

**RESPONSE TO RT. HON. SPEAKER'S COMMUNICATION ON 23RD FEBRUARY 2022
BY THE FIRST DEPUTY SPEAKER, HON. JOSEPH OSEI-OWUSU**

Ladies and gentlemen, I have had to resort to the media to respond to the formal statement by the. Speaker of Parliament, Rt. Hon Alban Bagbin, to the House in the full glare of the media because, I unlike the speaker I do not have the privilege of the use of order 53 (1) (e) which the Speaker has frequently resorted to in the 8th Parliament.

On Wednesday, 23rd February, Mr. Speaker once again issued one such "formal" communication by Mr Speaker". In the said formal communication, Mr Speaker purported to comment on the "error" which, in his view, I committed when I permitted the Deputy Majority Leader to raise a preliminary objection to a Motion Mr Speaker had earlier admitted and which was advertised on the Order Paper for the 23rd of February. Mr Speaker's complaint is that I should not have allowed the motion to be moved after same had been seconded but rather I should have allowed it to be moved before the motion he had earlier admitted was seconded, I have read that Mr Speaker said that he had directed and actually instructed me, to allow the Deputy Leader to move his motion before it was seconded. Whilst I do not doubt Mr Speaker's statement, I must confess that I heard otherwise and I indeed so ruled, and stated that the objection be moved after secondment.

The Hansard will bear me out that I stated clearly that Mr Speaker said the motion or the preliminary objection be moved after secondment.

Indeed, if this was an error, it was an error I shared with the Minority which also confirmed what I thought I heard Mr Speaker say.

But, Mr Speaker did not end it at pointing out my purported miscommunication or misapprehension of his "order" rather, he continued to comment on what he says has

become “the penchant of the honourable First Deputy Speaker to overrule my rulings is to say the least, unconstitutional, illegal and offensive.”

This is where I find Mr Speaker’s “communication” to the House most unfair and totally un-reflective of my conduct as the First Deputy Speaker in the 7th and 8th Parliament.

Mr Speaker proceeded to cite as an example, my ruling on the motion by the Majority to declare the purported vote to reject the 2022 budget by 137 of the 275 Member House of Parliament as falling short of the number required to take a decision and therefore unconstitutional, null and void.

In fact, in his statement from the Chair, subsequent to that ruling, he described my conduct as tantamount to in-subordination.

On that occasion I characteristically elected not to comment on Mr Speaker's statement in public in order not to create the impression that there's tension between him and his Deputy.

There is however no doubt that in putting the question when the record showed that there were less than half of all members of Parliament in the chamber Mr speaker had contravened Order 109(1)of the Standing Orders and more importantly Art 104(1) of the 1992 Constitution. The purported decision of the house was a nullity and I rightly so declared it.

Ladies and gentlemen, admission of a motion by the speaker, is an administrative exercise. When the Speaker admits a motion and forwards it through the process to the Business Committee and same is programmed and advertised on the Order Paper, that marks the end of that process. The admission of the motion is complete, A fais accompli”.

I cannot by any stretch of imagination see how that can be called a ruling of Mr Speaker and how I can over turn any such ruling. I hold the view, however, that once the motion

has been advertised on the Order Paper and placed before the House, a Member is entitled to raise an objection to question its legality or otherwise. When any such objection is raised and is argued as was the case on

Tuesday the 22nd of February, the presiding officer whether it is Mr Speaker himself, any of his deputies or a member elected to preside, that presiding officer is duty bound to make a ruling after that objection has been argued.

On 22nd February, when Mr Speaker invited me to take the Chair, he Mr Speaker had already admitted the motion to raise the preliminary objection and had indeed directed when that motion should be taken.

After I heard arguments from the proponents of the motion and adversaries, I was convinced that the objection was well placed and I therefore sustained it. It was never a review of any decision earlier taken by Mr speaker to admit the motion to set up a special committee, as he seems to suggest in his formal communication.

I relied on Order 191 of the standing orders in coming to the decision I arrived at. I am still convinced that the Public Accounts committee of Parliament has the mandate and character as the Committee sought to be set up by the motion earlier admitted by Mr Speaker. To say that my ruling is offensive, illegal or unconstitutional because he would have ruled differently is, in my view, a rather dangerous approach to Democracy. Mr Speaker and I have worked in different capacities since the 6th Parliament.

In the 6th Parliament, while he was the Chairman of the Constitutional and Legal Committee I was the Ranking Member of the same Committee. We worked closely together on a number of Bills and we had different views on a number of issues during our work. We each strongly argued our positions and when we could not reconcile our different positions, we agreed to disagree, but we each respected the other's right to his view.

In the 7th Parliament, we were the two deputy Speaker's to the then Speaker of Parliament, Rt. Hon Mike Ocquaye. On and out the floor of Parliament we held different views on a number of issues.

Holding a different view on issues from Mr Speaker therefore is not new to him. Since becoming the Speaker however, Right Hon Bagbin appears to think that holding a different view from himself, is unbecoming and insubordinate of a Deputy Speaker.

Indeed, Mr speaker's last description of my ruling as illegal, unconstitutional and offensive is most unfortunate and epitome of intolerance of differing views.

Ladies and gentlemen, I would like to place on record that the Speaker, a Deputy speaker or a Member presiding, exercises the same powers and applies the same Standing Orders and Constitutional provisions to manage the House whiles on the Chair. It is NOT the case of the President and his Vice, as Mr Speaker suggests.

As many times as I have the opportunity to preside I will apply the Standing Orders and relevant constitutional provisions as I understand them and if need be, be guided by precedent.

I have never entertained any application for a review of a ruling of Rt. Hon. Speaker and I will never do so.

Finally, in Mr Speaker's last communication to the House, he stated "in fact , the Hon. First deputy Speaker was in my office, and I am telling you what I told him before leaving for the airport." Yes I went to Mr Speaker's office to inform him that I am leading Ghana's delegation to the Pan-African Parliament Meeting in Addis Ababa, Ethiopia the morning of 23rd February, but it is not true that Mr Speaker commented on my ruling in my presence at that meeting neither did he say any of the things in his statement to me. Rather, he said had had complaints that I had over ruled the minority's motion but he has

now obtained copies of the proceedings of the 22nd and he is now going to look at it. He then moved on to discuss other things relating to our work as a Parliament.

Indeed, he said he had not read the proceedings as at the time I met with him, so I am surprised to hear that he said he commented on it to me.

I have never shied away from showing my disagreement with Mr Speaker if need be, in my view, that is what democracy is about and that is what it ought to be.

Mr Speaker should have the courage to accept that others may hold a different view from his own even if they are subordinate to him.

Thank you.