambayo imeletwa na Sen. Wetangula. Kabla sijatoa risala zangu za rambi rambi, ningependa kumpongeza Sen. Wetangula kwa kufikiria kuleta Hoja hii ili tuzungumze kama viongozi na Maseneta wa nchi hii.

Ningependa kutoa risala zangu za rambi rambi kwa jamii na marafiki na watu wa Kaunti ya Mombasa kwa kupoteza mtu ambaye alikuwa msomi na mtafiti. Mimi najua kwamba utafiti wake na usomi wake umewajenga wananchi wa nchi hii. Yeye alitunyeshia uzalendo hata ingawa alipitia shida nyingi. Ingawa aliishi katika nchi ya nje, alionyesha uzalendo mwingi. Kama Seneti na viongozi wa nchi hii, yeye anafaa kutambuliwa.

Ningependa kusema pia haya tu hayatoshi. Wakati mwingine, tunafaa kuwatambua wale ambao wanaifanyia nchi hii kazi. Kuna wale ambao wameeneza mambo ya amani katika nchi yetu na mambo mengine ambayo yametusaikia katika nchi ya Kenya. Ningependa kuchukua nafasi hii kumshukuru Seneta ambaye amelea Hoja hii. Ningependa kuwashukuru wote ambao wameongea kuhusu Hoja hii. Ninatoa rambi rambi kwa niaba ya Kaunti ya Nakuru.

The Temporary Speaker (Sen. (Dr.) Machage): Yes, Sen. G.G. Kariuki.

Sen. G.G. Kariuki: How many minutes, Sir?

The Temporary Speaker (Sen. (Dr.) Machage): You have five minutes.

Sen. G.G. Kariuki: Thank you, Mr. Temporary Speaker, Sir. I would also like to be counted as one of the people who have spoken about Prof. Mazrui. My concern is that at times, people seem to see things in different ways. We are now talking about what he has done which has nothing to do with our work here today. What has been done is already recorded. Whatever this gentleman has done is already recorded. He has done very well in his line of development. We need to ask ourselves what we have learnt after all the work that this gentleman did. Now that he has passed on, what have we learnt from him? What have our children learnt from this gentleman? Is it just to come here and pay tribute and that is all? I think we need to grow a little bit wiser than that and think more critically than what we are saying here. The man has shown the whole world and particularly Kenyans that we can achieve anything we want to achieve as long as we are determined and as long as we have a vision.

Prof. Mazrui had a vision that one day he would become a professor, producer and not just a consumer in the field of education. That is what he had done. We are consumers of all the books that he has written. The guy died as a producer. Therefore, he has a big name as far as our lives are concerned. We must start thinking of people who are like him in this country and who have done better than him and yet are still around. Why should we wait until they die so that a Senator brings a Motion to say *kwaheri* to him? That could be human nature as far as our society is concerned. However, there is need to start marking and establishing people who are worth this kind of tribute either in the House or outside the House. It is important for our children to know that once they compete successively and become what they want to be, there will be good life after that. They will be recognised and their grandchildren will also know that they had a father who was like this or that. I think we need to go beyond that so that we can be respected by the people who think that we can do better than them.

Mr. Temporary Speaker, Sir, contribution in this world can come from any quarter. Prof. Mazrui was never a Member of Parliament or president of a political party or a republic like Kenya. But he will forever be remembered because of the record that he has left behind. Whether or not we want to praise him, he had already prepared for his praise during his lifetime. It is not only Prof. Mazrui who has contributed to this nation. There is contribution by other people in business, academia, sports and Christianity. All these people need to have their place in this country, so that our children will have something to emulate and say:-

“If I work so hard, I will one day be the Speaker, Deputy Speaker or Temporary Speaker of the Senate.”

That is a very good example. But as it stands, once you exit Parliament, no one will ever remember that you were in that Chair. It will appear as if you are dead. We must change our perception and approach on how we appreciate our heroes. Our heroes cannot only be found in the political field, but everywhere. Even the paratroopers and General Service Unit officers can be heroes, including sportsmen and women. We have people like my friend, Sen. Njoroge, who is here. They can be recognized for what they have done. But human beings are behaving just like animals. Once you go, you are forgotten and nobody remembers you. We have to find a way of reminding people that you have been here. That is why some of us try as much as possible to do a lot. Whether you like it or not, I will still be here. Prof. Mazrui will be remembered for many years to come, because you will never change what he has written. We are not doing any justice to Prof. Mazrui here. We should do justice to those who have not qualified academically and wish to be like Prof. Mazrui.

Mr. Temporary Speaker, Sir, I thank you for allowing me to say a few words. At first, I was wondering whether I would say anything, because we keep on talking about things and they just pass.

Thank you, Mr. Temporary Speaker, Sir.

Sen. Elachi: Mr. Temporary Speaker, Sir, I also rise to eulogize, pay tribute and send my sincere condolences to the family of the late Prof. Mazrui.

Mr. Temporary Speaker, Sir, this is a scholar who built many of us. We celebrate an icon who believed in the African Continent and education as the only way of changing lives. Prof. Mazrui who was born in Mombasa leaves behind a rich legacy which I hope Mombasa County will benefit from and build on. I hope that the county will prioritize education.

Prof. Mazrui uplifted Kenya not just in Africa, but even in the international community. For those who studied in Kenyatta University and other universities, his memories will always remain because of the books that he wrote. Therefore, we will always remember Prof. Mazrui whenever we walk into a classroom. We should also try our best to follow his footsteps. We hope that we shall have different scholars who will continue with his legacy in writing books.

In Kenya today, I think that everyone has a story to tell, especially those who have had a privilege to go through higher education.

We know that Prof. Mazrui mentored many students. In the United States (US) and Nigeria, he will be remembered for bringing out the history and heritage of Africa. I hope that, as a country, we can learn lessons from what he taught and believed in. Prof.

Mazrui believed in peace and dialogue. He knew that you can negotiate, lobby and conquer whatever you want through a document; that you can present a document and that document will transform the minds of every person to think positively. I hope that we can emulate that. We should be able to look at different ways of managing crisis in Kenya and Africa as a whole. That is what Prof. Mazrui believed in.

Mr. Temporary Speaker, Sir, today, we celebrate a man who was never involved in corruption. I hope that we can borrow that virtue from him. For him, corruption was not part of his life. As a leader, there are those values and principles you must have. Prof. Mazrui had those principles. I just hope that as young people, we will be able to do the same.

The other value that Prof. Mazrui taught us is respect of those who have done us proud. As one of those *Mashujaas*, we hope that we will continue to respect, appreciate and support each other in whatever we are doing.

I hope that within the academic institutions, we will look at what he taught us and go back to the different values and principles that we had those days. We should see students coming out of the university transformed and ready to be patriotic to their country as he was. When you read his books, you will learn to believe in yourself and have faith in whatever you do. Whatever you do, let it be a service to others.

You should not manipulate situations to get what you want, but use the right process which is passing examinations and getting what you want through merit. That is what he believed in. He has left us with a new Constitution that can transform all that we believe in. He has left the country richer and it is up to us now to ensure that we safeguard what we have gained as a country. It is up to us to support the Government of the day so that this country moves to a different level where Kenya is not the tail but the head.

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

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

Madam Temporary Speaker, when you look at the way Kenyans are sacrificing to build their country and pay tax in order to get services, it is up to us, as leaders, to ensure that they are given a better life. Prof. Mazrui believed in transforming someone to a better person. The best we can do is to condemn the different violations that we see. In know that he is one of those Muslims who did not believe in radicalization. He believed in having a peaceful country and I hope as Kenyans, we will continue with that.

He came from a big family that we can learn a lot from since most of them are also scholars. He has left us a tree that will continue flourishing. It is up to us to water this tree. It is the responsibility of Mombasa County to ensure that they benefit from the tree that he has left behind. The tree of education is the key which can transform anything. That is the only tree that we believe in and that is why education is our paramount agenda as we move on and as we transform our country.

Ladies will remember him for the books he wrote on women empowerment. He believed that women are the better gender in family and when you educate one, you have educated many others. When you read his books he believed that every child has a special

way of doing things. You cannot change what is not there, but you can change a child to become better when you start thinking positively and when your mind set is positive.

Madam Temporary Speaker, he also taught us that the imagination in our minds is what will set us free. Therefore, if you imagine negatively, you will remain negative. But if you imagine positive things or higher, then you will find yourself at a different level in terms of development. While we know the challenges Mombasa has faced, I hope the county government will move fast and see how they can assist our people at the grassroots level. We should empower them by using the resources that we have. In some of Prof. Mazrui's books, he did not believe that money is everything. He believed that every person can offer their services to society. There are those people who commit their time on certain tasks which is a better service than even the money and that is why he lived a simple life. I hope those of us who have been left behind can learn to live simple lives that will transform many people. We should live humble lives. I think that is what most of us believe in. As we move on, I hope that we will always remember and celebrate him in different learning institutions that we have in the years to come.

I beg to support.

Sen. Murungi: Thank you, Madam Temporary Speaker. I want to take this opportunity to thank you very much for giving me the opportunity to pay tribute to what for now is the greatest Kenyan scholar who ever lived.

I personally knew the late Prof. Ali Mazrui. I spent some time with him when we met in conferences when both of us were in the United States of America in the 1990s. He used to tell us about the difficult years that he had in Africa those days. When somebody dies, it is very easy to see only the good circumstances that he went through, but sometimes we forget the difficulties that people go through.

Madam Temporary Speaker, Prof. Mazrui would have very much wanted to teach at our own University of Nairobi, but it was made practically impossible for him to teach at the University of Nairobi because of the backward and retrogressive politics that this country was playing at that particular time. The only time that Prof. Mazrui came to speak at the University of Nairobi is in the early days of President Moi's regime. He had come from Uganda and was just passing through because although he had made Uganda his residence, the politics of the murderous regime of the late President Iddi Amin would not allow him to continue being the Chairman of the Faculty of Political Science at Makerere University.

Prof. Mazrui developed a theory which he came to propound to us, then as students of the University of Nairobi. He said that East Africa has three traditions; the sage tradition where as a philosophy king ruling in one country, that country then was Tanzania under the late President Nyerere. According to Prof. Mazrui, he was a wise man and philosopher King of East Africa. He also said that there was also the tradition of the warrior and Iddi Amin then represented the warrior tradition where you rule not by consent of the people but by virtue of either your personal strength over the others or by virtue of others fearing you. Then there was the third tradition which he called "the elder tradition" and the elder tradition was Kenya and then the late President Jomo Kenyatta. He said that under the older tradition, one did not have to be wise, but it was assumed that by the very passage of time, you would have acquired enough experience for you to be a good ruler. This is what he accorded the late President Jomo Kenyatta. Being the oldest

of all the presidents in East Africa then, President Jomo Kenyatta was supposed to be the most experienced of the presidents. So, this is a summary that Prof. Ali Mazrui gave of the political leadership of East Africa at the time he was leaving East Africa to go and live in exile in the United States of America (USA).

Madam Temporary Speaker, a lot of intellectuals and academicians of this country are non-committed. They are people who do not even believe what they teach. They are people who do not practice what they teach. This very term “professor---”

Sen. (Dr.) Zani: On a point of order, Madam Temporary Speaker. Is the Senator in order to allude that some of the professionals and academicians do not believe in what they teach? Is it possible for him to substantiate that claim?

Sen. Murungi: Madam Temporary Speaker, I know that our friend, Sen. (Dr.) Zani, is a lecturer at the university. Of course, we really commend her and all the scholars in this Senate. But I was very careful in the language that I used; I said “some” and you are not included in that category.

Madam Temporary Speaker, there are some people who have been talking about democracy but they do not believe in democracy. There are other academicians who are academicians for hire. If the donors call them and tell them “this is where the funding for this year is, we would like research to be done along this area,” even if they do not believe in what they are supposed to come out with, they will listen to what those who are paying them want to be the outcomes and then they will proceed and do research – I would call it “kangaroo” research because it is done to justify what their paymasters want. So, that is what I meant by people not believing or practicing what they teach. We had very many cases like this in the 1990s. You saw a lot of professors coming out in defense of the one party rule and even saying there was democracy within the one party rule when all of us knew that it was not possible. We knew that it was a contradiction in terms for there to be democracy in an undemocratic situation. So, Prof. Ali Mazrui at least voted with his feet; he left this country when he found that there was no space for him to align his beliefs and the realities of East Africa.

Madam Temporary Speaker, if you look at Ngugi wa Thiong’o’s book, there is a photograph of Prof. Ali Mazrui carrying a huge placard in London during a demonstration protesting the detention of Ngugi wa Thiong’o without trial, I think in 1978 or thereabouts. So, this is the thing I am talking about; a committed scholar. Prof. Mazrui was not a leftist; he was not a Marxist, which was inferred those days. He believed in liberal democracy and I think he went to support Ngugi wa Thiong’o not because they agreed ideologically, but because he felt that irrespective of your beliefs, you should fight for freedom of speech. That is why he joined those who were picketing in front of the High Commission of Kenya in London in defense of the freedom of speech.

Madam Temporary Speaker, as we pay tribute to Prof. Ali Mazrui today, let us remember that the forces which forced him out of this country and the ideologies which made it impossible for this great Kenyan scholar to teach in Kenya could come back again and force other academicians to follow the same path as Prof. Mazrui.

Madam Temporary Speaker, we should not just sing and glorify Prof. Mazrui as a hero when he is dead; we should have sung and glorified him when he was alive. I want to thank the former President of this country, President Mwai Kibaki, because he is the

one who recognized Prof. Mazrui. He called him from exile to come and become the Chancellor of Jomo Kenyatta University of Agriculture and Technology (JKUAT) in those days. If you want to pay accolade to our scholars, if you want to recognize great Kenyans, let us not wait until they die and then we say how great they were. Let us recognize them as great people when they are alive. Where I come from, we say “why do you come with flowers after I am dead when I cannot see the flowers? Why do you come to my funeral in big motorcades after I am dead when while I was alive, you could not even shake hands with me?”

(Sen. G.G. Kariuki spoke off record)

Madam Temporary Speaker, Sen. G.G. Kariuki is a very wise man. He tells me that the people come with these flowers and motorcades as a form of demonstration against death.

(Laughter)

That can very well be true. But I think death is finality; death is the logical end to life. So, whether you come with motorcades and flowers to demonstrate against it, even you who is coming with those flowers, you are going to die one of these days. It is just a matter of time. Since we all know that we are going to die, what I would like to commend Prof. Mazrui for is the legacy he has left behind in terms of the number of books and even the movies that have been made in promotion of African Culture. One of the things that the colonial government tried to destroy was the culture and traditions of our people. Prof. Mazrui went to their very own capitals saying that even we, Africans, have our own history; we have our own culture, we are human beings just like you and we are different. That is why he was not ashamed to marry two wives; that is why he was not ashamed to be what he was – an internationalist but still very much a boy from Old Town in Mombasa.

I think this is the greatest thing; he was not corrupted by the great bright lights of western civilization. This is a man who remained a true African to his death. I think this is a lesson that our scholars should learn. Some people go to the United Kingdom (UK) or the United States of America (USA), spend, only three years there and when they come back, they pretend not to know their local language. I think that those are the people who should learn lessons.

With those remarks, allow me to pay my greatest tribute to this great scholar.

Sen. Njoroge: Thank you, Madam Temporary Speaker, for giving me this opportunity to pay tribute to Prof. Ali Mazrui. One, I would like to send my condolences to the family of Mazrui. I really want to use very few words simply because I did not know Prof. Mazrui well. However, I join and support other Members of this Senate and their sentiments in praising the good part as far as the late Prof. Mazrui is concerned. The other thing that I have just noted from my colleague Senator for Meru is that Prof. Mazrui respected African culture because he ended up marrying two wives; which is an African culture, a culture which ought to be respected by others. That is something which is very

encouraging because as we try to move away from our culture, Prof. Mazrui remained with that kind of culture and that is being patriotic as far as culture is concerned.

As I have said, I would like to use those few words because much has been said by the other Members. I normally do not like to speak much after someone has passed on and yet I do not know him.

Thank you Madam Speaker, I support.

The Temporary Speaker (Sen. Ongoro): There are no further requests to speak on this matter. According to Standing Order No. 72, this matter does not affect counties. Therefore, I will proceed to put the question.

(Question put and agreed to)

BILLS

Second Readings

THE GOVERNMENT PROCEEDINGS (AMENDMENT) BILL (SENATE BILL NO. 10 OF 2014)

The Temporary Speaker (Sen. Ongoro): Where is Sen. Mutula Kilonzo Jnr.? Is he not here? That Bill is deferred.

(Bill deferred)

THE COUNTY GOVERNMENTS (AMENDMENT) (NO.4) BILL, (SENATE BILL NO. 18 OF 2014)

The Temporary Speaker (Sen. Ongoro): Sen. Kipchumba Murkomen is not also in the House. That Bill is deferred.

Let us move to the next order.

(Bill deferred)

THE PUBLIC APPOINTMENTS (COUNTY ASSEMBLIES APPROVAL) BILL (SENATE BILL NO. 20 OF 2014)

The Temporary Speaker (Sen. Ongoro): Sen. Steward Madzayo is not in the House. That Bill is deferred.

Let us move to the next order.

(Bill deferred)

THE PARLIAMENTARY SERVICE (AMENDMENT) BILL
(SENATE BILL NO. 21 OF 2014)

Sen. Murungi: Thank you, Madam Temporary Speaker. The Parliamentary Service (Amendment) Bill (Senate Bill No. 21 of 2014) is my Bill. The purpose of this Bill is to amend the Parliamentary Service Commission (PSC) Act so that we can recognise the Senate. This Act was passed when the Senate was not there and we thought that it was good that the PSC creates two streams; one stream to look after the affairs of the National Assembly and the other stream to look after the affairs of the Senate.

The Bill was prepared, read for the first time before this House and was committed to the Committee of Legal Affairs and Human Rights of which I am a Member. However, the Committee has not yet taken this Bill through public hearings.

The Temporary Speaker (Sen. Ongoro): Senator, let me interrupt you. Are you moving this Bill?

Sen. Murungi: No, Madam Temporary Speaker. I was giving background as to why I am seeking the deferment of this Bill---

The Temporary Speaker (Sen. Ongoro): Okay, because if you were moving, I would have taken note that you are not following the right procedure. But if you are seeking something else, then just proceed.

Sen. Murungi: Madam Temporary Speaker, I am saying that the Bill is not ready because it has not gone through the necessary steps under our Standing Orders under which the Committee is supposed to invite the public for their opinion. I am, therefore, requesting that the Bill be deferred so that the necessary procedure can be followed.

The Temporary Speaker (Sen. Ongoro): That is accepted. The Bill is deferred to a later date. The Clerks-at-the-Table have taken note of that.

(Bill deferred)

Let us move to the next order.

THE POTATO PRODUCE AND MARKETING BILL
(SENATE BILL NO.22 OF 2014)

The Temporary Speaker (Sen. Ongoro): Yes, Sen. Murungi.

Sen. Murungi: The Mover of this Bill, Sen. (Eng.) Muriuki, is not here. However, I could assist the House because this Bill is before my Committee, the Committee on Agriculture, Livestock and Fisheries. It is only yesterday that we had public participation to this Bill. We are now preparing the final amendments that we intend to incorporate to this Bill before it is brought to the House. So similarly I request that the Bill be deferred for a week or so.

The Temporary Speaker (Sen. Ongoro): Very well.

(Bill deferred)

ADJOURNMENT

The Temporary Speaker (Sen. Ongoro): Hon. Senators, I want to make reference to Standing Order No.32, and for the convenience of the Senate, order that there being no further business today, the Senate stands adjourned to Tuesday 28th October, 2014, at 2.30 p.m.

The House rose at 5.20 p.m.