



PETITION MADE TO THE SENATE PURSUANT TO ARTICLE 119 OF THE
CONSTITUTION OF KENYA AND PART XXIX OF

THE

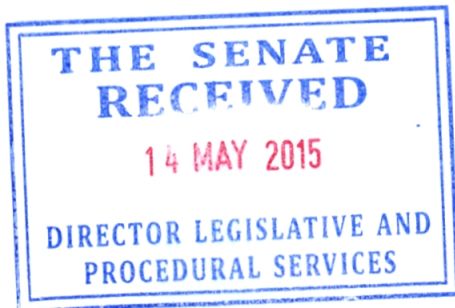
SENATE STANDING ORDERS

BY

MAJOR (RTD.) JOEL KIPRONO ROP
RESIDENT OF BOMET COUNTY

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20th April, 2015

Petition to the Senate by Major (Rtd) Joel Kiprono Rop concerning National Economy
in Kenya

I, the undersigned,

Citizen of the Republic of Kenya, resident of Bomet County:

DRAW the attention of the Senate to the following:

1. **THAT**, the National Economy, despite being one of the most important societal engines, does not feature in the Constitution.
2. **THAT**, Kenya's national economy has been comatose and vegetating ever since independence; and it is currently housed in a large socio-economic balloon. In that state, it can never drive any sustainable development. Therefore, the Constitution, particularly the portion on National Values and Principles of Governance and the Bill of Rights, is massively and perpetually violated.
3. **THAT**, Devolution can never be a success story, until and unless the national economy becomes vibrant; and becomes devolvable just like the other important aspects of society, namely, political power, provision of government services and allocation of government revenue. In the meantime, the Constitution, particularly the the portion providing for objects and principles of devolution, remains continuously violated.
4. **THAT**, the open-air slave trade in the last millennium, which was perpetrated by the rich world, despite the abolition in the late 19th century, did not disappear. It simply mutated and thrived in an aggressive form as colonization; and, subsequently, after independence, mutated to a deadly monster, namely, socio-economic exploitation.
5. **THAT**, the avenues of socio-economic exploitation by the rich world include:
 - a) Dumping in the region, duped as "a growing market", lots of cheap as well as expensive manufactured goods, ranging from, among others, tooth picks, simple pins, second-hand goods, oil, electronic equipment, Information and Communications Technology (ICT) goods and services, heavy machinery, automobiles, ships and aeroplanes;

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- b) Supplying the consumer markets in the rich world with cheap agricultural produce obtained from this region's arable land;
 - c) Siphoning off the natural resources, for example, minerals and wood, from this region at throw-away prices;
 - d) Coming in as foreign investors and cheaply acquiring assets and engaging the local labour force on pathetic servitude terms and conditions of work; and finally repatriating substantial portions of the proceeds;
 - e) Coming in to secure large tenders to supply expensive goods and services, and again, procuring the local labour on pathetic terms and conditions, and finally repatriating the proceeds;
6. **THAT**, paradoxically, Kenya was less comatose during the days of large government parastatals; at least, for instance, the country grew cotton and made fabric locally, exported milk products and Kenyans ate locally-cultivated rice.
7. **THAT**, it is ironic that Kenya, with a per capita GDP of less than \$1,000 perennially imports expensive goods and services worth much more than the worth of all its realitively meagre exports to countries in the East that typically have per capita GDP's of an average of \$10,000 and countries in the North and West that boast of per capita GDP's ranging from \$30,000 to \$100,000. In that regard, the poor nation invariably incurs suicidal perennial trade deficit; thereby imposing a huge and permanent debt burden on every single citizen including every new-born child.
8. **THAT**, Kenya must now take cognizance of the fact that, particularly, owing to the advent of digital dispensation and associated excessive importation of digital software, electronic hardware, and repatriation of profits by the foreign-owned ICT firms, the ICT industry, which has grown very rapidly and revolutionized the operations of millions of citizens and has, ostensibly, become part and parcel of their daily lives, has virtually sapped all the energy, time and money of the entire nation. The annual capital flight with respect to the ICT industry alone now very nearly cancels out with foreign exchange earnings from tourism and exportation of farm produce and whatever raw materials that might be available. Therefore, left with no more foreign exchange to finance importation of the rest of the expensive foreign-manufactured goods and services, the impoverished nation as well as average citizen, has to resort to stealing, looting, tax evasions, out-sourcing for loans and begging for donations; and hence worsening the already dire debt burden situation on the entire populace.

9. **THAT**, every Kenyan, including a child and adult person who barely receives or earns KSh.100/= per day, never mind sparing a little for a cheap meal, invariably dispatches a reasonable proportion of their treasury to a foreign destination, thereby contributing to the capital flight, through some, often widespread, form of interaction in ICT. It is quite affordable, even costing less than one bob, very trendy and literally painless; nevertheless, it is actually socio-economic euthanasia.
10. **THAT**, the nation must be alarmed by the paradox of being endowed with enormous natural resources; and yet perpetually remaining so poor that it walks West, trots North and runs East, "basket-on-back", in search of donations, loans and other economic bail-out arrangements. Moreover, sadly, the culture of outsourcing for donor aid has now been devolved from national level down to county level, and further down to small groups; and, in some cases, down to individual citizens.
11. **THAT**, Kenya must take cognizance of the fact that, generally, the historical and current maladies of slavery, colonization and exploitation have heavily contributed toward the ever-growing trade imbalance, with its related capital flight, massive brain drain, economic decline, unemployment, child labour, perilous migrations, injustices, bad governance, rampant corruption, ineptitude, mismanagement, tribalism, insecurity, abject poverty, disease, hunger, starvation, squalor and dereliction.
12. **THAT**, over the last half century, the "civilized" trade deficits, and other conduits of capital flight, which, in the majority of cases, are legal, institutionalized and government-promoted, have wreaked much more disaster on Kenya's socio-economic landscape than the deep-rooted, locally-bred and cultured corruption. In fact, in an effort to make and survive the un(mis)guided exit journey through the rugged and hazardous socio-economic terrain created by the violent capital flight quakes, many a Kenyan (leader, family and ordinary citizen) has either been forced to walk the morally filthy path of corruption or forced to hastily flee abroad. In any of the events, the panic response has reinforced the vicious scenario, which remarkably amplified the catastrophic impact of the unfair and unjust trade imbalances on society.
13. **THAT**, the developed parts of the world, like ever before, are now competing to exert their influence in the region and to effectively increase the existing massive trade imbalance in their own favour; thereby continuing to torture the comatose economy.

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14. **THAT**, a closer investigation of the annual donor aid from any given developed nation, in any given year since independence up to now, reveals that the donor aid has invariably been a small fraction of the trade surplus enjoyed by that nation as a result of trading with Kenya.
15. **THAT**, over the last half-century, the diverse local and international attempts of austere, philanthropic and partnership nature have failed to resolve the monstrous plight. Moreover, the initiatives by the plethora of self-help movements, non-governmental organizations (NGO's), corporate social responsibilities and external donors have substantially been futile in addressing the pathetic socio-economic situation.
16. **THAT**, Vision 2030 Economic Plan is futile and consequently null; and will remain just a good dream, unless and until the issues raised in this petition are exhaustively dealt with.
17. **THAT**, free market capitalism is very good if, and only if, the national economy of a country is strong; but it is absolutely hazardous if the national economy is poor.
18. **THAT**, there being no alternative to global capitalism in the foreseeable future, there is urgent need for the country to institute a revolutionary approach in order to resolve the dire national situation, revive the national economy and redeem the nation.
19. **THAT**, Parliament is the right body to address these issues, including in making proposals for relevant amendments to the Constitution and other laws. Consequently, I have brought this petition before the Senate as the first port of call.
20. **THAT**, none of the issues raised in this Petition is pending in any court of Law, Constitutional or any other legal body.

WHEREFORE, your humble petitioner prays that the Senate-

- 1) Initiates the process of amending the Constitution and all relevant laws to revolutionize national economic system, in order to deal with the national emergency situation and beyond, to incorporate the following main pillars:
 - a) Introduction into the Constitution of a whole new chapter on Economy;
 - b) Substantially closing the local market to all non-essential goods and services from developed countries;
 - c) Ceasing all foreign investments except those that, under special mutual agreements, will lead to transfer of technology and ownership to Kenyans within a reasonably short period of time;
 - d) Establishing suitable industries in, at least, every sub-county. The industries may not necessarily comprise sophisticated plants, but they have to consist of real-time large processing and manufacturing factories that make a huge impact on the economy of the sub-county and beyond; in contrast to the existing “jua kali” workshops that currently sprinkle many urban centres in Kenya;
 - e) Establishing a national organization composed of two departments, namely, Internal and External Departments:
 - i. Internal Department: In view of the fact that Kenya’s massive poor populace, little fledgling middle class and tiny wealthy class have all been sucked into the convenient consumerist culture of purchasing foreign manufactured goods and services, it is imperative that a suitable organization that spans the entire country be established with the mandate of sensitizing and educating the public on the perils of massive importation, and immense benefits of local production;
 - ii. National ICT Department (NICTD): To oversee the way forward for the country, in respect of the aggressive digital industry, and to appropriately sensitize, educate and serve the populace on the same.

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- iii. External Department: Owing to the fact that we, as a country, are caught up in the thorny global village, it is prudent that a suitable organization be formed with a mandate of globe-trotting with a mission of putting up and putting across a decent case in respect of Kenya at international diplomatic fora;
- f) Establishing an ultra-modern planned City in an area of about 5,000 square kilometers in a suitable part of the arid region of North Eastern Kenya; as an example of real-time and practical devolution of a socio-economic aspect of the Kenyan society.
- g) Liaising with other African countries, through appropriate regional and continental fora, for formulation of a unified African revolutionary economic front, demolition of all intra-African trade barriers and establishment of Africa Economic Zone. All these are very feasible and viable; nevertheless, someone, Kenya in this case, must be prepared to take the lead.
- 2) Parliament sits at a suitable location in the arid and semi-arid region of Kenya for the duration of this petition; and any other, which requires high resolution focus on an extremely important national socio-economic issue that consists of a special reference to the arid and semi-arid lands (ASAL) of Kenya.

Dated this.....day of.....2015.

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