

## Inaugural speech by new Speaker of Parliament Prof. Mike Oquaye

### Introduction

Your Ladyship the Chief Justice, My Lords Spiritual and temporal, Hon. Members of Parliament-Elect, Your Excellencies, Nananom, Niimeɪ, Naameɪ, Political Parties Representatives, Press Corp, Distinguished Ladies and Gentlemen.

In the first place I thank the Almighty God for the great favour He has reposed in me. I thank the entire leadership of my Party including the President-elect, the Vice President-elect and the MPs for their support. I also have to thank the Clerk of Parliament for guiding the House up to this time. His priceless guidance will further be valued in future.

It is a great honour to be nominated and elected as Speaker of this Honourable House. I see my presence here as a home-coming albeit with a greater responsibility. I am grateful to all who reposed resounding trust in me to make this possible. I pray to the Almighty God that I shall successfully travel the path pursued by various Speakers and begun by the legal luminary Rt. Hon. C.E. Quist also from my hometown Osu, Accra.

I wish to congratulate all of you Hon. Members for winning your seats. It is a unique opportunity to serve our dear nation. I look forward to maximizing the opportunities for every member to contribute. I trust the experienced ones will mentor the up-coming. Those who sit in front should please learn to look behind them to allow others to contribute and remember that whereas they cannot normally see from the back of their heads I have been placed on this platform so that everyone can catch my eye. I intend to be fair to all and therefore seek your understanding in advance.

I encourage new entrants to prepare and present statements on any issue of interest. Apply the Question Time well. Your brilliant visibility will affect your re-election. I will meet with leadership on this and seek support of the leading Think Tanks in Ghana to help you deliver. A comprehensive mentoring process is vital for improved performance.

I need to remind the new MPs that the highly procedural nature of Parliament calls for an equally high level of commitment to the rules and procedures of the institution. Serious learning will therefore have to be undertaken to sharpen your competencies in order to function optimally.

To the majority, let me remind you that we have a two-party Parliament heavily dominated by you. There is however the need to be guided by high ethical consideration so that we do not relapse into ultra majoritarianism, a symptom of the tyranny of the majority. We will encourage healthy debates. To the minority, even though most parliamentary business is organized on majoritarian principle, the time-honored rights of minority to open, frank, fair and honest debate so as to make your case and offer constructive alternatives will be respected under my stewardship. Both the majority and the minority must be guided by the mandate given to the government to build a vibrant society anchored on the principles of fairness and equality of opportunities.

The promotion of good governance requires a parliament that can effectively perform the three cardinal functions of representation, oversight regarding the executive and law making. Our ability to control public expenditure will be good service to our people.

Ghanaians everywhere are looking up to Parliament and government for the solutions to the problems that confront them on daily basis. It cannot be business as usual. Our people expect us to help fix the economy, provide jobs for the unemployed, improve access and quality of education, health care and generally give them hope.

This Parliament is for the people of Ghana and they want us to be honest accountable and responsive to their needs. I ask for cooperation from all and sundry to make our stewardship a success.

## Challenges

The Fourth Republic Parliament has been seeking to re-establish its role as a key public institution. The challenges have been myriad. During the dark days after independence anytime a coup occurred, Parliament was dissolved while the Executive continued, even if in a different shape. This instability has affected the development of Parliament. When Parliament reconvened in 1993 after several years of military rule, for example, only one member had been an MP before. Hence institutional memory was negligible. Strides have since been made and we congratulate all those who have helped the process of

restoration of the ideals, beliefs and values of Parliamentary democracy in the Fourth Republic. Nevertheless, a huge task still remains ahead of us and I trust we shall rise to the occasion.

### Standing Orders

Parliament operates by Rules and Procedures called the 'Standing Orders'. Incidentally, in Parliament itself, it is generally agreed that there is the need to revise the rules as a whole. Committees have been set up to revise these rules but for over a decade, the process has stalled. Sometimes proceedings become jerky in the House as leaders and members recall conflicting experiences from memory. I am committed to completing this lingering exercise and I will take this up with the leadership soon.

In this connection, there is another issue to tackle – rulings of Speakers in the past will be captured to serve as guidance and precedents for smooth operation of the House. The Indian example, is thorough, published together as "Rulings from the Chair". I will make copies of the full series available so that we should have Ghanaian precedents well recorded for posterity. This is how institutions grow scientifically, systematically and with responsibility.

### Private Members Bills

The controversy relating to private members bills should be resolved. It is tragic that currently, it appears to us that Members of Parliament cannot initiate legislation independent of the Executive. Article 108 of the Constitution provides that once a bill has financial implications, it can only be introduced by the Executive. The narrow view has been taken that every bill has financial implications including the paper on which it is printed and the Clerks who work on it who are paid by government. Hence only governments can initiate legislation. This should change. We learnt the practice from the UK Parliament. The principle was that the Commons would not give to the King/Queen, monies that the Crown had not asked for. But over the years the British Parliament has developed means of allowing private members to introduce legislation. Recent studies I have made show that there are a number of procedures whereby Private Members may initiate bills.

Certainly, the Executive cannot sit aside while Parliament alone passes laws which impose obligations which the Executive cannot meet.

We shall broaden our horizon in the lawmaking process to benefit our people.

If a Private Members Bill seeks to make a law that will tighten the strangle-hold on corruption, how can that per se be a charge on the public purse?

How will a law that protects our women, children and persons with disability better per se be a charge on public funds? I do not see how laws which protect our environment, improve upon our tax collection be inimical to the public purse?

Indeed if Parliament should introduce a law which will enhance the collection of revenue by the GRA, we shall be contributing to the public purse not a liability regarding same.

The introduction of Private Members Bills will release the best of the innermost capacities of Hon. Members, broaden the horizons of the Members and gain the respect of the populace.

Hon. Members, I challenge you to help improve our laws on elections. We have a lot to learn from others, including Kenya who learnt the hard way after brutal post-election civil war. To sanitize the system, they enacted "The Electoral Offences Act". We should copy and improve upon it.

Let me give you few examples. Why should our law allow any two adults who are registered to vote, to stand in for a person whose age or nationality is in doubt? Why should just any two people be allowed to do this? If you do not stand in loco parentis, how do you tell the age of a person you hardly know? We shall define only a small category of persons who can give guarantee. They should swear to an affidavit verifying the truth and should be jailed for 5 years if caught in falsehood. Will this not be a deterrent? Those who steal ballot boxes, those found with ballot papers and who commit other electoral offences should be jailed for 5 years. This House can introduce such law to help save this Republic and that will not be a charge on the consolidated fund.

Committee System

The capacity and scope of the Committees of Parliament deserve attention. The Committee is the workshop of Parliament. When Committees are weak, Parliament is seriously dented. Bi-partisanship is the hallmark. Not only should Committees be sharp in their routine tasks, but also, they should exercise singular initiative in enquiring into all matters of public interest from Archaeology to Zoology. This inquisitorial power of Parliament will be applied to its logical conclusion. The Committees should be fully equipped to work.

The Committees are closely related to the powers of Parliament as a House of Inquisition. In England, in 2012, the Committee on Education in the House of Commons quickly sprang into action when poor Advanced level examination results rocked the nation. It was a pleasure to read the entire proceedings and the effect it had on the British System. Parliament can act proactively, responsively and with appropriate capacity on issues relating to health, education, agriculture, oil etc. This development should take place to enhance the capacity of the institution and good governance as a whole. It will enable Parliament to help in the fight against corruption and thereby protect the public purse. I urge Honourable Members that no work of CHRAJ, a Presidential Commission or others should estop Parliament in the exercise of its inquisitorial powers. Deference may only be given to cases pending before Courts of competent jurisdiction.

We should look forward to the day when Parliament as a House of Inquisition will develop capacity akin to a Senatorial Enquiry in the USA where every topmost state official can be summoned and questioned in the interest of the state. We can enhance our system and serve our people better.

#### Boycotts and Walkouts

These have become too fashionable in our system. I trust this House will develop systems of accommodation, tolerance and openness that will minimize this practice to the barest minimum. We should commission a study to document all such boycotts and walkouts; how long each lasted; reasons for staging them; and make an assessment of their impact on the growth and development of democracy in Ghana. Some recommendations on how to forestall such boycotts and walkouts as well as their management when they do occur, I believe would be sponsored by our partners in due course.

#### Record Keeping

Our library, record keeping process and related activities need modernization. Parliament today does not keep any record whatsoever of how individuals vote. This is in sharp contrast with the US system and other jurisdictions which have detailed record of all Senate voting. President Obama's Voting Record became an issue and an asset in his victory. Both President-elect Nana Akufo-Addo and President Mahama, though very successful former MPs, had no such record to show in their presidential bid of 2012 and 2016. It would have been interesting and most useful to have such record. How did they vote on issues relating to gender, children, environment, rights of persons with disability etc? Such matters enhance the politics of issues and devalue the politics of vituperation.

The record-keeping system has several advantages:

Sharpens the responsibilities of individual members as they build a record for their future political career;

Makes legislators aware that they are being critically watched;

It highlights issues and makes MPs respond to specific issues;

It is an avenue towards promoting Private Members Bills in the Legislature;

It helps the assessment of MPs generally through specific data collection;

This is the Parliament that Ghanaians want to see as we enhance the parameters of democracy in our dear nation.

#### Parliamentarians and Their Constituents

A question worth asking is: what do constituents expect from MPs? There is also growing evidence that, public opinion is divided as to the role of MPs in Ghana. A significant majority of Ghanaians are of the view that Parliamentarians should undertake development projects within their constituencies. To others, MPs exist to pay school fees, give funeral donations, attend weddings and other social events. Debating, passing legislation and holding the Executive branch of government to account rank low in the public perception of the role of MPs. This also accounts for the high attrition rate of MPs. A programme dubbed – "Parliament/Citizen Encounter" is envisaged and will be pursued with the assistance of Think Tanks.

## Women Representation

One of the main problems facing Ghana's democratization process is the role of women in politics. Article 17(1) of the 1992 Constitution provides that " All persons shall be equal before the law". Furthermore under Article 17(2) " No person shall be discriminated against on grounds of gender, race, colour, ethnic origin, religion, creed or social or economic status". The Constitution provides an instructive meaning of discrimination – to give different treatments to different persons attributable only or mainly to their respective descriptions by race, place of origin, political opinions, colour, gender, occupation, religion or creed, whereby persons of one description are subjected to disabilities or restrictions to which persons of another description are not made subject to or are granted privileges or advantages which are not granted to persons of another description"- Article 17(3).

A very disturbing aspect of Ghana's Parliamentary democracy is the abysmal low representation of women in Parliament. There is a compelling need for a comprehensive study of the factors which militate against the effective representation of women in Parliament. An Affirmative Action law could be the only way of using the law as an instrument of social engineering and mischief correction to ensure equality.

Hon. Members, our democratic development is not impressive at all in this regard. The Inter-Parliamentary Union in their latest publication on 1st December 2016 classified nations in a descending order by the percentage of women representation in Parliament. Out of 193 nations Ghana was number 150. Very sad. Rwanda, was first, Bolivia, second, Cuba, third, Iceland, fourth, Nicaragua, fifth, Sweden, sixth. U.K, Germany, Switzerland were all listed.

Algeria, Tunisia, Zimbabwe, Sudan, Lesotho, Morocco, Zambia, Liberia all beat us to it. I have added the Report as an Appendix to my speech to show all Members how deeply I feel about this tragedy. The methodology to ensure equality is available. This Parliament must do it for Ghana.

In the previous Parliament we had 30 women MPs. Today we have 35 women MPs-elect. But there is really no cause for rejoicing. We are far behind the world. The women who are in Parliament should be assisted to become effective role models in qualitative governance. I have some ideas I will share with leadership on both sides very soon to promote a programme.

## Conclusion

Hon. Members, we have a need for a New Chamber, good library, books, mimeographs, researchers which go beyond National Service Personnel. I believe I can help in seeking the needed assistance for Parliament to improve the salaries and condition of work for MPs. I want to use this opportunity to convey to our country men and women – we should seriously better the lot of our MPs. Why can't MPs be given official vehicles for their work as pertain in other places? Then they can get loans for other vehicles for other uses.

The dignity of this House is crucial and with your cooperation that dignity shall not be compromised. We owe this to all Ghanaians. You have Parliamentary immunity and immense privileges which cannot be toyed with by any person, body or authority. I shall help to maintain this without fail.

Hon. Members, to whom much is given, much is expected. This is the motto of Legon Hall, University of Ghana. Though I belong to Akuafu Hall, this dictum must guide us all. You will be issued with Diplomatic Passports for example. There are privileges and responsibilities. If you abuse the trust, you will be dealt with.

No charge of corruption or abuse of office should come nigh thee. If you fall foul of the law the Special Prosecutor will not be expected to spare you.

A law maker cannot be a lawbreaker.

Our attitudes militate against our development. Hon Members, our attendance and punctuality in the House should change to set an example to all Ghanaian workers. A Google search will inform you that the Kenya Parliament has been digitized through a new biometric system to record attendance in Parliament with time and movement etc. a machine will in future register the attendance of MPs automatically. This will be arranged and I trust MPs will embrace it to set a good example to all Ghanaian workers. Ghanaians have said in a research that when parliament is in session half of the room should not be empty.

Hon. Members, let us resolve to do something different in the lifetime of this Parliament. I will conclude in the words of Lord Alfred Tennyson which I learnt in Presec:

"The Lights begin to twinkle from the rocks;

The long day wanes; the slow moon climbs;

The deep Moans round with many voices.

Come my friends,

'Tis not too late to seek a newer world

Push off, and sitting well in order smite

The sounding furrows; for my purpose holds

To sail beyond the sunset, and the baths

Of all the western stars, until I die".

I thank you once again for this high trust you have so dutifully reposed in me. I know with God on our side we will deliver.

Thank you.