
BY

KARIUKI S. NGUGI
C50/6535/03

A DISSERTATION SUBMITTED IN PARTIAL FULFILMENT FOR THE DEGREE OF MASTER OF ARTS IN ENGLISH AND LINGUISTICS.

DEPARTMENT OF ENGLISH AND LINGUISTICS
KENYATTA UNIVERSITY
NAIROBI

APRIL 2005
DECLARATION

1. This dissertation is my original work and does not contain any material previously presented for the award of a degree or diploma in any University except where due citations have been made.

NAME: KARIUKI SAMUEL NGUGI
Department of English and Linguistics
Kenyatta University

SIGNATURE
DATE 19-04-05

2. This dissertation has been submitted with our approval as the University Supervisors.

NAME: SIGNATURE

a) Dr. J. Wangia
Department of English and Linguistics
Kenyatta University

SIGNATURE
Date: 10th May, 2005

b) Mr. C. Gecaga
Department of English and Linguistics
Kenyatta University

SIGNATURE
Date: 10 May, 2005
DEDICATION

I dedicate this work to my family:

My wife Zipporah          – Your insightful suggestions and financial support are highly appreciated.

My son Mark               – Your constant reminder that I had homework to do cannot be forgotten.

My daughter, little Tamara – Your seeing me off to school daily was a source of great encouragement.
ACKNOWLEDGEMENTS

To start with, my most sincere thanks go to God. Apostle Paul’s testimony that ‘I can do all things through Christ who strengthens me’ has been fulfilled in my life with the completion of this dissertation.

I also wish to sincerely acknowledge and appreciate the work done by my Supervisors Dr. Wangia and Mr. Gecaga. They went with me all the way from stage one to the last of this dissertation, offering their expertise in an endeavour to make each section of this work better and better. I am greatly indebted to them.

I cannot forget to thank in a very special way the other Lecturers in the department of English and Linguistics of Kenyatta University. Their input at whatever stage of this dissertation is appreciated.

My colleagues were also of great help. They gave me insightful academic suggestions and provided moral support when hope appeared to dwindle away. Receive my thanks.

The next lot without whom this work would not have been accomplished are my informants. Their cooperation granted me the opportunity to interact with new faces. Some of them have since then become my great friends. Thanks a lot.

I wish to acknowledge the work done by Mr. Kuria – a friend and an academician, Mr. Ngigi of Moi University and Dadi my research assistant. Thanks for your suggestions and moral support.

Last but not the least is Millicent Waweru who typed this work with a lot of patience and dedication. I owe a lot to her.

May the Almighty richly reward each of these people mentioned above.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>TITLE</td>
<td>1</td>
</tr>
<tr>
<td>DECLARATION</td>
<td>II</td>
</tr>
<tr>
<td>DEDICATION</td>
<td>III</td>
</tr>
<tr>
<td>ACKNOWLEDGEMENTS</td>
<td>IV</td>
</tr>
<tr>
<td>TABLE OF CONTENTS</td>
<td>V</td>
</tr>
<tr>
<td>ABSTRACT</td>
<td>VII</td>
</tr>
<tr>
<td>DEFINITION OF TERMS</td>
<td>IX</td>
</tr>
<tr>
<td>LIST OF TABLES, GRAPHS AND FIGURES</td>
<td>XI</td>
</tr>
<tr>
<td>CHAPTER ONE</td>
<td>1</td>
</tr>
<tr>
<td>1.0 INTRODUCTION</td>
<td>1</td>
</tr>
<tr>
<td>1.1 BACKGROUND TO THE STUDY</td>
<td>1</td>
</tr>
<tr>
<td>1.2 STATEMENT OF THE PROBLEM</td>
<td>7</td>
</tr>
<tr>
<td>1.3 RESEARCH OBJECTIVES</td>
<td>8</td>
</tr>
<tr>
<td>1.4 RESEARCH QUESTIONS</td>
<td>8</td>
</tr>
<tr>
<td>1.5 RESEARCH ASSUMPTIONS</td>
<td>9</td>
</tr>
<tr>
<td>1.6 RATIONALE OF THE STUDY</td>
<td>9</td>
</tr>
<tr>
<td>1.7 SCOPE AND LIMITATIONS</td>
<td>11</td>
</tr>
<tr>
<td>CHAPTER TWO</td>
<td>13</td>
</tr>
<tr>
<td>2.0 THEORETICAL FRAMEWORK</td>
<td>13</td>
</tr>
<tr>
<td>2.1 INTRODUCTION</td>
<td>13</td>
</tr>
<tr>
<td>2.2 THE INTERPRETIVE THEORY</td>
<td>13</td>
</tr>
<tr>
<td>2.3 THE SKOPOS THEORY</td>
<td>17</td>
</tr>
<tr>
<td>2.4 THE CULTURAL THEORY</td>
<td>19</td>
</tr>
<tr>
<td>2.5.0 LITERATURE REVIEW</td>
<td>20</td>
</tr>
<tr>
<td>2.5.1 INTRODUCTION</td>
<td>20</td>
</tr>
<tr>
<td>2.5.2 LITERATURE ON TRANSLATION</td>
<td>20</td>
</tr>
<tr>
<td>2.5.3 LITERATURE ON THE CONSTITUTION</td>
<td>28</td>
</tr>
<tr>
<td>CHAPTER THREE</td>
<td>35</td>
</tr>
<tr>
<td>3.0 METHODOLOGY</td>
<td>35</td>
</tr>
<tr>
<td>3.1 INTRODUCTION</td>
<td>35</td>
</tr>
<tr>
<td>3.2 RESEARCH AREA</td>
<td>35</td>
</tr>
<tr>
<td>3.3 SAMPLE SIZE</td>
<td>37</td>
</tr>
<tr>
<td>3.4 SAMPLING PROCEDURE</td>
<td>39</td>
</tr>
<tr>
<td>3.5 DATA ELICITATION &amp; RESEARCH INSTRUMENTS</td>
<td>41</td>
</tr>
<tr>
<td>3.6 MODE OF ASSESSMENT</td>
<td>45</td>
</tr>
<tr>
<td>CHAPTER FOUR</td>
<td>47</td>
</tr>
<tr>
<td>4.0 PRESENTATION &amp; ANALYSIS OF DATA</td>
<td>47</td>
</tr>
<tr>
<td>4.1 INTRODUCTION</td>
<td>47</td>
</tr>
<tr>
<td>4.2 DATA PRESENTATION AND ANALYSIS</td>
<td>47</td>
</tr>
<tr>
<td>4.3 ANALYSIS OF DATA FROM ORAL INTERVIEWS</td>
<td>62</td>
</tr>
</tbody>
</table>
ABSTRACT

The purpose of this dissertation was to establish the need for the translation of the Draft Constitution of Kenya – 2004 into Gikũyũ, for Gikũyũ speakers whose proficiency in English and Kiswahili is low. The study was based on the premise that if the document under study was meant for all Kenyans, then the document should be published and preserved in languages that all Kenyans, including those who are not good at Kiswahili and English, understand.

The study had four objectives. The first was to establish how the target population would fare in comprehending the document under study first in the English language and then in Gikũyũ. The second was to investigate the major difficulties that the target group faced in the comprehension of the Draft Constitution of Kenya – 2004 which is currently in English and Kiswahili. The third was to test the extent to which men and women differ in the comprehension of the said document in the two languages. The last was to suggest strategies for translating the document into Gikũyũ.

The data was collected from 40 standard eight graduates half of whom were young and the other half elderly. These 40 informants were subjected to two questionnaires in form of comprehension tests. One test was in English and the other was in Gikũyũ. Open interviews were also conducted on the same informants.
The data was presented and analysed quantitatively as well as qualitatively. It was established that there was need for translating the Draft Constitution into Gĩkũyũ as the target population had a better understanding of the sampled portions that were extracted from the document and translated into Gĩkũyũ.

We finally suggest strategies that can be employed by a translator when rendering the document into Gĩkũyũ language.
DEFINITION OF TERMS

1. A Clause
   It is a term used in the Draft Constitution for reference purposes. It states in
details any specific issue under any article.

2. Article
   It is a term used in the Draft Constitution for reference purposes. Ideally, it is a
sub-section of the chapter highlighting the issues discussed in any given chapter.

3. Chapter
   This term is used in the Draft Constitution for reference purposes. It refers to a
section of the Draft Constitution, which spells out the main issues dealt with in
each of these sections. Chapter six deals with The Bill of Rights.

   This is the preliminary version of the Kenyan Constitution which is under review.
The Draft is made up of twenty one chapters. This study focused on chapter six.

5. Interpretation
   In this study, this term means to decode the meaning of a given text.

6. Receptor comprehesion
   It is the act or capability of understanding by the person(s) for whom a text is
intended.

7. Source Language (SL)
   This refers to the original language in which a source text is written.

8. Source Text (ST)
It is the original text that is written

9. **Target Language (TL)**

This refers to the language in which a target text or a translated text is written.

10. **Target Text (T.T)**

It is any text that is a translation of a source text.

11. **Text**

Halliday and Hassan (1976) define a text as any stretch of utterances. It can range from a word, to a sentence, to a paragraph or to a whole book. In this study, the term is used to mean either an article or a clause.

12. **Translation**

It means all tasks where the meaning of expressions in one language referred to as the source language (SL) is turned into the meaning of another language referred to as the target language (TL).
List of Tables

Table 1: Shows the Score Obtained by Female Individuals in Each Category   Pg 48
Table 2: Shows the Score Obtained by Male Individuals in Each Category   Pg 49
Table 3: Shows Total Scores and Mean Scores Obtained by Both Male and Female Respondents in Each Category   Pg 50
Table 4: Shows comparison of overall mean score by category   Pg 59

List of Graphs

Graph 1: Shows the Performance of Females in Category A.   Pg 51
Graph 2: Shows the Performance of Males in Category A.   Pg 52
Graph 3: Shows the Performance of Females in Category B.   Pg 53
Graph 4: Show the Performance of Males in Category B.   Pg 54
Graph 5a: Shows mean scores of females in Category A.   Pg 56
Graph 5b: shows mean scores of males in Category A.   Pg 56
Graph 5c: Shows mean scores of females in category B.   Pg 57
Graph 5d: shows mean scores of male in Category B.   Pg 57

List of Figures

Figure 1: Shows percentage of respondents’ performance by language   Pg 60
CHAPTER ONE

1.0 INTRODUCTION

1.1 BACKGROUND TO THE STUDY

Kenya is composed of many ethnic communities, each with its own linguistic code. In addition, Kiswahili is the national language while English is the official language.

Although many Kenyans are bilingual, many others especially the older generation are not. It is also notable that, many of the so-called bilinguals may have very low proficiency in English and Kiswahili. A number of studies that have been done in Kenya in second language learning and acquisition show that many students leave school with low competence in English particularly at primary level (Maina 1991, Nyamasyo 1992, Mberia 2002 and Kirigia 1991).

Mberia (2002) states that, despite the fact that English is taught from the first year of primary school in Kenya, many pupils terminate their education at the end of the primary cycle without the ability to read effectively or efficiently and that those school leavers who are normally not proficient in the English language may not climb the education ladder. Some secondary school leavers who are also not proficient in the language may not gain entrance into an institution of higher learning and if they do, they may find it very difficult to communicate with ease.
Nyamasyo (1992) notes that, high priority is given to the learning of English and for the use of English in the learning of other subjects. This notwithstanding, she notes, it is claimed that most students leave school with very little competence in English and that there are numerous complaints in Kenya as well as in other countries such as Zimbabwe and Hong Kong, by parents, teachers, lecturers and employers about poor grammar, poor spelling abilities, low reading ability or a low level of proficiency in standard English among secondary school leavers.

It is in view of the foregoing that we argue that, many Kenyans are unable to read and effectively comprehend the contents of certain important documents that are meant for them but are usually written in English and Kiswahili. This is because reading comprehension presupposes the mastery of the reading process, (Kirigia 1991: 23) as well as the mastery of the language itself.

As a result of the above argument, the researcher advocates that important documents that touch on the lives of all Kenyans should be made available in languages that they fully understand. This fact, more often than not, has been neglected. This alienates the people from matters that concern them. A case in point is the Kenyan constitution that is currently under review. For many years, this document has been published and preserved in the English language. This has been so in spite of the fact that Kenya has over 40 indigenous languages which are spoken within its borders. An overview of the constitution of Kenya shows
that, this document that was inherited from the colonial government, is not only full of legal register but also foreign ideologies. Its inaccessibility to the ordinary Kenyan is therefore not only due to language barrier but also the register and the ideologies thereof. Some of the laws in the constitution were only meant to protect the interests of the colonialists. In the opinion of the researcher, this could have been the reason why no one bothered to translate the document into any Kenyan indigenous language. On the other hand, other laws helped create 'monsters' in the name of African leaders. For instance, the Kenyan constitution places the president above the law by heaping all the powers on the presidency. These laws and others led to the clamour, by the Kenyan people, for review of the constitution. Indeed, though the Draft Constitution of Kenya – 2004 contains some contentious issues, it has tried to address some of the negative ones. For example it proposes and advocates for a devolved government, that is, a government whose powers are shared among the various organs of the government and in which these organs are autonomous, free from political influence and interference.

A step in the right direction has been taken with regard to the Draft Constitution that has been formulated and presented for adoption as the revised constitution. It has not only been written in English but also in one other African language – Kiswahili. The researcher argues that, this is still highly inaccessible to many
people. There is therefore need to have the document written in other Kenyan indigenous languages such as Gikuyu.

As pointed above, the problem of receptor comprehension of this document that is written in English is coupled by the fact that it is full of legal register. This relegates an already English language incapacitated people, further from comprehending the document. The researcher proposes that the best solution to this problem is translating the document into the people’s first language.

Translation is an activity that presumes the existence of a linguistic code that is not properly understood by some receivers. This definition accurately depicts the scenario in Kenya with regard to the Constitution of Kenya.

A commendable effort has been made on the part of Bible translation where translators have made it possible for many Kenyans to get the word of God in languages that they best understand.

The constitution of Kenya stipulates the rules and regulations that govern the people of Kenya. It also contains the Bill of Rights that all Kenyans should enjoy yet it is rendered in languages which most Kenyans are not very competent. It is because of this fact that the researcher sees the need for the translation of the Draft Constitution of Kenya-2004 into Gikuyu as a means of assisting many
speakers of the language who would have wanted to participate fully in the proposed national referendum (A forum in which Kenyans are expected to air their views about the document) but who will be prevented from doing so simply because of the language barrier. It is hoped that, the translation of such a document into Kenyan local languages, would be part of civic education. This would in turn help thousands who have been alienated from the on-going debate concerning the Draft Constitution simply because they cannot fathom the contents of the document due to language barrier.

In support of such an endeavour, one of Kenya’s scholars, Prof. Ngugi Wa Thiong’o (2004), noted in a recent public lecture at the Nairobi University, that “a majority of our people are at the foot of the mountain. Only a few are at the top. It is the duty of those blessed with intellectual abilities to bridge the gap by speaking with the people in a language they understand”. He went on to suggest that “All knowledge on Africa currently in English should be translated into vernacular” (Daily Nation 3rd August, 2004).

The above suggestion has been made considering the fact that, as Kirigia (1991: ) puts it, “Many school pupils terminate their education at the completion of the primary cycle of education.” This claim is supported by the writer of the editorial column of The Daily Nation newspaper of December 29, 2004 which states, “more than half of the 657,747 candidates who sat K.C.P.E (Kenya Certificate of
Primary Education) in 2004 were expected to drop out of school”. It further states that the affected candidates will be expected to seek places in ill-equipped Youth Polytechnics or simply fall by the way side. This has been the trend in the recent years and therefore the Kenyan population is full of such individuals.

The main concern of this study is whether these people have, by the time they leave school, acquired a solid background in reading with understanding important documents which are written in English. This is because for most of them English has been taught as either a second language or a foreign language. In this study, we therefore concentrated on people who dropped out of the mainstream formal school system having attained the highest primary level of education of their time. These people include both men and women. Several studies that have been conducted in the past have shown that women’s linguistic forms differ significantly from those of men (Trudgill, 1974, Milroy, 1980 and Labov, 1972).

Milroy (1980) contends that language varies with other linguistic elements and also with a number of extra-linguistic independent variables such as sex, age and social class and that differences in language take many forms such as multi-lingualism which is said to be highly valued by and associated with males of a New Guinea complex but devalued by women. It was assumed that the same scenario is true in Kenya. We therefore introduced the sex variable to establish the
extent to which men differ from women with respect to the comprehension performance of the two languages under study.

1.2 STATEMENT OF THE PROBLEM

This study investigated the extent to which some Gĩkũyũ speakers' receptor comprehension of the Draft Constitution – 2004 is hindered by language barrier. The importance of the Draft Constitution cannot be overestimated. This notwithstanding, the document has been written in languages that some Kenyans do not understand. The document also contains a substantial amount of legal register, which may hinder easy accessibility as well as total appreciation and understanding of the contents of the Draft such as "The Bill of Rights".

As such, some Gĩkũyũ speakers may find it difficult to fathom the contents of this document. The researcher as a teacher of English for a number of years in the area where this research was carried out observes, that some Gĩkũyũ speakers are quite handicapped in as far as English and Kiswahili are concerned. This is because the residents of this area are to a large extent homogeneous. They are a predominantly Gĩkũyũ -speaking population. This study is meant to advocate for the few who are handicapped in English and Kiswahili.
1.3 RESEARCH OBJECTIVES

This study had the following objectives:

1. To test the accuracy of receptor comprehension of selected texts in the Draft Constitution on a selected group of Gikuyu respondents, when the texts are written in English and when the texts are translated in Gikuyu.

2. To establish the major difficulties that some Gikuyu speakers face in comprehending the Draft Constitution that is written in English.

3. To test to what extent the sex variable would bring a difference in comprehension and interpretation of the contents of the Draft Constitution.

4. To describe possible strategies of translating the Draft Constitution into Gikuyu.

1.4 RESEARCH QUESTIONS

This study attempted to answer the following questions:

1. Is there a marked difference in the level of comprehension performance by some Gikuyu speakers, between portions of the Draft Constitution written in Gikuyu as opposed to the same portions in English?
2. What difficulties do some Gikuyu speakers face in comprehending the Draft Constitution that is in the English language?

3. Is there any difference between men and women in the ability to comprehend and interpret the Draft Constitution?

4. What strategies are appropriate for translating the Draft Constitution from English into Gikuyu?

1.5 RESEARCH ASSUMPTIONS

This research was guided by the following assumptions:

1. There is a marked difference in the comprehension of the Draft Constitution by some Gikuyu speakers, when it is written in English as opposed to when it is written in Gikuyu.

2. There are some difficulties that some Gikuyu speakers face in the comprehension of the Draft Constitution that is written in English.

3. Men and women are likely to exhibit significant differences in comprehending and interpreting the Draft Constitution.

4. There are appropriate strategies by which the Draft Constitution can effectively be translated into Gikuyu.

1.6 RATIONALE OF THE STUDY

Just like some aspects of our African cultures have been abandoned as a result of the influence of the West, some of our languages are threatened with extinction. A
recent article in the Daily Nation (6-3-2002) posits that ‘Kenya may lose 16 tribes’ (sic). Some of the languages listed as facing extinction are: the Bang’om, the Terik, the Dahalo and the Burji. The paper cites a Kenyatta University Lecturer, Ezekiel Alembi, as having agreed with the above statistics when he asserted, “Yes, languages are dying”. It is with similar concern that this study contends that it is possible to preserve important documents in Kenyan indigenous languages thereby protecting and promoting the diversity of Kenya’s indigenous languages.

Fasold (1984) advances the notion of the equality of languages. He says that any language can express what another language can though some languages lack enough vocabulary to say certain things. Fortunately, this deficiency is catered for by strategies such as coinage, borrowing and other translation strategies.

The current constitution and the Draft Constitution pledge to respect, promote and protect the diversity of Kenyan languages including the sign language. Unfortunately, the documents are quiet on the ‘how’ the promotion should be done. Nyamasyo (2004:77) observes “While the above legal positions augur well for the indigenous languages of Kenya, it is not clear how they will be implemented”. Instead of actual promotion, there has been a tendency to sideline all other languages in favour of English. This study is meant to help illuminate the fact that it is possible to promote the indigenous languages by having them
documented and read by the populace. This would be successful especially through the use of documents of national importance such as the constitution itself which this study, proposes to be translated into Gĩkũyũ.

This study was meant to add to the body of knowledge existing in the area of translation studies. Our data on a Gĩkũyũ translation was intended to add to the body of existing data showing translation across unrelated languages. The analysis, suggestions and recommendations made were meant to be used by people willing to undertake the real task of translating the Draft Constitution or any other document into Gĩkũyũ. It is believed that this study would benefit scholars who may wish to carry out studies of a similar nature in other languages.

1.7 SCOPE AND LIMITATIONS

The aim of this study was mainly to establish the need for the translation of documents of national importance into the country’s indigenous languages. We also suggested translation strategies that those translating into the Gĩkũyũ language may employ. We did not translate the entire Draft Constitution since time and financial constraints could not allow such an endeavour.

This study also limited itself to that section of Gĩkũyũ speakers who did not proceed to the secondary level of education. It also limited itself to sampled portions of the Draft Constitution.
Having looked at all those pertinent issues in this study, that is, the background information, the statement of the problem, research objectives, research questions, research assumptions, rationale of the study, the scope and limitations of the study, the researcher proceeded to look at the theories that enabled him to argue the case in this study. He also reviews related literature that helped in illustrating the main concern of this study further in the next chapter.
CHAPTER 2

2.0 THEORETICAL FRAMEWORK

2.1 INTRODUCTION

In translation, one cannot depend on a particular theory. This is because as Kelly (1979:219) points out, “Had translation depended for its survival on theory, it would have died out long before Cicero.” Indeed, translation is an interdisciplinary subject. De Waard and Nida (1986:185) describes the situation thus:

Translation is also a science in the broad sense of the term, for it is an activity which may be systematically described and related meaningfully to various disciplines. In the strict sense of the word, however, translation is not a science but a technology, for it is built upon a number of scientific disciplines including Psychology, Linguistics, Communication Theory, Anthropology and Semiotics.

Since translation cuts across all these disciplines, which were thought could adequately capture and address the concerns involved in this study. The researcher adopted an eclectic approach and proposed three theories: These were The Interpretive, the Skopos and the Cultural theory.

2.2 The Interpretive Theory

This theory has to do with the notion of resemblance between utterances and their meaning. Mostly, what happens in translation is that the translator recounts what has been said by somebody else. As such the notion of resemblance comes in. Gutt (1991), points out that just like objects in the real world are used to represent
other objects where they share common properties utterances can resemble each other in their phonological properties or in their inferential properties or in meaning.

The theory has been proposed since a translation of a document like the Draft Constitution needs to be meaning based. As such, the target text is expected as much as possible to resemble the source text as far as meaning and inferential properties are concerned. Gutt (1991) also says that the notion of interpretive resemblance is important in translation. This happens when interpretive resemblance is inferred when utterances share contextual implications in a certain context. When an utterance is used to represent another due to its interpretive resemblance, this is referred to as interpretive use. For instance, an utterance such as “I have a mountain of homework” is to be understood and interpreted (translated) interpretively to mean “I have a lot of homework.”

The theory, which has been re-named the Sociosemioic theory by DeWaard and Nida (1986), helps the translator understand better not only the meaning of words, sentences and discourse structures, but also the symbolic nature of the events and objects mentioned in the discourses. This theory is particularly important in distinguishing between designative (Basic) and associative (Interpretive) meanings. It also emphasizes the fact that everything about a message carries
meaning and therefore if all the other aspects of translation would prove difficult, it is the meaning that is given special attention.

As the name suggests, the translator using the interpretive theory does not translate word for word like a machine would do. He/she translates interpretively. Sterk (1998:1) puts it this way:

All good translation needs the creative input of a human being. A machine can come up with a target text rendering that shows a word-for-word linguistic correspondence with the source text. This can be useful, but it cannot be called a valid translation. The reason is that only a human being can correctly read the words and expressions of the source text in the context in which they are written and where they acquire their particular meaning. Only a human being can fully comprehend the source text with all its implications, its veiled references and emotive overtones, and, finally, only a human being has the creative ability to re-express that content in another language with as little distortion as possible. (Emphasis mine)

Therefore, the main tenet of the interpretive theory is the re-expression of the meaning of the source text in another language. This can only be possible if the translator understands the source text. Understanding is an instance of interpretation in which the right meaning is assigned. That is, the only way to understand the source text is to interpret it (Sterk 1988). Two steps are vital when translating using the interpretive theory;

a) Understanding the meaning of the source text.

b) Re-creating that meaning in the target language.
To illustrate this, two texts of the Draft Constitution translated interpretively are shown below.

**English**

Every accused person has the right to a fair trial, which includes the right. To choose, and be represented by, an advocate and be informed of this right promptly.

**Gikuyu**

Mundu o wote uhitangitwo ena haki ya guchiirithio na kihoooto na haki ingi ta:

Guthuura wakiri na kurgamirirwo ni wakiri ucio na ningi kumenyithio ati ena haki io na ihenya ota uria kwahoteka.

(any accused person has the right to be tried fairly and other rights such as to choose an advocate and to be represented by that advocate and to be informed that he/she has that right immediately)

**English**

The Bill of rights

**Gikuyu**

Haki cia andu iria iheanitwo watho-ini

(Human rights provided for in the law)
2.3 The Skopos Theory

Newmark (1988) posits that there is wide, albeit not universal, agreement that the main aim of the translator is to produce as nearly as possible the same effect on his readers as was produced on the readers of the original. This principle, he says, is referred to as the principle of similar or equivalent response or effect or of functional or dynamic equivalence.

This principle raises a controversy about whether a translation should incline towards the source or to the target language. The Skopos theory, unlike some other translation theories emphasizes on the need to identify with the target audience. It requires the translator to ask himself or herself – who is the reader?

Skopos is a Greek term for aim or purpose. It was introduced in translation theory by Hans J. Vermeer and Reiss Katharina (2000). They aimed at a general theory of translation of texts. They used the term Skopos as a technical term for the purpose of translation and for the action of translation. Munday (2001:79) states that the theory;

Focuses above all, on the purpose of the translation since the purpose determines the translation methods and strategies to be employed in order to produce a functionally adequate result.

In Skopos theory, knowing why a source text is to be translated and what function the target text will be are crucial for the translator. Hatim (2001) notes that in
Skopos theory, the end justifies the means, that is, the way the target text shapes up is determined to a great extent by the function or Skopos intended for it in the target context.

Reiss and Vermer (1984:119) propose the following rules to guide the theory:

1. A TT (translatum) is determined by its Skopos
2. A TT is an offer of information in a target culture and target language concerning an offer of information in the source culture and source language (sl).
3. A TT does not initiate an offer of information in a clearly reversible way.
4. A TT must be internally coherent.
5. A TT must be coherent with the source text.
6. The five rules above stand in a hierarchical order with the Skopos rule predominating.

This theory has been suggested for this study as it would act to offer checks and balances to the translator using the interpretive theory. This is because the Draft Constitution is a legal document and therefore its meaning needs to be upheld. Thus the Skopos is to enable the readers of the target text get to know their rights, their responsibilities towards the government and one another, the laws by which they are governed etc.
2.4 The Cultural Theory

Language is a major proponent of culture, therefore one cannot translate a text and ignore the source text culture and the target text culture. This is because a text reflects the culture of the source language. There are some expressions that are peculiar to a source language and a translator should not reproduce them in the target language. This is because his readers are unlikely to understand them.

Euphemisms is a notion often made use of in the cultural theory of translation. As Bascom (1994) states, euphemism has often been described as the avoidance of direct reference to certain activities or objects, which fall within certain domains, such as sex, death and bodily functions. Euphemism is the replacement of specific terms of reference within these domains in certain social contexts with others of a different (usually considered to be more “polite”) register.

In translation, euphemisms should not be unclear, rather they should be clear replacement terms for others not being used in those contexts. All the same, it should be noted that the contexts as well as the domains are culture specific. If euphemisms are not used, the target reader may even become offended. For instance, when translating the expression ‘abortion’ into Gikũyũ, ‘kũruta ihu’ (to remove the pregnancy) would be offensive. The best option would be ‘kũruta nda’ (to remove the stomach). The best Gikũyũ expression for the English word ‘conception’ would be ‘mbeũ ya mũndũ mũrũme na ya mũndũ-wa-ŋña kũnyitaŋa’
(the man's seed and the woman's seed joining together) other than 'kūgwatia' or 'kūfūgūthia' (conceive).

For such and other expressions that require a sensitivity and understanding of the receptor culture we propose the use of the cultural theory in this translation.

From the analysis of the three theories above, it seems necessary to make use of all of them in this study. It is evident that they are meant to supplement one another in a translation of the nature proposed in this study.

2.5.0 LITERATURE REVIEW

2.5.1 INTRODUCTION

In literature review the researcher focused the study on two areas. These are:

i) Literature on translation

ii) Literature on the constitution

2.5.2 LITERATURE ON TRANSLATION

Translation is not a new discipline. Steiner (1992) notes that any model of communication is at the same time a model of translation, of a vertical or horizontal transfer of significance. For instance, Steiner (Ibid) notes that there are no two social classes, no two localities, no two historical epochs use words and syntax to signify exactly the same things, to send identical signals of valuation
and inference. This is also true of any two human beings. Each person speaks an idiolect that is, "the language variety used by a particular individual" (Catford, 1965:86). Therefore, in each communication gesture, there is a private residue which has to be translated in the mind of the listener. This kind of translation can only be successful if the participants involved are using a common language or two different languages in which they are proficient. Steiner (1992:49) notes that "inside or between languages, human communication equals translation" and that "a study of translation is a study of language." He further points out that, "the affair at Babel confirmed and externalized the never ending task of the translator - it did not initiate it."

Larson (1984:94) defines translation as "a neutral term used for all tasks where the meaning of expressions in one language referred to as the source language is turned into meaning of another referred to as the target language". It is the rendering of a message literally or non-literally from its original language into another language.

Newmark (1988:7) defines translation as "A Craft consisting in the attempt to replace a written message and/or statement in another language by the same message and/or statement in another language."
This shows that translation is an important and inevitable human activity. Translation exists because men speak different languages (Steiner 1992). This statement is a true reflection of a multilingual society like Kenya. It is a situation aptly captured by Crystal (1987) when he points out that, “When people are faced with a foreign language barrier, the usual way round it is to find someone to interpret or translate for them”. The notion of language barrier is therefore rendered obsolete through translation. This means that translation is a solution to language problems. A part from the solution of language barrier, translation also solves the problem of languages that are faced with extinction. Woodbury (2000) posits that language endangerment is an extremely serious problem, one with great humanistic and scientific consequences. Following up the issue, he states that, roughly 5000 to 6000 languages are spoken in the world today but a century from now the number will almost certainly fall to the low thousands or even hundreds. He makes these comments due to the rate at which communities that were once self-sufficient find themselves under intense pressure to integrate with powerful neighbours, regional forces, or invaders, often leading to the loss of their own languages and even their ethnic identify. We posit that our indigenous Kenyan languages are not an exception. According to The Daily Nation newspaper of March 6, 2002, a report released by the United Nations on February 20, 2002, shows that more than 3,000 languages of all the languages spoken in the world today “are on the throes of
death". The report says that 16 of the above stated languages “are in Kenya – four of which are already extinct”.

Some of the languages that the above newspaper reports as dead languages in Kenya are the, El Molo, Oropom, Lorkoti, Yaaku, Sogoo, Kore, Segeju, Omotik and Kinare and as stated in the rationale of this study many others are classified as “seriously endangered”. Quoting the Atlas of the world’s languages in Danger of Disappearing, the United Nations report says 10 per cent of Africa’s “endangered” and “extinct” languages are in Kenya.

Woodbury (2000) states that one solution to this world problem is to have these languages documented as much as possible. Effective documentation, he says, includes extensive videotape, audiotape, and written records of actual language use both formal and informal. He points out that for this documentation to be useful, it must include translation of materials into a language of wider communication.

It has often been said that translation is impossible. What needs to be pointed out is that translation is possible, but it is a complex task. In support of this assertion, Crystal (1987) argues that the translators do not only need to be knowledgeable in the two languages and cultures involved, but they must also work out all manner of equivalencies, correspondences and parallels between the two
languages. He posits that this task requires a keenness of insight that surpasses that of most mortals. Having talked to many translators and translation critics, Crystals (1987) notes that most confess that the task is, in the end, an impossible one. He quickly proceeds to point out that the skilled translator can do much “to combat the task, however partial or ephemeral the victories”. (Ibid)

The artistic aspect of translation should be defended by scholars in this field. Ali (1981:15) notes that, “Translation is not simply a blind transfer of a message from one language into another”. That “one has to be skilful in that task” is her standpoint.

Therefore, the fact that translation deals with material which is not originally that of the translator, but which has been produced by another author, should not guarantee the overlooking of the value of translating. Translations should therefore enjoy the same prestige and popularity as any other form of writing.

Ali (1981) also decries the unfortunate attitude of some scholars who do not see the artistic aspect involved in translating. Such scholars, she says, fail to recognize that a good translation requires a skilful usage of words and expressions which more often than not, call for artistic control of the languages involved.
We need to point out that though translation is an interdisciplinary subject, it is purely a linguistic study. Indeed it is an interdisciplinary study. Newmark (1985:5) points out that “translation theory derives from comparative linguistics and within linguistics, it is mainly an aspect of semantics; all questions of semantics relate to translation theory. That sociolinguistics has a continuous bearing on translation theory” is a fact. Halliday (1970) also notes that the principles and the methods for comparing languages including the theory of translation belong to the field of comparative linguistics it compares the working of different languages. Since translation is regarded as a special case of this kind of comparison, comparative linguistics includes the theory of translation. The relevance of comparative linguistics to translation is the fact that it makes it possible to compare features in different languages with a reasonable degree of accuracy and objectivity.

Finally, a few aids to the translator have been suggested by Kelly (1979). One such aid is the use of experts. He points out that “translators called on experts in the subject of their texts and engaged in lexicological research.” He says that Jerome employed a rabbi as his informant in the translation of the Hebrew Old Testament. 1,000 years later, he points out, Wycliffe’s team included not only experts in Latin but also theologians. The second prop is what he calls the ubiquitous dictionary, that is, a Universal Dictionary. Finally he talks of supplementing the use of the dictionary by using previous translations. This is
what is called the base/model (B/M) approach, first proposed by Fehderam (1979).

Apart from the above mentioned aids, the translator has several translation strategies at his/her disposal. Some of the strategies are:

i) Coinage
ii) Borrowing
iii) Definition/Unpacking
iv) Building in redundancy
v) Accommodation
vi) Base/Model approach

Coinage

Coinage is one of the least common processes of word-formation in English. Yule, (1985) says that coinage is the invention of totally new terms. The Gikuyu speakers have for example coined the word ‘kamūngūrio’ (mobile phone).

Borrowing

It is said to be one of the most common sources of new words in English (Yule Ibid). Examples of loan words that the English language has adopted from other languages are such as alcohol (Arabic) boss (Dutch) Zebra (Bantu) tycoon (Japanese) yogurt (Turkish) e.t.c.
Accommodation

Shi (2004:1) says that accommodation means "changes are made so that the target text that is produced is in line with the spirit of the original." It has also been referred to as adaptation.

Building in Redundancy

The Oxford Advanced Learner's Dictionary defines redundancy as the use of language that is superfluous, that is, language that is not needed. Information theorists on the other hand say that for efficient communication to take place, languages have a tendency of being approximately 50 percent redundant (Beekman and Callow, 1974). One good example of redundancy is in the Bible, Genesis 1:27 "So God created man in His own image, in the image of God created He him; male and female created He them." Building in redundancy is one useful strategy in translation.

Definition

To define a term is to unpack its meaning, that is, to state precisely or explain or state clearly the meaning of a word (Oxford Advanced Learner's Dictionary). For example the meaning of the word 'fathom' (Used elsewhere in this study) as in 'I cannot fathom his remarks' means 'to fully understand or comprehend'.
2.5.3 LITERATURE ON THE CONSTITUTION

Legal and political philosophers have fronted many definitions of the term constitution. The definitions have been noted to differ only in phraseology but they are agreed that the constitution is the fundamental or basic law of the land. According to Gicheru & Miano (1987), the constitution consists of those rules or laws which determine the form of a given government and the respective rights and duties of it towards a citizen and of the citizen towards the government.

In the Encyclopedia Britanica volume 6, the term constitution is seen in two senses. In its wider sense, it is said to mean the whole scheme whereby a country is governed; this is said to include much else besides law. In its narrower sense, the term constitution is said to mean the leading legal rules, usually collected into some document which comes to be almost venerated as “the constitution”.

Gicheru & Miano (1987) state that “By a constitution is normally meant a document having a special legal sanctity which sets out the framework and principal functions of organs of government of a state and declares the principles governing the operation of those organs…” They further observe that whatever its form, a true constitution will have the following facts about it very clearly marked.

1. How the various agencies are governed
2. What power is entrusted to those agencies; and
3. In what manner such power is to be exercised.

The above definitions point towards the importance of a country’s constitution. It is because of this fact that we argue that the contents of any given constitution should be known by all the citizens of that country, whether the citizens are literate or illiterate. This fact is aptly captured in the Encyclopedia Britanica volume 6 when it specifically talks about constitutional law. It is said to be the law relating to the government of the country as well as, to the state and its various organs and their relations among themselves and with the ordinary citizen.

Citizens in a democratic country like Kenya are said to enjoy freedom of speech, the right to say or publish what they please, freedom from arbitrary arrest, freedom to practice their religions and freedom of association, that is, to form political parties, clubs, trade unions or any other organization one wishes to form among other freedoms. In most countries like Kenya these rights are written into the constitution by being specifically enumerated and enacted as part of the constitutional document itself. Our main worry is the language used in writing the constitution. The main question is, important as the constitution is, is it understood by all the citizens for whom it is meant?

A constitution is written in the sense that there is some document or series of documents setting out the fundamental principles and chiefly legal rules, and to
this someone can point and say, "This is the constitution," Such a constitution is the basis of public law Gicheru and Miano, 1987).

In most countries like Kenya, the constitution, using the term in the narrower sense, is a scheme of government that has been deliberately adopted by the people. That is to say that these governments are constitutional governments. Constitutional governments are limited governments in the sense that they require that public authority be exercised according to law. In other words, these governments are democratic.

For Karl Marx, "Democracy, an association in which the free development of each is the condition for the free development of all", (Gicheru and Miano, 1987) should be upheld. The term democracy is derived from the Greek words 'demos' (people) and 'cratia' (power). This means that democracy is a form of government where power ultimately rests with the people. It is only prudent then, that the people (citizens) know the rules that govern them. This can only be possible if they understand their constitution. This, in turn, can only be possible if the language used in the constitution is understood by all. This is a fact implied in the preamble of the Draft Constitution of Kenya- 2004 as shown below.
PREAMBLE

We, the people of Kenya

ACKNOWLEDGING the supremacy of the Almighty God of all creation:

HONOURING those who heroically struggled to bring freedom and justice to our land:

PROUD of our ethnic, cultural and religious diversity and determined to live in peace and unity as one indivisible sovereign nation:

RESPECTFUL of the natural environment that is our heritage, and determined to sustain it for the benefit of future generations:

COMMITTED to nurturing and protecting the well-being of the individual, the family and the community:

RECOGNISING the aspirations of all Kenyans for a government based on the essential values of freedom, democracy, social justice and the rule of law:

EXERCISING our sovereign and inalienable right to determine the form of governance of our country and having participated fully in the making of this Constitution:

ADOPT, enact and give this Constitution to ourselves and to our future generations.

GOD BLESS KENYA
Real democracy, that is, one advocated for by Abraham Lincoln when he posited a classic definition of democracy as ‘a government of the people, for the people and by the people’, cannot be achieved if a section of the society (e.g. communities like those involved in this research) cannot contribute or discuss the constitution due to language barrier.

Meaningful democracy means real consent. This is where the people express their consent directly or indirectly through their representatives (Gicheru and Miano, 1987). If the government of the day does not live up to the expectations of the governed, this consent, which is enshrined in the constitution by way of having people contribute to the making of the constitution, may be withdrawn by the people. Kibwana et al (1996:2) note:

But the constitution also tells the people what rights they have. It tells them how, when and who by (sic) those rights can be taken away. Some of the rights in the constitution make it possible for the citizens to influence the behaviour of government. Other rights enable the citizen to change the government altogether. (Emphasis mine).

This cannot be possible if a given section of the society is in darkness regarding the contents of the constitution because they are language handicapped and cannot therefore read the constitution and understand its contents.

Such rights as the freedom of expression, press and association are guaranteed under the constitution or the basic law of the land. These rights are integral to
democracy as they facilitate free discussion without which democracy cannot thrive. Indeed democracy is government by discussion and public opinion as expressed in the constitution.

It is a fact that one cannot express his/her opinion on an issue that he/she does not understand since it is written in a language that he/she does not fully comprehend.

The constitution begins when the need for peaceful conflict resolution in the society is realized. This is an inevitable exercise since whenever human beings are granted freedom, there are certain issues that generate conflict in the society that people find themselves in. This in turn happens because unlike other animals, man is not a docile animal. Therefore, there is always the need for the society to identify the germs of potential or real conflict, examine them and devise ways and means of resolving them amicably. This means that any human society cannot do without a constitution, whether written or not. It also means that for the people to participate productively in the above described activity, they need to understand the constitution.

In conclusion, the importance of the constitution in a society has been reaffirmed. That notwithstanding, the constitution does not exist in a vacuum. People are the means by which it is not only established but also exercised. By all means, it is prudent to have all individuals in the society, regardless of their social status, religion, political affiliation, age, sex and (last but not least) education
background, know exactly what their constitution contains. One way to make this happen, in the Kenyan society, is to have the constitution translated into Kenya’s indigenous languages. Gikũũ is one such language which is the focus of this study.

In the next chapter, the researcher presented the research design that was adopted in this study.
CHAPTER 3

3.0 METHODOLOGY

3.1 INTRODUCTION

As a teacher of English in a secondary school in the area under study for several years, the researcher observed that students even at this level had very low proficiency levels in English and Kiswahili. This led to a concern that has generated this research, that is, if those who proceed to secondary school have such serious problems with the use of English, what about those that terminate their education after completing the primary cycle of education? The researcher had also observed that the general population in this area tended to use Gĩkũyũ almost all the time. All these people need to read, understand and respond to issues contained in important documents such as the constitution in order to associate themselves with such documents, own them and benefit from them.

3.2 RESEARCH AREA

This study was carried out in Karai Location. Administratively, the location is in Kiambu District in Central Province of Kenya. On one side, the location borders Kajiado District while on the other it borders Nairobi Province which is also the capital city of Kenya. Karai location is forty kilometers from the Nairobi city center.
This area is semi arid. In addition, the roads are rough and as such transport is a big problem. This worsens during the rainy season when it becomes difficult to transport essential commodities such as foodstuffs and newspapers.

Such problems and others such as insecurity are likely to have made this location to 'repel' outsiders, that is, speakers of languages other than Gikuyu. This is the reason why the area has failed to attain a cosmopolitan status, a characteristic common with areas that are as near Nairobi as Karai is.

A community that is cosmopolitan in nature is usually rich in its linguistic diversity and forces members of such a community to acquire neutral languages such as Kiswahili and English (Kenyan context). This is not so with Karai location. It is dominated by one homogenous linguistic community, that is, a predominantly Gikuyu-speaking community. Speakers of other languages such as dholuo, Kikamba, Luhya and Maa co-exist with the speakers of Gikuyu but since they are very few in number their languages are insignificant. As a matter of fact, most speakers of these other languages acquire Gikuyu and often speak it at will.

The above characteristics make Karai unique when compared to the other locations that combine with it to form the Kikuyu Division. This uniqueness interested the researcher and led him to purposefully choose the location. It was
assumed that this area was representative of other such locations with similar characteristics and where Gĩkũyũ is spoken as a first language.

It was also assumed that the target population had average reading ability and would form a population from which reliable findings would be got. Another assumption made was that since Kenyans had given their views to the constitution review commission of Kenya, and the debate concerning contents of the resultant Draft Constitution had been going on for a period of time, the study population would be familiar with the issues that were raised and tested in the questionnaires.

3.3 SAMPLE SIZE

This study involved a total of 40 respondents. This was considered a good sample because as Milroy (1987:21) states, “socially sensitive studies of language variation depend on good data, which entails the provision of sufficient types and quantities of language.” She further observes “that large samples tend not to be as necessary for linguistic surveys as for the other surveys because they tend to be redundant, bringing increasing data handling problems with diminishing analytical returns.”

As stated earlier, the respondents in this study were drawn from graduates of the highest primary level of education. Over the years, the education system in Kenya has been varying making the highest primary level of education also vary.
Available information according to Anderson (1970) shows that between 1950 to 1960, the highest primary level was standard eight. Between 1960 and 1984, the highest level was standard seven. Since 1985 to date, the highest level is again standard eight (Appendix 5 shows a complete picture of the primary and secondary systems of education).

The sample was distributed across the board among all categories of graduates of primary level of education in the three different periods described above. It was further divided into two groups as follows:

a) 20 Gikuyu speakers, ten men and ten women, with the current standard 8 level of education. (This group has been labeled category A in this study.)

b) 20 Gikuyu speakers, ten men and ten women, with the 1950 to 1984 standard 8 and standard 7 level of education. (This group has been labeled category B in this study.)

Men and women are socialized differently. Their level of exposure is thus varied. It is because of these reasons that the sex variable was introduced. It was hoped that the data would bring out the difference.
3.4 SAMPLING PROCEDURE

Judgment sampling technique was used to identify the locality of the study. This method involves identifying in advance the type of speakers to be studied Milroy (1987:26). The technique was also used to identify the second group of the respondents mentioned above, that is, category B. The researcher picked the first individual who fitted in this group. This sampling technique gave the researcher a starting point.

Social network approach was then used to help in picking of the rest of the respondents in this group. Social Networks are those informal and formal social relationships of which any human society is composed. Social network helps us view how an individual relates to other individuals in the society. More precisely, it helps the researcher find a means of approaching a group with which she/he has no pre-existing personal ties.

The social network approach takes as its starting point the isolated individual who is assumed to be linguistically typical of a particular age, class or sex group. One useful concept in this approach is the concept of a ‘friend of’ or a ‘friend to a friend’ which was used in this study as follows: The first individual the researcher had picked using judgement sampling identified several others they were with at school. Likewise, these ‘others’ identified yet other members of this social network until we got 20 Gĩkũyũ speakers, ten men and ten women. (NB strict
instruction to these people was to suggest people that they were sure did not go beyond the level of education described above.

The first group of respondents that is category A was picked from a local village polytechnic where, they are taught manual skills such as carpentry, dressmaking, masonry, home economics, agriculture and business. During the research, the principal of the polytechnic reported that the teachers use a mixture of Gĩkũyũ, English and Kiswahili. It was therefore assumed that these respondents usually encounter English accidentally just like any other person who is not in a given institution. The timetable shown on appendix 3 shows that there is no attempt to teach language or communication skills). It was assumed that not much English or Kiswahili was purposefully taught. It is also worth noting that all the teachers that teach in the institution involved are speakers of Gĩkũyũ as their first language.

To get the required number of respondents in this second category of respondents described above, the random sampling method was used to get ten men and ten women from the population found in the local village polytechnic. All the 50 students present when the researcher visited the institution were subjected to the English and Gĩkũyũ tests. Men’s scripts were separated from those of women. Finally for each test, we had 20 scripts for women and 30 for men. From the women’s, the researcher counted and put aside every second script and ended up with 10 scripts for each language. The same was done with the men’s scripts only
that this time the researcher counted and put aside every third script ending up with ten scripts which were used in the study.

3.5 DATA ELICITATION AND RESEARCH INSTRUMENTS

The Draft Constitution is composed of 21 chapters and seven schedules. Each chapter deals with a different issue as shown below:

**CHAPTERS**

Chapter One: Sovereignty of the people and supremacy of the constitution.

Chapter Two: The Republic

Chapter Three: National values, principles and goals.

Chapter Four: Citizenship

Chapter Five: Culture

Chapter Six: The Bill of Rights.

Chapter Seven: Land and property.

Chapter Eight: Environment and natural resources.

Chapter Nine: Leadership and integrity.

Chapter Ten: Representation of the people.

Chapter Eleven: The Legislature

Chapter Twelve: The executive

Chapter Thirteen: Judicial and legal system

Chapter Fourteen: Devolved Government
Chapter Fifteen: Public Finance
Chapter Sixteen: The public service
Chapter Seventeen: National security
Chapter Eighteen: Constitutional Commissions
Chapter Nineteen: Amendment of the Constitution.
Chapter Twenty: General Provisions
Chapter Twenty-One: Transitional and consequential provisions

SCHEDULES:

First Schedule: Regions, Districts and boroughs
Second Schedule: National symbols
Third Schedule: National oaths and affirmations
Fourth Schedule: Distribution of functions between the Government and the devolved levels of Government.
Fifth Schedule: Legislation to be enacted by parliament.
Seventh Schedule: Transitional and consequential provisions.

Faced with all these chapters and schedules, the researcher purposively sampled chapter six of the Draft Constitution, that is, the chapter on 'the bill of rights' to be used for data elicitation. This chapter was chosen since it concerns every individual’s rights. It was therefore thought to be a chapter that directly touches on the life of every individual and it was hoped that any respondent would be
interested in knowing what their rights are. This chapter was therefore considered a good area for testing receptor comprehension.

Using judgement sampling technique, 16 short texts on 'the bill of rights' were further sampled and typed. The researcher identified those texts that would elicit the nature of questions described in the next page. Those texts were extracted the way they appear in the Draft Constitution. They are all within reasonable comprehension level of an upper primary school child who is expected to use the English language with ease.

Many of these texts were short as stated above. Such short texts were chosen purposely because, according to Fyfe and Mitchell (1985:54), "people tend not to read lengthy instructions." Apart from being short, the texts were also few. This was meant to avoid making the respondents lose concentration because of reading many such texts.

From the above described texts, the researcher formulated twelve questions three of which were basically based on the principle of multiple choice test theory. This was so because according to Oller (1979:256), multiple choice questions are not only easy to administer but also candidates who pass them well are those that are "strong" and quite sure of what they have done. As for a compression test like the one involved in this study those who passed such questions had really understood
what they read and were not tricked by the choices. For this reason, Oller (1979) further asserts that:

It is the purpose of the multiple choices offered to any field of alternatives to trick the unwary, ill informed or less skillful learner.... If the test succeeds in discriminating among the stronger and weaker students it does so by decoying the weaker learners into misconceptions, half-truths and janus-faced traps.

Three questions were close-ended multiple choice and two questions were free response open-ended type. The researcher decided to use both open-ended and close-ended questions because while the close-ended questions have advantages as stated above, the open-ended questions, tend to produce a greater amount of reliable and valid test valiance (Oller 1979).

The remaining seven questions were:

a) Two true or false questions that were to be followed by short explanations for the choice made.

b) Four yes or no questions which were to be followed by subsequent short explanations for the choice made.

c) One right or wrong question which was to be followed by subsequent short explanation for the choice made.

These categories of questions were meant to avoid monotony as well as to ensure guesswork and luck were avoided. They therefore ensured that reading with comprehension was tested.
The same sampled texts and questions exactly as described above were translated into Gĩkũyũ. We therefore ended up with two questionnaires (one in English and one in Gĩkũyũ). These questionnaires are attached as appendices 1 and 2 respectively in this study. In each of the questionnaires one self-evaluation question was added. It was meant to give a chance to the respondents to self-evaluate themselves stating which one of the two tests they found easier.

The last instrument applied in this study was the unstructured or open interviews. This was meant to enable the researcher gather “data on covert variables such as attitudes…” (Seliger 1989:166) that could help explain the data obtained from the questionnaires.

3.6 **MODE OF ASSESSMENT:**

On one group of the respondents, that is, category A, the researcher administered the questionnaire himself. The respondents took the second questionnaire upon completion of the first. The instructions were that each questionnaire was allowed two hours. This was meant to show the seriousness involved in the exercise. However, none of the respondents took more than one and a half hours with the questionnaire written in English. As for the questionnaire written in Gĩkũyũ some respondents took between 1½ and 2 hours to complete.
For the second group of respondents, that is, category B, the researcher administered the questionnaire with the help of an assistant. It was a bit difficult to administer the questionnaires to this group. The main problem was their availability. Being parents and breadwinners in their families it was problematic to agree with each individual and allocate time for the exercise and therefore the services of a research assistant were sought. Eventually, the questionnaires were administered under similar conditions as the first group, that is, the respondents took the second questionnaire upon completion of the first and that they took between 1½ and 2 hours to complete each questionnaire.

The researcher marked the tests and approached the available (80%) respondents once more during which open interviews were conducted. The gathered data was presented in tables with the following comparisons:

a. Each individual’s performance in the two tests in the two languages.

b. The performance of the two groups of respondents involved in the study.

c. The performance of men to that of women respondents.

These tables plus other data presentation instruments are shown clearly in the next chapter.
4.0 PRESENTATION AND ANALYSIS OF DATA

4.1 INTRODUCTION

In this study we adopted both a qualitative and quantitative approaches to data analysis. The analysis of the scores obtained from tests that were done by the respondents generated the numerical data which called for quantitative analysis. On the other hand, the open interviews generated data that was analysed and discussed qualitatively.

4.2 DATA PRESENTATION AND ANALYSIS

The researcher marked the tests out of 24 (2 marks for each question) and converted the marks into percentages. He then presented the percentage performance of all the forty respondents in the following tables.
Table I: Shows the Score Obtained by Female Individuals in Each Category

<table>
<thead>
<tr>
<th>Category A</th>
<th>Gikũũũũ</th>
<th>English</th>
<th>Category B</th>
<th>Gikũũũũ : English</th>
</tr>
</thead>
<tbody>
<tr>
<td>F1</td>
<td>88%</td>
<td>58%</td>
<td>F1</td>
<td>42%</td>
</tr>
<tr>
<td>F2</td>
<td>67%</td>
<td>50%</td>
<td>F2</td>
<td>75%</td>
</tr>
<tr>
<td>F3</td>
<td>42%</td>
<td>17%</td>
<td>F3</td>
<td>50%</td>
</tr>
<tr>
<td>F4</td>
<td>25%</td>
<td>33%</td>
<td>F4</td>
<td>75%</td>
</tr>
<tr>
<td>F5</td>
<td>58%</td>
<td>46%</td>
<td>F5</td>
<td>58%</td>
</tr>
<tr>
<td>F6</td>
<td>54%</td>
<td>50%</td>
<td>F6</td>
<td>33%</td>
</tr>
<tr>
<td>F7</td>
<td>46%</td>
<td>25%</td>
<td>F7</td>
<td>79%</td>
</tr>
<tr>
<td>F8</td>
<td>71%</td>
<td>67%</td>
<td>F8</td>
<td>92%</td>
</tr>
<tr>
<td>F9</td>
<td>46%</td>
<td>42%</td>
<td>F9</td>
<td>92%</td>
</tr>
<tr>
<td>F10</td>
<td>38%</td>
<td>38%</td>
<td>F10</td>
<td>38%</td>
</tr>
</tbody>
</table>

Totals for females in this group 535 426
Mean scores for females in this group 53.5 42.6

Totals for females in this group 634 555
Mean scores for females in this group 63.4 55.5

Key
F → Female
* → Those who went against our predictions.
✓ → Stands for the outcome of the self-evaluation question. The tick shows the test (English or Gikũũũũ) that each informant ticked as the test that they thought they found easier i.e. the one they would score higher.
Table 2: Shows the Score Obtained by Male Individuals in Each Category

<table>
<thead>
<tr>
<th>Category A</th>
<th>English</th>
<th>Category B</th>
<th>English</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Gikũyũ</td>
<td></td>
<td>Gikũyũ</td>
</tr>
<tr>
<td>M1</td>
<td>54%</td>
<td>M1</td>
<td>75%</td>
</tr>
<tr>
<td>M2</td>
<td>29%</td>
<td>M2</td>
<td>*63%</td>
</tr>
<tr>
<td>M3</td>
<td>54%</td>
<td>M3</td>
<td>88%</td>
</tr>
<tr>
<td>M4</td>
<td>25%</td>
<td>M4</td>
<td>92%</td>
</tr>
<tr>
<td>M5</td>
<td>33%</td>
<td>M5</td>
<td>67%</td>
</tr>
<tr>
<td>M6</td>
<td>21%</td>
<td>M6</td>
<td>*83%</td>
</tr>
<tr>
<td>M7</td>
<td>46%</td>
<td>M7</td>
<td>88%</td>
</tr>
<tr>
<td>M8</td>
<td>67%</td>
<td>M8</td>
<td>*38%</td>
</tr>
<tr>
<td>M9</td>
<td>21%</td>
<td>M9</td>
<td>71%</td>
</tr>
<tr>
<td>M10</td>
<td>25%</td>
<td>M10</td>
<td>38%</td>
</tr>
</tbody>
</table>

Totals for males in this group: 375 334
Mean scores for males in this group: 37.5 33.4

Key
M → Male
* → Those who went against our predictions.
✓ → Stands for the outcome of the self-evaluation question. The tick shows the test (English or Gikũyũ that each informant ticked as the test that they thought they found easier i.e. the one they would score higher.

Totals for males in this group: 682 614
Mean scores for males in this group: 68.2 61.4
Table 3: Shows Total Scores and Mean Scores Obtained by Both Male and Female Respondents in Each Category

<table>
<thead>
<tr>
<th>Category A</th>
<th>Category B</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Gikũyũ</strong></td>
<td><strong>English</strong></td>
</tr>
<tr>
<td>Overall totals for females &amp; males in this group</td>
<td>910</td>
</tr>
<tr>
<td>Mean scores for females &amp; males in this group</td>
<td>45.5</td>
</tr>
</tbody>
</table>
Upon comparison of each individual’s performance in the two tests the following graphs were obtained:

**Graph 1**: Shows the Performance of Females in Category A.

From this graph, it is clear that only one informant F4 (i.e. 10% of the respondents in this category) performed better in the English texts. Respondents F1, F2, F3, F5, F6, F7, F8 & F9 (that is, 80% of the respondents in this category) did better in the Giküyũ text and only one informant F10 (that is, another 10% fared equally in the two tests.)
Graph 2: Shows the Performance of Males in Category A.

This graph shows that the English texts worked better for four respondents M3, M6, M9 and M10 (that is, 40% of the respondents in this category). This fact notwithstanding, the need for the translation into Gikuyu of the document under study is illustrated by five respondents M2, M4, M5, M7 and M8 (50% of the respondents in this category) whose performance in the Gikuyu texts was better than their performance in the English texts. Like their female counterparts only one male in this category scored equally in both tests M1.
As can be seen in this graph, though the general performance in the two tests has improved, the same scenario exhibited by the two groups already discussed above is repeated. While three respondents F1, F3 and F10 (that is, 30% of the respondents in this category) are comfortable with the English texts, five respondents F2, F4, F6, F7 and F8 (that is, 50% of the respondents in this category) are more comfortable with the Gikuyu texts.
Finally, the same trend seen in all the above graphs is sealed in this final one. Here, three respondents M2, M7 and M8 (that is, 30% of the respondents in this category) did better in the English comprehension test while six respondents M1, M3, M5, M6, M9 and M10 (that is, 60% of the respondents in this category performed better in the Gĩkũyũ comprehension test. Only one informant M4 (that is, 10% of the respondents in this category) performed equally in the two tests.
From the 4 graphs, the following conclusions were made:

a) From graph 1 three respondents F1, F3 and F7 had significant differences in the comprehension of the two tests.

b) Graph two also exemplifies respondents M2, M7 and M8 as having significant differences.

c) Notable in graph 3 respondents F2, F4, F6, F7 and F8 had quite significant differences in the two tests.

d) Graph 4 respondents M1, M3, M5, M6, M9 and M10 are notable as having significant differences in the comprehension of the two tests.

All these individuals described above validate the translation into Gĩkũyũ of the document under study and by extension other such documents. The researcher also presented the mean scores of the four groups graphically as follows:-

e) Finally, it was noted that some respondents had high marks in both the English and Gĩkũyũ tests. For instance in graph 1, F1 and F8 are notable. In graph 3 we have F4, F8 and F9. In graph 4 we have M1, M2, M3, M4 and M7. The researcher concluded that these are bilinguals whose comprehension proficiency in the two languages is high. The existence of the constitution in both the languages would serve them well.
**Graph 5a:** Shows mean scores of females in Category A

**Graph 5b:** shows mean scores of males in category A
Graph 5c: Shows mean scores of females in Category B

Graph 5d: Shows mean scores of males in category B.
When we compare graph (5a) and (5b), it can be noted that the females in that category of respondents (i.e. those with the current std 8 level of education) performed better than their male counterparts in both tests and therefore in both languages. This could be attributed to the fact that it has been discovered that female linguistic forms are considered to be “better” than male forms. (Trudgill 1974:85 and Labov, 1972).

When we compare graph (5c) and (5d) it can be noted that the males in this category of respondents (i.e. those with the 1950 to 1984 std 8 and std 7 level of education) performed better than their females counterparts in the same category in both tests and therefore in both the languages. The level of exposure, between that of the men and that of the women plus other factors could have rendered insignificant Trudgill’s (1974) argument (as above). This is because, while men in this category find time to, for instance, flip through the newspapers that they find in the restaurants in the local shopping centre, the women don’t. As a matter of fact it is not one of their (women) cultural expectation to frequent such restaurants. Men will also find time to attend administrative gatherings such as the Chief’s baraza and be accorded the opportunity to contribute to the proceedings. Women on the other hand may be fewer and silent in such gatherings. Wango (2000) says the following about women “… But they never get the opportunity or/and they are socialized to be humble and quiet. Yet humbleness is not quietness.”
This kind of a scenario has been dictated by the social cultural as well as the economic dispensation that exists in such a society. Generally, men tend to discuss a lot of politics than women do. Men are more economically empowered than women and men are also the ones actively involved in formal talks such as during marriage negotiations. All these factors have a bearing on the linguistic capability of the individual as shown by the outcome of this research.

It was also noted that the respondents in category B performed better in the comprehension of both the questionnaires in both the languages than the respondents in category A. This can be explained clearly by comparing the overall mean scores of both the groups as indicated in table 4 below

<table>
<thead>
<tr>
<th></th>
<th>English</th>
<th>Gikuyu</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category A</td>
<td>38</td>
<td>45.5</td>
</tr>
<tr>
<td>Category B</td>
<td>58.5</td>
<td>65.8</td>
</tr>
</tbody>
</table>

This could be attributed to the level of experience between the two groups. It is a fact that with age comes experience and this could have been reflected in the outcome of the exercise.
Finally it was also noted that while 60% of all the respondents in both the categories performed better in the Gikuyu test than they did in the English test, 27.5% of them performed better in the English test than in the Gikuyu test and 12.5% of the respondents performed equally in both the tests. The following pie chart illustrates this in a clearer way.

**Figure 1 Shows percentage of respondents' performance by language**

- **27.5%** of the respondents who performed better in English.
- **12.5%** of the respondents who performed better in Gikuyu.
- **60%** of the respondents who faired equally in the two tests in the two languages.

It is therefore clear that, out of all the individuals involved in this study, the majority, whether young or old understand Gikuyu better than English. It is because of this fact that the researcher advocates that the Draft Constitution and
other important documents should be translated into Gikuyu for the sake of these people.

It was however noted that the prediction that the majority of the individuals involved in the study would perform better in Gikuyu than in English goes against popular thinking. Many people are convinced that the society is educated and almost every other person understands English better than our indigenous languages. In fact, the results of the self-evaluation question included in the tests show that a majority of the respondents thought that they were better in English than in Gikuyu, a fact that was proved wrong as is shown in the following analysis.

a) 17 of the respondents predicted wrongly in favour of English.

b) 4 of the respondents predicted correctly in favour of English.

c) 7 of the respondents predicted correctly in favour of Gikuyu.

d) 7 of the respondents predicted wrongly in favour of Gikuyu.

e) 5 of the respondents predicted that they would fair better in English but ended up doing equally in both the Gikuyu test and the English test.

It would therefore be fairer for the people in category (a) and (d) above to access important documents in both English and Gikuyu in case one thinks that he/she is better in one or the other language only to realize that they are wrong when presented with a given document in the other language.
In conclusion we point out that from whatever angle that these results are looked at, they show that the majority of the respondents involved in this study (and by extension the group of Gĩkũyũ speakers that they represent) need to be given the opportunity to read the document under study in their own indigenous language as they comprehend it better.

4.3 ANALYSIS OF DATA FROM ORAL INTERVIEWS

Selinger, (1989) states that the most typical interviews in qualitative research are those, which are open, informal and unstructured. The researcher therefore, used this kind of interview because as Selinger, (Ibid) further states, such open interviews can be used as tests for obtaining information about learner’s language proficiency. Though the respondents in this study were not learners, we needed to gather information concerning their comprehension proficiency.

Open interviews, Selinger, (Ibid), states “provide the interviewee with broad freedom of expression and elaboration and often resemble informal talks. They allow greater depth and one question leads to another... and often unexpected information emerges. This was how the interview turned out to be.

Asked what their prevalent languages were, most of the respondents especially those in category A and more specifically the women stated that Gĩkũyũ was the language at their disposal. They encountered Kiswahili and English sporadically
during market days and sometimes at church. Those in category B also testified that Gikuyu was commonly used among them. They said that code switching was the order of the day at school, inside and outside the classroom. This fact was also stressed by the principal of Karai village Polytechnic from which the respondents were drawn. The other teachers also confirmed the same by adding that if they purely relied on English few students would comprehend or follow the lesson. The timetable, shown in appendix 3 also testified that actually no attempt was made to teach English.

Asked what their favourite radio stations were, most of the respondents said they listened to Kameme FM, Inoro FM or Coro FM all of which were Gikuyu radio stations. Only a few elderly men testified to have had the habit of reading newspapers. (This has already been supported by the fact that overall, their results were better than those of the others.)

When asked what their main problems were when tackling the questionnaire most stated that the questionnaire written in English was very demanding and quite a task. Some said that they were not sure of what they wrote while many left gaps especially in places that they needed to explain reasons for having chosen a given multiple choice answer.
This had been noted during the marking of the tests and interpreted to be one of the major difficulties that some Gikuyu speakers face in comprehending the Draft Constitution that is written in English. This difficulty has been labeled 'language handicap' or 'language barrier' in this study.

The other major difficulty that some of the respondents testified to was that of difficult English words. They said that such words had compounded their already difficult task. The researcher had also noted this difficulty during the administration of the questionnaire as some respondents kept asking for the meaning of words such as; plaintiff, frivolous, vexations, devoid of merit, psychological and corporal. They were unable to process the meaning of the whole text simply because they could not process the meaning of those difficult words in isolation.

The other major difficulty in comprehension of the texts that were in English was that of partial understanding. This was noted as some respondents showed a lot of mix up. One would choose a correct choice but support that choice with a completely irrelevant explanation. For instance one informant correctly chose option (b) in question five but supported this by saying that ‘A person shall not remanded in custody for not six months’ (Sic). Another informant correctly chose option (b) in question twelve but supported it with the following explanation ‘To be presumed innocent until the contrary is proven’ (Sic). Though this was also
evident in the texts that were written in Gikuyu it was not as prevalent as it was in the ones that were written in English.

The only difficulty reported by respondents especially those with the current std 8 level of education concerning the Gikuyu questionnaire was that they took longer to read this questionnaire and to answer the questions thereof. But once they managed reading, comprehending was not much of a problem. This was a fact since no question had been asked during the administration of the questionnaire like it was the case with the questionnaire written in English.

 Asked why they thought this was so, their responses agreed with what the researcher had predicted. That is, though such speakers’ proficiency in Gikuyu was not low since it was the language at their disposal, they hardly had any practice in reading their language. Apart from the bible, most of the other documents that they come across are those written in English. Faced with the problem of being unable to comprehend the documents, many such Kenyans end up developing a poor reading culture. Such a culture has been highlighted in The East African Standard newspaper of June 16, 2001 and The Sunday Standard newspaper of July 7, 2002.

It is because of this fact that the researcher argues that if there were many other documents written in Gikuyu, such people would have been exposed to reading
and since they would comprehend what they read, such reading would be enjoyable. This would in turn make them develop a positive reading culture.

Asked why most had self evaluated themselves as having found the questionnaire written in English easier, most avoided this question. This was interpreted by the researcher to mean that during self-evaluation, they had wanted to be associated with the ‘superior’ language, the language of ‘power’. Nyamasyo (2004:75) puts it aptly when she says “for the indigenous peoples, English came to be equated with ‘culture’, ‘enlightenment’, and being ‘educated’.”

Most respondents finally hailed the idea that most important documents should be translated into Gîkûyü, a language that they would not have problems trying to comprehend. Asked what other documents they would want translated into Gîkûyü, daily newspapers were top in the list. Others were magazines and religious books. Those who had performed well in English also said that there was need for translating such important documents into Gîkûyü as the documents written in Gîkûyü would supplement the ones written in English. They gave the example of the bible and said that they usually clarify meanings in the Bible using the English and Gîkûyü versions.
Having established that there is need to translate important documents such as the constitution for some Gikuyu speakers, we now proceed to suggest some translation strategies in the next and final chapter.
CHAPTER 5

5.0 FINDINGS, RECOMMENDATIONS AND CONCLUSIONS

5.1 INTRODUCTION

The following section highlights the major findings and conclusions regarding the receptor comprehension of Gikuyu and English texts by some speakers of Gikuyu as their first language. Various strategies/techniques and methods of translating the document under study have been recommended. Finally we have suggested areas for further research.

5.2 FINDINGS AND CONCLUSIONS

This study has tried to establish the need for the translation of documents of National importance into Gikuyu since some Gikuyu speakers are unable to access the documents because of language barrier. As has been established this group of people are those that have low proficiency in English and Kiswahili, the languages that are mostly used in writing of important documents. These people drop out of the mainstream formal education after the completion of their primary education. The researcher hoped to find out whether these graduates had sufficient receptor comprehension of written English to enable them to read and understand these documents or whether their receptor comprehension would be enhanced if these documents were translated into their first language.
The results showed that these people were better of accessing the information in these documents in their indigenous language. They lacked what Kirigia (1991:85) calls “sufficient knowledge of written English…” The findings therefore mean that translation of these documents is of priority and importance.

An overview of the study reveals that to a large extent, the assumptions of the study were confirmed. The following findings and conclusions attest to this.

One significant finding was that for the eleven respondents whose performance in English was better than in Gikuyu, each informant had a minimal difference between the two tests. As can be seen in appendix 4, the differences in marks (in favour of English) ranged from 4 to 13 marks for the informant with the least difference and the informant with the highest difference respectively. This indicates that those who performed well in English performed equally well in Gikuyu. This differs significantly from the 24 respondents whose performance in Gikuyu was better than that of English. For this group, the differences in marks (in favour of Gikuyu) ranged from 4 to 37 marks for the informant with the least difference and the informant with the highest difference respectively. Other notable differences in this group were such as: 30 marks (one informant), 25 marks (two respondents), 21 marks (two respondents), 17 marks (seven respondents) and 16 marks (one informant). These differences show that those who were better in Gikuyu were not good in English. For the sake of the
respondents with such differences and those that they represent, the document under study should be translated into Gĩkũyũ.

It was also observed that 57.5% of the respondents under study scored above 50% in the Gĩkũyũ test while 50% of them scored above 50% in the English test. This means that more respondents were better in Gĩkũyũ than in English.

Women were found to be better than men in their comprehension of Gĩkũyũ texts. This is because, while 65% women respondents were better in Gĩkũyũ than in English and 20% better in English than in Gĩkũyũ, 55% men respondents were better in Gĩkũyũ than English and 35% better in English than in Gĩkũyũ. This means that although all the respondents would gain much more from a Gĩkũyũ translation of the document under study, it would be of more use for women than men.

Finally, several other drawbacks were observed for instance, some respondents appeared not to have understood either the questions or the texts since they sometimes left some questions unanswered. Other respondents arbitrarily copied expressions to fill in the blank spaces while others went ahead to explain choices they never made; they did not tick the correct answer as demanded by the questions. Others ticked the choices but did not explain them. There were also a lot of contradictions. What would have been the correct explanation would be
matched with the wrong choice. All these problems were present in both the Gĩkũyũ and English tests but they were more prevalent in the English test for majority of the respondents.

5.3 RECOMMENDATIONS

Before suggesting some translation strategies that would be appropriate in rendering the Draft Constitution into Gĩkũyũ, it should be pointed out that one cannot be taught how to translate. Newmark (1998: 36) points out that translation theory “cannot make a bad translator into a good one. It cannot make a student intelligent or sensitive – two qualities of a good translator”. What translation theory does “is to show the student all that is or may be involved in the translation process” (Ibid).

The reason behind the above argument is that translation has been described as “a craft and an art – or simply art”. (Ibid: 17). Newmark elaborates by saying:

The translators craft lies first in his command of an exceptionally large vocabulary as well as all syntactic resources – his ability to use them elegantly, flexibly, succinctly... the translator as a craftsman has to know the foreign language so well that he can determine to what extent the text deviates from the language norms usually used in that topic on that occasion. (Newmark, 1998:17).

Asked what happens during the translation process several translators have talked about the translator’s creativity. One such translator is Thutukani. Houbert (2001) notes Thutukani’s response;
Most of the time, I am forced to use my imagination to the utmost just to make sense of what seems untranslatable into my language. This happens when I am across words that have no equivalent in Zulu.

Therefore when using the strategies suggested below, the translator’s creativity is paramount.

a) **Borrowing**

Yule, (1985) defines borrowing as “the taking over of words from other languages”. When translating documents from a source language to a target language, borrowing of loan words especially from the source language or any other language becomes inevitable. This is particularly so if the two languages involved are unrelated and as such, some of the SL words lack direct TL equivalents.

One example of borrowing that could be done when translating the Draft Constitution into Gĩkũyũ concerns the concept of ‘right’ as in ‘Bill of rights’. In Gĩkũyũ this concept is blurred as the nearest equivalent would be ‘ma ya mündũ’ (truth of a person) which does not render the exact meaning. Therefore we propose a loan word from Kiswahili. Kiswahili has been described as a Lingua Franca of East Africa and as such a very useful intermediate language because some of its terminologies are very common. The proposed loan word is ‘Haki. Two examples of sentences
that are translated into Gikuyu using the loan word ‘Haki’ are shown below;

English: Every person has the right to freedom of expression.
Gikuyu: Mündũ o wothe ena [Haki] ya kwiyaria

English: Every person has the right to leave Kenya
Gikuyu: Mündũ o wothe ena [Haki] ya kuuma nja ya Kenya

Other borrowed words that could be made use of are words such as;

<table>
<thead>
<tr>
<th>English</th>
<th>Kiswahili</th>
<th>Gikuyu</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) Advocate</td>
<td>Wakili</td>
<td>Wakiri</td>
</tr>
<tr>
<td>(ii) Constitution</td>
<td>Katiba</td>
<td>Gatiba /yaɪphi/</td>
</tr>
<tr>
<td>(iii) Fine</td>
<td></td>
<td>Baini /faɪni/</td>
</tr>
<tr>
<td>(iv) Registered</td>
<td></td>
<td>Ūrinjistitwo/oyɪʃɪʃɪtɪwʊ/</td>
</tr>
<tr>
<td>(v) Remand</td>
<td></td>
<td>Rūmande /roʊmɑndeɪ/</td>
</tr>
</tbody>
</table>

As can be witnessed above some terms are borrowed either from English or Kiswahili directly. While others undergo a process known as nativisation. That is, they are borrowed and adjusted phonologically as shown to fit in the Gikuyu phonology in terms of spelling and pronunciation. For example (iv) above.

b) Unpacking

This is what Newmark (1988) calls ‘definition’. This applies when the translator is faced with terms that do not have equivalents in the TL and it is not obvious to
borrow since even after borrowing the term or the concept being communicated does not exist in the TL. In the event of such a situation, the interpretive theory demands that the translator reads the sentence or text in which the term or concept appears, understand and internalize the meaning of the concept, then uses the TL to elaborate or explain the concept.

For our purposes here, the main aim (Skopos) of translating the Draft Constitution is to have the people understand their rights as provided for in the Draft Constitution. Therefore the Skopos theory on the other hand allows the translator to unpack such terms. Two examples for this strategy will suffice.

English: "A person held in custody has the right to fair consideration for parole..."

Gikuyu: Mündū ühingiritwo thiini ena haki ya gwicirio na kihooto ùria angirekererio arikia kwiranira ati ndangiūra na ndangika mahitia mangi ciira ucio wake ūtathirite. (A person who is locked inside has the right to be thought of fairly how she/he could be released after promising that he/she cannot escape or commit an offence before his/her current case is over).
English: An accused person charged with an offence, other than an offence that the court may try by summary procedures, shall be entitled, on request, to a transcript of the proceedings of the trial.

Gikuyu: Mundu o wothe ethagitwo na agatuirwo na ihitia ringi o riothe tiga riiria igoti ringitua o rorimwe, ena ma ya kuuria aheo iratathi ri na mandiko maronania uria ciira wake ukoretwo ugithii na mbere.

(Any person who have been accused and charged with an offence other than that the court may try at once has the right to request and be given a paper on which are writings showing how his or her case has been proceeding).

As can be seen above, the word parole is semantically condensed in the SL such that it requires considerable expansion in the TL for the concept to be communicated. The same is true of the expression The Bill of rights.

c) Building in Redundancy

Quoting Schramm, Beekman and Callow (1974:43) define redundancy as a measure of certainty and predictability. They further state that increasing redundancy makes communication efficient for the recipient can guess what is coming next.
Nida and Taber (1969:163) state that the translation into the RL needs to be about 50 percent redundant since they also assert that ‘there seems to be a relatively fixed tendency for languages to be approximately 50 percent redundant’.

When translating the Draft Constitution from English to Gikũyũ, one cannot avoid some amount of redundancy. Some examples of redundancy are shown below:

**English:** To choose and be represented by an advocate.

**Gikũyũ:** Güthuura wakiri na kūrūgamirirwo ni wakiri ūcio ciira-ini. (to choose an advocate and be represented by that advocate in the proceedings)

**English:** To be presumed innocent until the contrary is proved.

**Gikũyũ:** Gwiciiririo ati ndari na mahitia nginya riria mahitia make marionekana. (To be thought of as being without mistakes until such a time that the mistakes are seen)

d) **Accommodation**

According to Shi (2004) accommodation means that changes are made so that the target text produced is in line with the spirit of the original. The end product thus produced is not a translation in the traditional sense but a text that is provided for or accommodated for in the following translation definition by Nida (1984)

Translation consists of providing, in the receptor language, the closest natural equivalent of the source language message, first in terms of meaning and secondly in terms of style.
Though accommodation is not recommended for the translation of legal documents since they are required to be as faithful as possible to the source text, it cannot altogether be avoided.

Accommodation becomes necessary especially when the two languages involved belong to quite different language families such as English and Gĩkũyũ. Shi (2004:2) asserts that “accommodation is also translation, a free, rather than literal kind of translation” Moreover he says, “it is inevitable in practice if the translation is to maintain the source message’s essence, impact and effect”. These are the exact aims (Skopos) of translating the Draft Constitution into Gĩkũyũ.

One example of accommodation that may be employed when translating the Draft Constitution into Gĩkũyũ will suffice.

English: The Bill of Rights applies to all laws and binds all state organs and all persons.

Gĩkũyũ: Haki cia andů iria iheanitwo Watho-ini cikonii mawatho mothe na ni ciohete honge ciothe cia thirikari ona andů othe. (Human rights provided for in the law, concerns all laws and binds all government organs and all persons)
e) **Base Model Approach**

Finally, we propose the use of the concept of Base/Model approach first proposed by Fehderhu (1979). He proposed this approach particularly for Bible translation. The principle behind this model consists in systematically comparing two modern versions of what is being translated and of exploiting this comparison, that is to say the main principle of Base /Model approach to transition is that of comparison. When two modern version (of, for instance, the bible) are compared, the translator is able to understand the source text correctly. As a result he/she is able to compose a third translation in valid way.

The fact that the current Draft Constitution has been translated into Kiswahili, the researcher proposes that any translator rendering the document into any of our indigenous languages such as Gikuyu needs to compare the Kiswahili version of the Draft Constitution of Kenya-2004 (the Model) to the English version which will double as the source Text and the Base. In the process of this comparison, the translator will understand the source text well and utilize (were applicable) the techniques employed in the Kiswahili version to compose the Gikuyu or the target version.

### 5.4 AREAS FOR FURTHER RESEARCH

This study tested the receptor comprehension of primary school graduates, that is, those that dropped out of the mainstream formal education before gaining a
command of English and Kiswahili that would enable them to read with understanding some important documents such as the Draft Constitution. They were therefore considered as having low proficiency in the two languages.

Since the present study was based on reading comprehension, it is recommended that a similar study based on the listening comprehension be undertaken.

Finally, a similar study should also be carried out for the other Kenyan indigenous languages.

5.5 CONCLUSION

The respondents involved in this study enabled the researcher establish that some speakers of Gikuyu do not comprehend documents that are written in English — the language in which most important documents are written in. It is assumed that this scenario is true of the other Kenyan ethnic communities. This implies that, important documents that touch on the lives of the Kenyan populace need to be made available to all of them in languages that they fully understand. One effective way of realizing this is to have those documents translated into all the Kenyan indigenous languages.
Bibliography


Sifuna, D.N. (1986). History of Primary Education. Nairobi: Kenyatta University


APPENDICES

APPENDIX 1: English Questionnaire

A. You are requested to fill the following questionnaire. Any information that you give will not be used for any other purpose apart from for the purpose of this academic research.

1. Your Name

2. Your sex (Tick where applicable)
   - Male
   - Female

3. Your age bracket (Tick where applicable)
   - 15 - 25 Years
   - 25 - 35 Years
   - 35 - 45 Years
   - 45 - 55 Years
   - 55 - 65 Years
B. The following are some of the rights provided in the Draft Constitution of Kenya – 2004. Read them carefully and answer the comprehension questions provided.

1. The life of a person begins at conception

2. Any fee required to be paid by a person in respect of proceedings in a court of law shall be reasonable and not serve to impede access to justice.

3. A person shall not be remanded in custody for an offence if that offence is punishable by a fine only or imprisonment for not more than six months.

4. In proceedings against a public authority for a violation of human rights, a court may not award costs against the plaintiff or applicant, unless the court determines that the case was frivolous, vexatious or devoid of merit.
5. Every accused person has the right to a fair trial, which includes the right.
   a) To choose and be represented by, an advocate and to be informed of this right promptly.
   b) To be present when being tried.
   c) To be presumed innocent until the contrary is proved.
   d) Not to be tried for an offence in respect of an act or omission for which that person has previously been either acquitted or convicted.
   e) To have the assistance of an interpreter without payment if the accused person cannot understand the language used at the trial.

6. A person shall not compel another person to disclose that person’s religious convictions or beliefs.

7. Every person has the right to freedom and security of the person, which includes the right.
   a) Not to be detained without trial, except during a state of emergency
   b) To be free from all forms of violence from either public or private sources.
   c) Not to be tortured in any manner, whether physically or psychological.
   d) Not to be subjected to corporal punishment or to be treated or punished in a cruel, inhuman or degrading manner.
QUESTIONS

Answer all the following questions basing your answers on what you have just read.

1. For what reasons can a person be detained without trial

2. Kamau is a chief. He has been taken to court for violating human rights. During the proceedings of this case, the court has found that the case is frivolous or devoid of merit. The court is likely to fine one of the following. Tick the right choice
   a) The plaintiff
   b) The public officer
   c) The lawyer
   d) The judge

3. Reasonable fee (charges) charged by the court to a person who wants his/her case to be heard may impede a person’s access to justice.
   a) True
   b) False

Tick the correct choice
4. The life of a person begins at birth.
   a) True
   b) False
   Tick the correct choice

   Explain your answer according to what you have read above

5. Njoroge was remanded in custody for one week. When his case was heard, he was jailed for 3 months. Was it right for him to be remanded in custody in the first place?
   a) Yes
   b) No
   Tick the correct choice

   Explain your answer according to what you have read above
6. According to what you have read, is abortion allowed in the Draft Constitution?

a) Yes
b) No

Tick the correct choice

Explain your answer according to what you have read above

7. Nyambura was arrested on a Monday for stealing maize flour from a shop. She was informed of her right to choose and to be represented by an advocate on Friday of the same week. This was the same day that she was taken to court without an advocate, found guilty and jailed for one year. One of her rights was violated. Tick that right from the list below.

a) The right to be allowed to say why she stole the flour.
b) The right to be informed in good time that she could choose and be represented by an advocate.
c) The right to have the assistance of an interpreter.
d) The right to appeal.

8. According to what you have read, is it right for a person to be prosecuted for failing to do something he is supposed to have done but has not done.

a) Yes
b) No
9. Juma was forced by the judge to state why he does not believe in the existence of God. According to what you have read was the judge right or wrong?
   a) Right
   b) Wrong

Tick the correct choice

10. An accused person is presumed innocent until
   a) He is arrested and taken to police cells
   b) He/she is handcuffed
   c) He/she is taken to court
   d) He/she is caught breaking the law
   e) He is proved guilty
11. Mugo was serving a 10 year jail term because of murder. He was beaten to death by the prison warders. Comment about this according to what you have read.

12. A person who has violated the law has no right to any security or freedom.
   a) Yes
   b) No
   Explain your answer according to what you have read above.

13. Which of the two tests (English and Gikuyu) did you find easier?
   a) English
   b) Gikuyu

Nikigerio kirikũ gia icio igiri wóna kiri kihũthũ?
   a) English
   b) Gikuyu
APPENDIX 2: Gikuyu Questionnaire

Niworio üiyurie ciuria ici. Undū o wothe üria ükwandika ndükūhūthirwo na undū üngi tiga o na wira wa ütuiria üyū wa githomo.

1. Ritwa Riaku ________________________________________________________

2. Wi mündū mürumë kana mündū wa-nja?
   - [ ] Mündū mürumë
   - [ ] Mündū wa-nja

3. Miaka yaku (Tiiki) haria hagiriire
   - [ ] 15 – 25
   - [ ] 25 – 35
   - [ ] 35 – 45
   - [ ] 45 – 55
   - [ ] 55 – 65
4. Haria wakinyirie githomo giaku kia marua

- Standard 8 ya tene
- Standard 8 ya riu
- Hangi o hothe

1. Muoyo wa mundu wambagiria mbeu ya mundu murerume na ya mundu-wanja cia nyitana.

2. Irihi o riothe ringitiyo ni igoti kuuma kwi mundu wina ciira igoti-ini ririkoragwo riiganiiririe na ritari ria gutauma mundu aremwo ni gukinyira ma kana kihoto.

3. Mundu ndangiikio rumande ni undu wa ihitia angikorwo ihitia riu noriherithanirio na undu wa gutocwo o baini tu kana kioho gitakiritie mieri itandatuu.

4. Hindi ya guthiciririo gwa ciira ukonii mundu wi na giturwa gia gutongoria muingi athitangitwo ni undu wa kuiuma mundu haki yake, igoti ritingitua ati muthj tangani atocwo baini gutangituika ati igoti nirionete ati ciira ucio ni wa itheru kana ni ciira utari na kiene.
5. Mündü o wote húthitangitwo ena haki ya güciirithio na kihoto na haki ingi ta ici.

   a) Güthuura wakiri na kürügamirirwo ni wakiri úcio ciira-ini na kûmenyithio ati ena haki iyo na ihenya múno.

   b) Gukorwo ari ho igoti-ini hindi ya ciira wake.

   c) Gwiciiririo ati ndari na mahitia nginya riria mahitia make marionekana.

   d) Kwaga güciirithio ni ùndü wa ihitia ria ùndü eekite kana aagiite gwika angikorwo ihitia riu niacirithiirio hau kabere-ini agituirwo kana akirekererio.

   e) Güteithiririo ni mútaũri atekūrihio angikorwo mündü úcio úthitangitwo ndangimenya rũthiomi rūria rûrahûthika ciira-ini.

7. Mündū o wothe ena haki ya gūkorwo ena wiyathi na ūgitiri wake na haki ingita ici cirūmiriire.

a) Mündū kwaga gūkio rūmande ataciirithitio otiga gūkorirwo ni hindi ya wihūge.

b) Mündū gūkorwo atekūnyarirwo na njira o yophe ni mūungi kana mündū o wothe.

c) Mündū kwaga kūnyarirwo na njira o yophe mwiri kana meciiiria.

d) Mündū kwaga kūherithio na iherithia ria kūhūrwo mwiri kana gwikwo ūndū o wothe ūtari wa ūūmündū kana wa gūtua mündū kindū gitari kiene.

8. Gütitikiritio kūruta nda tiga o hindi iria ndagitari ūrinjisitwo angiona ati muoyo wa nyina wa mwana wi mūtino-ini.

9. Mündū ūnyititwo na akahingirwo ena haki ya gwiciirio na njira njega ūria angirekererio arikia kwiranira ati ndangǐūra na ndangika mahitía mangi nginya ciira wake ūthire.
CIURIA

Cokia ciuria ici irùmiriire kùringana na ụria wathoma maùndu macio.

1. Ni hindi irikù mùndù angiikio rùmande ataciirithitio?

   a. Uria úthitanganite
   b. Mùtongoria úcio wa múngi
   c. Wakiri
   d. Njanji

   a. Niguo
   b. Tiguo

Onania icokio riria riagiriire na ùndù wa gùtiika icokio riu
   a. Niguo
   b. Tiguo

Onania icokio riria riagiriire na ūndū wa gütiika icokio riu

5. Njoroge aikirio rūmande handū-ini ha kiumia kimwe. Hindi iria ciira wake wathikiriirio akiohwo mieri itatū. Nikwari kihowo gūkorwo aikitio rūmande kuringana na ūria wathoma hau igūrū?
   a. ii
   b. Aca

Onania icokio riria riagiriire naūndū wa gütiika icokio riu

6. Kūruta nda nigwiti kiririo thiinii wa maūndū macio wathoma maria me gatiba-ini ya mūhianano ya Kenya?
Onania icokio riria riagiriire na ūndũ wa gūtiika icokio riu
Taariria icokio riu riaku kūringana na ūria wathoma

   a. Haki ya gwitikirio oige kiria giatũmire aiye mūtu.
   b. Haki ya kūmenyithio kahinda karia kagiriire ati ena haki ya gūthuura na kūrūgamirirwo ni wakiri.
   c. Haki ya gūtauirwo rūthiomi ni mūtāuri.
   d. Haki ya gūcokia ciira riiko.

8. Kūringana na ūria wathomari, mūndũ no aciirithio ni ūndũ agiriirwo nigwika na ndekite?
   a. li
   b. Aca
Onania icokio riria riagiriire na ŋündu wa gutiika icokio riu

Taariria icokio riu riaku kūringana na ŋuria wathoma

   a. Niahitirie
   b. Ndahitirie

Onania icokio riria riagiriire naũndū wa gūtiika icokio riu

Taariria icokio riu riaku kūringana naũria wathoma

10. Mündū athitangitwo agiriire ni gutuo ati ndari na mahitia nginya ri?
   a. Riria aikio ngono na atwarwo theero ya borithi.
   b. Riria ekirwo mabingū:
   c. Riria atwarwo igoti-ini.
   d. Riria mahitia make monekana thutha wa gūcirthio.

12. Mündü angikorwo abunjite watho ndari na haki ya kūgitirwo kana wiyathi.
   a. ìì
   b. Aca

Taariria icokie riu riaku kūringana na ūria wathoma ______________________

13. Which of the two tests (English and Gikūyū) did you find easier?
   a. English
   b. Gikūyū

Nikigerio kirikū gia icio igiri wona kiri kihūthū?
   a. English
   b. Gikūyū
Appendix 3: Karai Village Polytechnic Time Table

<table>
<thead>
<tr>
<th>TIME</th>
<th>8:30-10:30 AM</th>
<th>11 AM- 1 PM</th>
<th>2 – 4 PM</th>
</tr>
</thead>
<tbody>
<tr>
<td>MON</td>
<td>Baraza/ Technical</td>
<td>B</td>
<td>L</td>
</tr>
<tr>
<td></td>
<td>Drawing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TUE</td>
<td>Theory</td>
<td>R</td>
<td>U</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Agriculture</td>
</tr>
<tr>
<td>WED</td>
<td>Practicals</td>
<td>E</td>
<td>N</td>
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<td></td>
<td></td>
<td>Sports</td>
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<tr>
<td>THUR</td>
<td>Practicals</td>
<td>A</td>
<td>C</td>
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<td></td>
<td></td>
<td></td>
<td>Home Economics</td>
</tr>
<tr>
<td>FRI</td>
<td>Practicals</td>
<td>K</td>
<td>H</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>General Cleaning</td>
</tr>
</tbody>
</table>
APPENDIX 4: The Differences in Performance of the Two Tests for Individual Informants

a) The eleven informants who performed better in English than in Gikuyū

<table>
<thead>
<tr>
<th></th>
<th>English</th>
<th>Gikuyū</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>33</td>
<td>25</td>
<td>8</td>
</tr>
<tr>
<td>2</td>
<td>58</td>
<td>54</td>
<td>4</td>
</tr>
<tr>
<td>3</td>
<td>33</td>
<td>24</td>
<td>12</td>
</tr>
<tr>
<td>4</td>
<td>25</td>
<td>21</td>
<td>4</td>
</tr>
<tr>
<td>5</td>
<td>38</td>
<td>25</td>
<td>13</td>
</tr>
<tr>
<td>6</td>
<td>50</td>
<td>42</td>
<td>8</td>
</tr>
<tr>
<td>7</td>
<td>54</td>
<td>50</td>
<td>4</td>
</tr>
<tr>
<td>8</td>
<td>75</td>
<td>63</td>
<td>12</td>
</tr>
<tr>
<td>9</td>
<td>88</td>
<td>83</td>
<td>5</td>
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<td>10</td>
<td>46</td>
<td>38</td>
<td>8</td>
</tr>
<tr>
<td>11</td>
<td>63</td>
<td>38</td>
<td>5</td>
</tr>
</tbody>
</table>

b) The 24 informants who performed better in Gikuyū than in English.

<table>
<thead>
<tr>
<th></th>
<th>Gikuyū</th>
<th>English</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>88</td>
<td>58</td>
<td>30</td>
</tr>
<tr>
<td>2</td>
<td>67</td>
<td>50</td>
<td>17</td>
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<td>3</td>
<td>42</td>
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<td>25</td>
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<td>4</td>
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<td>18</td>
<td>92</td>
<td>75</td>
<td>17</td>
</tr>
<tr>
<td>19</td>
<td>75</td>
<td>63</td>
<td>12</td>
</tr>
</tbody>
</table>
c). The other 5 informants had equal scores in the two tests.
APPENDIX 5: Systems of Primary and Secondary Education in Kenya
Since 1950

According to Anderson (1970), between 1950 to 1960 the highest primary level was standard eight. He portrays the then primary and secondary education system in Kenya as follows:

<table>
<thead>
<tr>
<th>Examinations</th>
</tr>
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<tbody>
<tr>
<td>Primary:</td>
</tr>
<tr>
<td>Standard 1</td>
</tr>
<tr>
<td>Standard 2</td>
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<tr>
<td>Standard 3</td>
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<td>Standard 4</td>
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<tr>
<td>Standard 7</td>
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<tr>
<td>Standard 8</td>
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<tr>
<td>Kenya African Preliminary Examinations</td>
</tr>
<tr>
<td>Secondary:</td>
</tr>
<tr>
<td>Form 1</td>
</tr>
<tr>
<td>Form 2</td>
</tr>
<tr>
<td>Form 3</td>
</tr>
<tr>
<td>Form 4</td>
</tr>
<tr>
<td>Kenya African Secondary Examinations</td>
</tr>
<tr>
<td>Cambridge School Certificate</td>
</tr>
</tbody>
</table>

Between 1960 and 1984 the primary and intermediate sections were consolidated into a continuous seven year course, and 5th and 6th forms were added to African Secondary Schools. The then education system was as follows:

<table>
<thead>
<tr>
<th>Examinations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary:</td>
</tr>
<tr>
<td>Standard 1</td>
</tr>
<tr>
<td>Standard 2</td>
</tr>
<tr>
<td>Standard 3</td>
</tr>
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<td>Standard 5</td>
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<td>Standard 6</td>
</tr>
<tr>
<td>Standard 7</td>
</tr>
<tr>
<td>Certificate of Primary Education</td>
</tr>
<tr>
<td>Secondary:</td>
</tr>
<tr>
<td>Form 1</td>
</tr>
<tr>
<td>Form 2</td>
</tr>
<tr>
<td>Form 3</td>
</tr>
<tr>
<td>Form 4</td>
</tr>
<tr>
<td>Kenya Junior Secondary Examinations</td>
</tr>
<tr>
<td>East African School Certificate</td>
</tr>
</tbody>
</table>
Form 5
Form 6
Higher School Certificate

The current system of education was introduced in 1985 and it is as follows:

Examinations

Primary:
- Standard 1
- Standard 2
- Standard 3
- Standard 4
- Standard 5
- Standard 6
- Standard 7
- Standard 8

Kenya Certificate of Primary Education

Secondary:
- Form 1
- Form 2
- Form 3
- Form 4

Kenya Certificate of Secondary Education