

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 2nd September, 1997

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No.259

OFFICIAL CONTACT BETWEEN
OPPOSITION AND CIVIL SERVICE

Mr. Busolo: Mr. Speaker, Sir, would I be in order, in the interest of dialogue, to request you to postpone this Question until another time?

(Applause)

Mr. Speaker: Question deferred.

(Question deferred)

Mr. Speaker: Mr. George Nthenge's Question.

Question No.356

INVOLVEMENT OF CLERGY AND COUNCILLORS
IN RELIEF DISTRIBUTION

An hon. Member: Mr. Nthenge is not here.

Mr. Speaker: Is Mr. Nthenge not here? We will come back to his Question.

Question No.183

AMENDMENT OF LOCAL GOVERNMENT ACT

Mr. Kamuyu: Mr. Speaker, Sir, I would like the House to adjourn this Question for the sake of dialogue.

Mr. Speaker: Question deferred.

(Applause)

(Question deferred)

Question No.505

NUMBER OF PRIMARY SCHOOL
CLASSES IN LWANDANYI ZONE

Mr. Munyasia: Mr. Speaker, Sir, in the interest of dialogue, I beg that this Question be deferred to tomorrow.

Dr. Kituyi: On a point of order, Mr. Speaker, Sir. In the interest of dialogue, hon. Members would like to

postpone their Questions. Would it be in order that I request the Chair to seek the consensus of the House that, instead of going to individual Questions, you put the Question if that is the consensus of the House?

Mr. Speaker: I am afraid, I must go through the Questions. Let it come from the Member's own mouth.

Hon. Members: Yes. That is okay.

Mr. Achola: On a point of order, Mr. Speaker, Sir. I thought business does not start until after Question Time. So, really you are not right to say that you can put the Question.

An hon. Member: Wacha hiyo!

Mr. Speaker: Order! Order, hon. Members! I do not know where the hon. Member was when I made my ruling. Nevertheless, I will defer the Question.

(Question deferred)

Question No.585

CONSTRUCTION OF SIGALAGALA-
BUTERE-SIDIDI ROAD

Mr. Magwaga: Mr. Speaker, Sir, in the interest of dialogue, I beg to ask the Question next week.

Mr. Speaker: Question deferred.

(Question deferred)

Question No.557

ELECTRIFICATION OF COFFEE FACTORIES IN MAKUENI

Mr. Maundu: Mr. Speaker, Sir, for the sake of dialogue, I beg to ask that this Question be deferred to the next convenient day.

Mr. Speaker: Question deferred.

(Question deferred)

Question No.244

EARNINGS FROM FISH EXPORTS

Mr. Speaker: Is Dr. Otieno-Kopiyo not here?

An hon. Member: He is not here.

Mr. Speaker: We will come back to the Question later.

Mr. Speaker: Mr. George Nthenge's Question for the second time.

Question No.356

INVOLVEMENT OF CLERGY AND COUNCILLORS
IN RELIEF DISTRIBUTION

Mr. Speaker: Is Mr. Nthenge not here?

An hon. Member: Mr. Nthenge still not here?

Mr. Speaker: Question dropped.

(Question dropped)

Mr. Speaker: Dr. Otieno-Kopiyo's Question for the second time.

Question No.244

EARNINGS FROM FISH EXPORTS

Mr. Speaker: Dr. Otieno-Kopiyo still not here? Question dropped.

(Question dropped)

QUESTIONS BY PRIVATE NOTICE

ESTABLISHMENT OF ARMED
HOME GUARDS IN NYATIKE

Mr. Onyango: Mr. Speaker, Sir, I beg to ask the Minister of State, Office of the President the following Question by Private Notice.

(a) Is the Minister aware that the residents of Nyatike and Gwasi in Nyatike Constituency are currently going through a difficult time as a result of armed robbery of their engine boats and fishing nets?

(b) If the answer to "a" above is in the affirmative, could the Minister, as a matter of urgency, authorise the establishment of armed home guards to supplement the efforts of the security forces in this area?

Mr. Speaker: Anybody here from the Office of the President? We will come back to the Question later.

Hon. Members: Dialogue! Dialogue!

Mr. Ndicho: On a point of order, Mr. Speaker, Sir. There is a Minister from the Office of the President---

Hon. Members: Ah! That is not your Question! Sit down!

Mr. Ndicho: And, Mr. Speaker, Sir, I must be heard!

Mr. Speaker: Order! The rules of the House have not been suspended. They are still in force. They shall remain in force until suspended by this House. Hon. Ndicho has a right to be heard.

Mr. Ndicho: Mr. Speaker, Sir, could I ask you, in all sincerity, what is happening? I do not know! I have just come from Juja. I am seeing this for the first time. I think I need to be told what is happening.

Hon. Members: Dialogue! Dialogue!

Mr. Speaker: Order! Order, Mr. Ndicho! I know of no Standing Order which empowers a Member to ask Mr. Speaker what is going on in the minds of hon. Members! Well, we will come back to that Question later.

DISAPPEARANCE OF MR. MWANGI

(Mr. P.N. Ndwiga) to ask the Minister of State, Office of the President:-

(a) Is the Minister aware that Mr. Stephen Githaria Mwangi disappeared in Mombasa on 28th May, 1997?

(b) Is he further aware that statements have been recorded at Central Police Station, Mombasa, about his disappearance?

(c) If the answer to "a" and "b" are in the affirmative, what is the outcome, if any, of the police investigation?

Mr. Ndicho: On a point of order, Mr. Speaker, Sir. Is it not in order for the Minister to stand and say that he is not going to answer the Question in the interest of the same dialogue?

Mr. Speaker: Order! Mr. Badawy's Question!

CONTROL OF FISHING IN PROHIBITED ZONES

(Mr. Badawy) to ask the Minister for Tourism and Wildlife:-

(a) What action is the Minister taking to alleviate the suffering of Mr. Khale Kombo and his seven boat crew, whose four fishing nets were destroyed by a fishing trawler belonging to Messrs ALSECO Petroleum Limited on 30th May, 1997, since the matter has been reported to the fisheries Officer, Malindi?

(b) Could the Minister give an assurance that such frequent incidents caused by trawlers doing illegal fishing in the prohibited zones along Malindi and Ungwana bays shall be curbed by imposing stiff penalties, preferably by cancelling the culprits' fishing licences?

(c) What urgent steps is the Minister taking to introduce legislative measures to compel owners of the trawlers to compensate local fishermen, when their boats and equipment are destroyed in the

course of fishing within the authorised zones?

Mr. Speaker: Order! Mr. Badawy's Question, by prior arrangement with the Chair, is deferred.

(Question deferred)

Mr. Raila: On a point of order, Mr. Speaker, Sir. What is going to happen to the Question by hon---

Mr. Speaker: I will come back to it later!

PAYMENT OF RETIREMENT BENEFITS TO MR. KARIUKI

Mr. Mbui: Mr. Speaker, Sir, for the sake of the unity of Kenya and for the sake of dialogue in this nation, I request you kindly to defer this Question until next week.

(Applause)

Mr. Speaker: Question deferred.

(Question deferred)

Mr. Speaker: For the Second Time, Mr. Ndwiga's Question.

DISAPPEARANCE OF MR. MWANGI

(Mr. P.N. Ndwiga) to ask the Minister of State, Office of the President:-

(a) Is the Minister aware that Mr. Stephen Githaria Mwangi disappeared in Mombasa on 28th May, 1997?

(b) Is he further aware that statements have been recorded at Central Police Station, Mombasa, about his disappearance?

(c) If the answer to "a" and "b" are in the affirmative, what is the outcome, if any, of the police investigation?

Mr. Speaker: Mr. P.N. Ndwiga still not here?

An hon. Member: He is still not here!

Mr. Speaker: Question dropped.

(Question dropped)

Mr. Speaker: Mr. Githiomi's Question.

PAYMENT TO BRUSH ENGINEERING COMPANY

Mr. Githiomi: Mr. Speaker, Sir, in view of the fact that we are going to discuss a very serious issue concerning this country, and in view of the fact that we are going to do dialogue on constitutional changes, I beg to ask that we defer this Question.

Mr. Speaker: Question deferred.

(Question deferred)

ESTABLISHMENT OF ARMED HOME GUARDS IN NYATIKE

Mr. Onyango: Mr. Speaker, Sir, for the Second Time, I beg to ask the Minister of State, Office of the President the following Question by Private Notice.

(a) Is the Minister aware that the residents of Nyatike and Gwasi in Nyatike Constituency are currently going through a difficult time as a result of armed robbery of their engine boats and fishing nets?

(b) If the answer to "a" above is in the affirmative, could the Minister, as a matter of urgency, authorise the

establishment of armed home guards to supplement the efforts of the security forces in this area?

Mr. Speaker: Is there any Minister ready to answer Mr. Onyango's Question?

The Assistant Minister, Office of the President (Mr. Manga): Mr. Speaker, Sir, the Minister who is supposed to answer this Question is right now involved in this issue of dialogue and therefore, on his behalf, I am requesting that this Question be asked next week.

(Applause)

Mr. Raila: On a point of order, Mr. Speaker, Sir. To my knowledge, dialogue is not yet officially a business of this House. Is the Minister of State, Office of the President justified in using dialogue as an excuse for refusing to answer a Question by the hon. Member?

Mr. Speaker: Order! Let me ask you one question hon. Raila, because I have heard that word most of this afternoon. What dialogue are you talking about?

Hon. Members: We do not know, it is for you to tell us!

Mr. Speaker: Well, Question deferred.

(Question deferred)

Next Order.

BILL

Second Reading

THE CO-OPERATIVE SOCIETIES BILL

(The Minister for Co-operative Development on 27.8.97)

(Resumption of Debate interrupted on 28.8.97)

MOTION FOR ADJOURNMENT OF THE HOUSE UNDER STANDING ORDER NO.22

MEMBERS TO ATTEND DIALOGUE TALKS

The Minister for Labour and Manpower (Mr. Masinde): On a point of order, Mr. Speaker, Sir. I stand on a point of order under Standing Order No.22 and beg to move that this House do now adjourn until tomorrow, Wednesday 3rd, September, 1997, at 2.30 pm

As you can observe from the mood of the House, most of the hon. Members from both KANU and the Opposition, are treating the dialogue issues and reforms with a lot of seriousness. They had a meeting this morning, and in view of the seriousness of the issue, as you can see, many of them have offered to postpone their Questions for another day because of this very important subject, which is affecting the nation as a whole. It is a matter of life and death for our people and in view of this, I would like to request and move that this House do now adjourn because the nation is watching their Members who have been elected to this House, to see which way they are taking them. Obviously, we want, as hon. Members of this House, to make sure that we lead the nation to peace, unity and prosperity and not to destruction.

Having said that, Mr. Speaker, Sir, I beg to move that this House do now adjourn to give the hon. Members an opportunity to discuss the issue.

I would like to be seconded by hon. Shikuku.

Mr. Speaker, Sir, I beg to move.

Mr. Shikuku: Ahsante sana, Bw. Spika. Sisi ndio viongozi waliochaguliwa na watu wa Kenya. Na ni wajibu wetu kama Wabunge kuongoza na kuona kwamba wale tunaongoza hawapatwi na mabaya, bali wapatwe na mazuri. Hiyo ndiyo kazi yetu. Hatukuchaguliwa kuja hapa Bungeni ili kusema yale yataangamiza wananchi waliotuchagua. Tumechaguliwa kuja kulinda maisha na mali ya wale waliotuchagua. Hivi majuzi, hapa Kenya kulikuwa na heka heka, na nimetembea nikiwahoji wananchi wa Kenya na sijapata hata mtu mmoja anayesema tuendelee na fujo au tupigane. Wote wanasema tuzungumze.

(Applause)

Tulichaguliwa na wananchi, na tunalipwa mshahara kuzungumza hapa, si kupigana ngumi wala kupigana kwa mawe. Tumepewa fursa ya kuwaakilisha watu kwa kusema, na tunalipwa kwa kuzungumza, si kwa kupigana ngumi. Tunataka kuokoa nchi hii kwa madhara yoyote ambayo yanaweza kuletwa kwa watu wetu. Tunataka tuzungumze ili tusikilizane. Ninajua watu wa KANU waliokuwa kwa huo mkutano, wamenionyesha dalili ya kwamba hawataki mchezo. Na pia sisi katika upande wa Upinzani hatutaki mchezo. Kwa hivyo, suluhisho litapatikana ambalo litaleta amani katika Kenya. Na kama kuna kiongozi ambaye hataki tuzungumze na anataka matata, asichukue nafasi yake na fedha zake nyingi kulipa watoto wetu wasiokuwa na kazi ili kufanya fujo na kuuawa.

Huyo kiongozi na bibi yake, pamoja na watoto wake yafaa wawe katika mstari wa mbele na wengine wawafuate nyuma. Kiongozi kama huyu asiwalipe watoto wetu ili wafanye fujo. Watu wetu wanauawa na wale watu wakubwa wenye kusababisha hiyo fujo wanakaa nyumbani na mabibi zao wakinywa kahawa. Mimi ninazungumza kama mwakilishi wa watu wadogo. Watu wadogo wasidanganywe; tutawaletea amani.

Kwa haya machache, ninaunga mkono.

Mr. Speaker: Order!

(Question proposed)

The Assistant Minister for Home Affairs and National Heritage (Mr. Mutiso): On a point of order, Mr. Speaker, Sir. In view of the need and urgency of this matter, I propose that the Question be put without debate.

Hon. Members: Yes!

Mr. Speaker: Order! There may be somebody who has a contrary view and, maybe, I can hear one or two persons. You may renew your application later.

Mr. Raila: Thank you, Mr. Speaker, Sir. We do appreciate the importance and gravity of the matter at hand here. Let it not be said that there is anybody in this House who does not want dialogue. But what we have been talking about is that we want structured dialogue.

(Applause)

We are equally concerned about the future of this country. The matter that we are talking about is larger than the individual hon. Members. It is larger than political parties and even larger than this Parliament.

An hon. Member: No!

Mr. Raila: Yes, it is larger than this Parliament! We are saying that this dialogue must be structured and that all the parties that are involved in the dialogue must be given opportunity to air their views. That is the reason why we have said that we ourselves came together under the umbrella of the National Convention Executive Council (NCEC) and that we shall dialogue under the umbrella of the NCEC. But this dialogue that is going on right now at County Hall is a dialogue which is being done under the auspices of an ad hoc Committee. I say "ad hoc" because this Committee has not been set up in accordance with the Standing Orders of this House.

(Applause)

Mr. Speaker, Sir, Standing Order No. 153, which provides for the formation of Select Committees of the House states as follows:

"Save as otherwise expressly provided in these Standing Orders, no matter shall be referred to a select committee except on a Motion made after notice given."

Mr. Speaker: Order, hon. Raila! What is it, Mr. Magwaga?

Mr. Magwaga: On a point of order, Mr. Speaker, Sir. Is hon. Raila in order to mislead the House that this dialogue that we are talking about is not in accordance with the Standing Orders? Under which Standing Order is the NCEC constituted?

Mr. Speaker: Order! Can I give a general direction to both hon. Raila and hon. Magwaga? The position is this: Whatever hon. Members do outside this Chamber, they are doing as Members of Parliament alright, and I think they are doing it completely as hon. Members out there. They are not sitting as a House. As I understand it, the reason why they do not even have Mr. Speaker there is to get out of the Standing Orders. I believe that is the position.

So the position is: When you, hon. Members, go to what you are referring to as "dialogue", you are going in that

capacity as hon. Members, not as a Committee of this House.

Mr. Raila: Mr. Speaker, Sir, precisely, that is the point I was trying to make; if I can be allowed to make the point. What is going on there is an ad hoc meeting between hon. Members of Parliament. We are being asked to adjourn important business of this House so that that ad hoc committee can go and do its work. I am saying that if the hon. Members think that this matter is very important, then let us follow the Standing Orders of this House. Let us give whatever is going on there legal weight so that whatever is taken there can become part and parcel of this House. In this way, whatever decision taken out there will be brought to this House officially. That is why I am saying that we should first move for the formation of a select committee on dialogue before we adjourn this House to go and sit and dialogue.

With these few remarks, I oppose.

Mr. Otieno: Mr. Speaker, Sir, I want to start by saying that the spirit of this House resides in the individual Members of this House. That spirit has caught on and it exists as we witnessed this morning. This is the spirit of this House and if the collective feelings of the Members of this House is such that they should talk informally outside first before they come before this House, let them be granted what they want.

Mr. Speaker, Sir, there is something called "fear" which has been used by manipulators and schemers to rule people. The Members of this House are saying that they are not going to allow themselves to be manipulated by any small clique from any other side of this House on this important issue. We have heard the arguments about the umbrella. There cannot be and, therefore, should not be a bigger umbrella in this nation than this Parliament, in which case, if the argument is that the so-called "NCEC" is an umbrella or a glue that puts the Opposition parties together and any negotiation outside the NCEC is dividing the Opposition and spoiling or ruining the unity of the Opposition, we have to tell them that the Inter-Parties Parliamentary Group is interested in the unity of the nation and not just the unity of the Opposition. So, Members should be granted their request that they talk and renew the trust between them as leaders in this country first before they rechannel the issues for implementation to the Floor of this House.

Mr. Speaker, Sir, we know why it has been possible to use this Table to divide this nation. We are saying that in order to remove the mistrust and suspicions among the Members. We want them to commit themselves formally and informally to each other that they will undertake the reforms in this country and it is their duty to do so.

I want to tell a small personal story. Sometimes ago, I met a very ugly woman. She was repulsively ugly that if you saw her, you would feel like moving back a few steps. The day that I listened to that lady talk at a conference sometimes in 1974, we became friends. The reason for my story is that we must talk first and I beg all the other Members opposed to the dialogue between hon. Members of Parliament to let them know who we really are because, apparently, we have taken four years in this House and we have not known each other. We have accepted the media description of hon. Members of this House as being composed of "hawks of the Opposition" and "hawks of KANU". But when you put people to say the truth; when you tell the people to be sincere; and when you tell the people to consider the nation, you realise that the so-called "hawkish attitude" disappears. This is what we want to achieve by requesting that we dialogue outside there and we will agree on procedures which will have the legal bearing to move the country towards the dialogue process.

I beg to support that Motion.

Prof. Anyang'-Nyong'o: Mr. Speaker, Sir, I rise to assure the opposite side of the House that no amount of consultation outside this House will divide the Opposition nor will it put asunder the NCEC. The NCEC had stated very clearly that it is for dialogue and that it will not in any way criminalise any dialogue taking place anywhere. The spirit of democracy is that people must have the freedom of speech and association and, most of all, hon. Members of this House must have the freedom of speech and association inside and outside the House. For that matter, any consultation among Members of this House anywhere cannot be criminalised. That is one point.

Mr. Speaker, Sir, the second point is that the other side of the House should also accept that Members of this House have the freedom of association and consultation with anybody else anywhere in this Republic and that kind of freedom of association and consultation should not equally be criminalised in which case, if, indeed, we are accepting that there should be dialogue between the Members of this House outside this House, Members opposite should also accept the dialoguing of Members of this side of the House with other members of civil society outside this House as NCEC. These things must *de facto* go together. Therefore, I will arise to support the dialogue in County Hall but, at the same time, I would urge the other side of the House from this day on not to utter any word that disparages the NCEC or that criminalises its activities.

Mr. Speaker, Sir, if indeed, we are going to have reforms in this nation, we must learn to be civil to each other. Civility is the hallmark of democracy. Let no single person take it upon himself or herself that at this hour of trial in the Republic of Kenya that any single person has the answers. No single person has the answers to the future of this nation. The people of Kenya together, either represented by Members of this Assembly or represented by Members of civil society and civil society organisation, in the spirit of dialogue and consultation will find the answers. But let

nobody at any time take it upon himself or herself that they have the answers. Let us, therefore, go out there with a spirit of reasoning and let all cards be put on the table and the procedure for discussion be transparent and open. Let nobody have a hidden agenda behind the desks so that you would think that by taking a well-up-man attitude towards the others, that you will do the trick. I do not think this will do any good thing for the Republic of Kenya.

Finally, Mr. Speaker, Sir, I want to say the following---

The Minister for Home Affairs and National Heritage (Mr. ole Ntimama): On a point of order, Mr. Speaker, Sir. With all due respect to my hon. friend, Prof. Anyang'-Nyong'o, is he in order to mislead the House by saying that the (National Convention Executive Council) NCEC is for dialogue when in actual fact they have declared a Government parallel to this one and when they are right now planning a series of mass action all over this country? Is he really in order when actually this organisation is going for chaos?

Prof. Anyang'-Nyong'o: Mr. Speaker, Sir, I have a great deal of respect for my friend the hon. William ole Ntimama, but indeed that is the kind of attitude which is destroying the spirit of dialogue. We are saying that we are going out there to dialogue and put our cards on the table and yet hon. ole Ntimama is at the same time trying to defranchise the NCEC. It is not going to help anybody if you begin to defranchise anybody.

Finally, I want to say this: serious things are happening in this Republic which this House must know and be aware of. As we speak, in the house of former Chief Justice Hancox, ballot papers are being marked and are being put in ballot boxes. In the house of the former Chief Justice, Mr. Hancox, money is being printed to finance these elections. The other side should go to County Hall and discuss it. I am saying it here because I have the evidence. These are some of the things that we should go to County Hall and discuss. Why are ballot papers already being marked in the former Chief Justice's house, Mr. Hancox, and why money is being printed to finance the impending elections?

The Minister for Labour and Manpower Development (Mr. Masinde): On a point of order, Mr. Speaker, Sir. The hon. Member is raising very serious allegations about ballot papers being marked and so on. He has also said that he has evidence to that effect. Can he give us some of this evidence here?

Mr. Speaker: Professor, can you proceed and show your evidence?

Prof. Anyang'-Nyong'o: Mr. Speaker, Sir, I did not come with evidence with me, but---

An hon Member: Aaa!

Prof. Anyang'-Nyong'o: What do you mean by "Aaa?"

Mr. Speaker: Order! Prof. Anyang'-Nyong'o, as a professor and a very learned person, four and half years down the road, when you make a serious statement like that you, of course, no doubt expect it to be on the headlines tomorrow. You also should expect to be challenged by any hon. Member of this House from any side. Therefore, when you make a matter of that gravity, you should expect to be challenged and you should be ready to substantiate that allegation. You have been asked to do so and you are now ordered by me to do so.

Prof. Anyang'-Nyong'o: Mr. Speaker, Sir, I am very ready to substantiate it. Instead of us going to County Hall, I would like hon. Members of this House to proceed to Mr. Hancox's house in State House now and we shall see what is happening.

The Assistant Minister for Education (Mrs. Ndeti): On a point of order, Mr. Speaker, Sir. If hon. Anyang'-Nyong'o knew that serious matter is going on, has he reported it to the police. Has he been to the police to report even if he knew the police were not going to take any action? Can he tell us whether he has been there?

Mr. Speaker: Order! Order! If I understood hon. Prof. Anyang'-Nyong'o right when he made his serious allegation, he said himself that he has evidence to that fact. That is what I asked the hon. Member to provide to the House.

I think in my humble opinion, if the Chair were to concede to a request by an hon. Member it should be borne in mind that all the time when I ask an hon. Member to substantiate over a fact, he would ask the

House to "move" to the location of his allegation I do not think that is a matter that the Chair can take very kindly. I am not satisfied, Prof. Anyang'-Nyong'o, that you have substantiated and I order you to withdraw!

Prof. Anyang'-Nyong'o: Mr. Speaker, Sir, what more evidence is there than the house of the former Chief Justice himself, since the ballot boxes are there. The so-called liaison officers drive there everyday with special identity cards to go and mark those papers and a fact that money has been printed and it is there?

Mr. Speaker, Sir, the thing is an illegal activity. If hon. Members on the other side doubt, let us go there now and see. I cannot bring the house here!

The Assistant Minister, Office of the President (Mr. Sunkuli): On a point of order, Mr. Speaker, Sir. I know that the hon. Member is trying to divert us from County Hall to State House, and I know that the NCEC has said that they want to match to State House and I hope he is not trying to get a back-door of doing it.

Can the hon. Member table documentary evidence because the burden of proving what he has said is not on

us? He is not fulfilling, satisfying us that he has evidence. He has none. Can he do it?

Mr. Mulusya: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order! As far as the case is concerned this afternoon, a lot of hon. Members, forfeited their rights to ask Questions because they said there was an important issue they wanted to discuss.

A Motion was brought to this House to suspend the sitting of this House not only now, but also tomorrow morning, to allow hon. Members to participate in an informal meeting of their own which they thought was important than to this sitting and talking about the Bills that are before the House. I think, for us to divert to other extraneous issues for now is derailing, in fact, the very first intention of the Motion before this House.

I will, therefore, for now suspend any further issues about the allegation by Prof. Anyang'-Nyong'o for whatever they are worth and put the question straightaway.

Mr. Muite: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order, hon. Muite!

(Question put and agreed to)

An hon. Member: Call for Division.

(Several hon. Members stood up)

Mr. Speaker: Order, hon. Members! Those who require division can stand. To get a Division you require 20 hon. Members. I am afraid, you are only 12 hon. Members. You do not have the requisite number and, therefore, the Division is not attainable.

Therefore, the Motion is carried.

ADJOURNMENT

Mr. Speaker: Hon. Members, it is now time for the interruption of our business. The House is, therefore, adjourned until tomorrow Wednesday, 3rd September, 1997, at 2.30 p.m.

The House rose at 3.10 p.m.