

National Assembly Debates (House of Representatives)

Wednesday, 21st July, 1999

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**HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA**

*Wednesday, 21st July, 1999
The House met at 10.30 a.m.*

PRAYERS

(The Deputy Speaker in the Chair)

VOTES AND PROCEEDINGS

The Deputy Speaker: Hon. Members, I have examined and approved the Votes and Proceedings of Tuesday, 20th July, 1999.

OATHS

The Deputy Speaker: Hon. Members-elect who have not been sworn in should please come forward (No response).

ANNOUNCEMENT

Message from Mr. Speaker

The Deputy Speaker: Hon. Members, I have an announcement from Mr. Speaker of this honourable House and I will read it:

Honourable Members, it is with a grave sense of responsibility that I convey to you a personal message from the Speaker of this honourable House, Alhaji Salisu Buhari.

As you doubtlessly know, the recent allegations of impropriety and possible criminal conduct levelled against him have generated heated national debate and occupied the front pages of most national dailies.

Prior to this incident, this honourable House was enjoying the front pages of our dailies under happier circumstances ranging from the resolution of the teachers' strike, intervention in the North-East and North-West invasion by bandits, intervention in the Warri crises to mention but a few.

The journey to this democratic morn has been a tortuous and tedious one from the annulment of the June 12, elections, to the interminable transition programmes that characterised subsequent regimes. The masses of our people have borne with utmost equanimity this

unbearable load and the attendant hardships, as evident in deterioration in infrastructure, increase in crime rates and decline in moral values occasioned by the economic situation.

Under no circumstance must the gas of the past 6 months be jeopardised. We must be prepared to sacrifice self-interest in the overall interest of the nation. That we must continue in our resolve to be the leading light of the National Assembly; to be the vanguard of popular opinion; a defender of the oppressed and advocate for the cause of the masses.

With these in mind, the Speaker of this honourable House has conveyed his wish to set aside until the investigation of the allegations against him are concluded by this honourable House. It is to enable an unbiased investigation of the allegations.

Thank you. (Applause)

ORDERS OF THE DAY

MOTION

The News Magazine Cover Story of the 19th July, 1999 on the Honourable Speaker, House of Representatives Federal Republic of Nigeria, Alhaji Ibrahim Salim Buhari

The Deputy Speaker: Yesterday, we were discussing this Motion moved by Hon. Bernard ... We had taken arguments for the Motion and will be taking those against the Motion today. Those who want to talk against the Motion should please indicate by raising their hands.

Hon. Nduka Irabor (Ika North-East/Ika South): Mr. Speaker, Sir, have you read the Votes and Proceedings of yesterday's sitting? If you look at item 7, immediately after it, you have *Debate Arising* and then you have *Question, that the Motion be debated, and agreed to.*

The Deputy Speaker: Are you making a Point of Order?

Hon. Irabor No, I am saying that you should read it again to decide whether it is necessary. Just start arguing against this Motion.

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The Deputy Speaker Thank you. Please, sit down. I have looked at the item you referred to and I think we are in order to proceed with taking the speeches of those against the Motion. Please, can somebody take the Floor? (*Silence*)

If there is nobody against the Motion, then the House can proceed to the next item. (*An hon. Member raised his hand*)

Yes, Hon. Chukwuemeka Nwajiuba. you can take the Floor.

Hon. Chukwuemeka Nwajiuba (Ehime MbanolIhiteobomaOb): Mr. Speaker, I do not have a weighty argument against all of the provisions of this Motion. What I do have is the specifics that are required. As pointed out, none of the amendments as appeared in the Votes and Proceedings, are reflected in the Motion on the Order Paper, because these are proposed amendments. I do not know if these amendments have, in fact, been agreed to and added to the Motion for US to either argue against or for.

There is also another amendment proposed and it is not clear whether this amendment as proposed, including the one that asked you not to be there, has been agreed to and is to be included in the Motion for us to argue against or for. But it would be of importance to note that I, in asking that an investigation be set up, which this Motion is actually calling for, would like to direct this honorable House to the provisions of the law.

I refer you to our Role Book, particularly Role 93(24) the Section dealing with *Committee on Ethics and Privileges*. Role 93 (24) particularly Role (3) thereof, says:

The Committee on Ethics and Privileges is authorised-

- b. *to investigate subject to sub-paragraph (4) of this paragraph, any alleged violation, by a Member of the Code of Official Conduct or of any law*

The words, *or of any law* includes the Constitution of the Federal Republic of Nigeria which I perceive as a law. It also includes the Law of Privileges under Cap. 202 of 1990 and whatever laws that are in practice which can be described as any law. I do not understand any ambit of the law which can be interpreted to mean that the Committee on Ethics should be excluded. Without

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being derogatory in our remark, I would want to find out if the Ethics Committee, vis-a-vis what many people perceive as may be unbiased state of mind to bear this is, is informing our going to look for options elsewhere.

We have heard, for instance, that the Senate, without allaying to whether they are properly doing so or not, or whether they are right in doing such a thing, have actually referred a similar matter to the Ethics and Privileges Committee. My point is, having read what the Ethics Committee is supposed to do, and being mindful that whoever is there, whether he is biased or not biased, is a Member of this House, and being mindful that in spite of every other thing, they possess the power to do this thing, would it not be appropriation to discountenance the amendment?

In fact, one part of the amendment has actually been resolved from the letter you read to us now, and the other arm of the amendment can in fact, not hold since you are already in the seat. The first of the three-arm amendment which is, that we go to the Committee of the Whole House will not, in any way, follow what the Roles of the House have actually said for us to be able to work, since a Committee has been patterned particularly for this purpose.

I wish to include there. Thank you very much. (*Applause*)

HON. Willie Enoma Ogbeide(Oredo): Mr. Speaker, Sir, hon. Members, I think we wait beyond this point yesterday. I think my hon. Member is just trying to distort issues and bring us backward. We decided yesterday that a Committee of the Whole House be formed to review this case and that I think, Mr. Speaker, Sir, - (*interruptions*)

I wish, Mr. Speaker, Sir, that you stand by your resolution of yesterday that a Committee of the Whole House be formed, and may it be so.

Thank you.

HON. FRANCIS Ouyemi Adegilli (Ekiti South I): Mr. Speaker, Sir, hon. Members, I refer to Order 48. Mr. Speaker, Sir, the arguments of our Colleagues are really not necessary. The amendments have been proposed. And if you go by Order 48 which says:

Upon an amendment to insert or add words, the Speaker ~ the Chairman may state the

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amendment and propose the question thereon in the form "That those words be there inserted (or added)".

I am saying. Mr. Speaker, Sir, that since those amendments have been moved, particularly the one saying that the Committee of the Whole House, should look into the matter, well, we are here now and the Speaker should put the question of the amendment and if it is carried then it is.

Thank you very much.

(Il Member got lip from his seat and approached the Deputy Speaker)

Several hon. Members: No! No!

An hon Member: It is unparliamentary.

The Deputy Speaker: May I warn that no Member should address the Chair without my authority, please.

Hon. Tony Aliyanwu (AhiazulEzinihite): Point of Order, please.

The Deputy Speaker: What Order, please?

Hon. Tony Aliyanwu, Sir: Mr. Speaker, Sir, my point of Order is based on Order 93 which has to do with Ethics and Privileges Committee, which is on page 58. This point of Order is actually directed to Hon. Emeka Nwajiuba, who talked about the necessity to refer this matter to the Ethics and Privileges Committee. The order he has pointed to is (b) and it says: *Subject to subparagraph (4)*. If you go to page 58, paragraph 4 relates to the official conduct of the Speaker. This matter relates to his private conduct, prior to his coming into this House. These are his private matters.

Thank you.

Question put and agreed to.

Resolved: That this honourable House do sit in a Committee of the Whole House to investigate allegations against the Hon. Speaker and ascertain the truth or otherwise of all allegations against him with a view to maling the House take a decision on the matter. *(Prolonged interruptions)*

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Sitting suspended: 10.55 a.m

Sitting resumed: 3. 40p.m

The Deputy Speaker Honourable Members, welcome back from the recess. I believe we had enough time to discuss and ventilate the various issues agitating our minds. Members, let me congratulate **us for the mature** way we have so far handled this explosive issue. As you are aware, this issue concerns one of our own and people have pointed out that the House was raw a s . I told them, well, that was democracy. People must be allowed to express themselves freely. Occasionally, tempers may flare up. It is normal in a democracy. That is the difference between us and the military regimes.

Honourable Members, this House, with due modesty, has been the leading light in the National Assembly. I believe that this House will continue to hold that position. What has happened in the past one and a half weeks is an aberration and normally that will be our resolve which will make us stronger and more united. I appeal that we continue to work as one, one try to dispose off the Motion, as expeditiously as possible to show the country that they have not wronged. We repose their confidence in us.

Members, I wish to appeal to you and let me say it here that I am not here to protect anybody; I am not here to defend anybody. I will not take sides. anybody. I will be objective, neutral and look at the merits. Members, I will ask you to trust me to do justice in this matter and I will ask you to support that at this matter be disposed off and to please know that as the Deputy Speaker, my position is precarious. Wherever I lean to, people will misinterpret it. But, I tell you that I will be true to my conscience. The people I owe a duty is first of all to all of you hon Members here who put me in this position and then to Nigerian people. Our sentiments at this time are not at peace with us for just reasons. Our Mr. Speaker has been accused of serious crimes, which if proven, will tarnish the image of this House. This House must show resoluteness, must insist that it is at one with people of Nigeria, and being being. I would see that I am objective in my assessment and that Members should please repose their trust in me. I have deceived, up till now disappointed Members in that regard,

So, let me thank you for your co-operation and appeal that we have a rancour free session and put this matter behind us. The whole country is biding us. The longer it drags on, the more our country is dented

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Already, the Senate is trying to move faster than we are moving, and they are looking more organised than we are. We need to quickly get together and begin to put up our normal pattern of doing business.

On this note, I would like us to start from where we stopped before the recess. I thank you very much for your attention to proceed with the Motion.

Hon. Musa A1iyu (BindawalMaw): Point of observation! Honourable Members, like I earlier said, let me commend my honourable colleagues for having the decorum, self-respect and patience to come back to start this matter. Mr. Speaker, the issue before US is very simple. A lot has been said about this hon. House. Our integrity has been washed away by whatever means other people deem fit to do that. The ovation given to Mr. Speaker was said to be paid for here.

Our Speaker was voted into office by this House overwhelmingly, but that was all things being equal. Now, things have changed. We are at a cross-road and it is not difficult to every discerning Nigerian; but even a Primary School child, can easily tackle this problem. My hon. Colleagues, it does not matter whether you are the leader or a party, Chairman of a Committee or a deputy Chairman of a Committee, but the most important thing here is, are you a Chairman, a leader of a deputy Chairman in an honourable set up? The answer right now is no. Each and everyone of US here knows this. So, I crave for your indulgence, my honourable colleagues. Mr. Speaker himself understands that this issue does not need going to any extent. It does not need us to go around beating about the bush. The question is around Mr. Speaker. Does he have all the papers we are asking for? Is his age 36 years? If all these things can be proven, it is a matter of asking him to just bring those papers for everybody to see publicly. It is not only the Members here-
(prolonged interruptions)

The Deputy Speaker: Could you summarise, please?
(Interruptions)

HON. Musa A1iyu: We have agreed on three Committees, viz: The Committee on Ethics and Privileges - (Interruptions)

The Deputy Speaker Please, sit down.

Several hon. Members: Sit down! Sit down!

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Hon Musa A1iyu: If we do not do the right thing, this House shall be disgraced.

The Deputy Speaker: There are some amendments to the Motion in the Order Paper. These amendments are in the names of Hon, Bernard Barida Mikko and Hen. Willie Enoma Ogbeide. It is my pleasure to invite these two hon. Gentlemen to propose and second the amendments.

Hon. Bernard Barida Mikko (KhanalGokana): Mr. Speaker, Sir, my Motion of yesterday was not intended to bring confusion to this honourable House. Rather, it was intended to bring sanity and credibility to this House.

I have amendments to the Motion based on the activities of yesterday which were very sensitive to the discussions and suggestions by hon. Members.

I, therefore, propose the following amendments: That this House do refer the matter to a Joint Committee consisting of Members of:

- (1) Ethics and Privileges Committee
- (2) Judicial Committee, and the
- (3) National Security and Intelligence Committee.

That the Committee should report its findings to this honourable House within 48 hours of its deliberations.

Thank you very much.

Hon. Willie Enoma Ogbeide (Oredo): Mr. Speaker, Sir, I stand to support the Motion as amended. I am a democrat and I would not want to unnecessarily bring down the work of this House. I want US to move on, so, I wish that we accept the Motion as presented.

Thank you. (Applause).

The Deputy Speaker: Hon. members, the Motion has been moved and seconded. Once again, may I call on the hon. Member from KhanalGokana (Hon. Mikko Bernard Banda) to lead the debate on the Motion.

Hon. Mikko Bernard Barida (KhanalGolama): Mr. Speaker, hon. Members, this Motion has brought a lot of confusion as we understand. Now, we are, at the threshold of history. Every hon. Member of this House

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knows the position as it is now. Our credibility is at stake and the nation is also watching us. So, I wish to urge all Members to try and make history today by working towards the amendments of this Motion, so that, the House can move forward.

The Deputy Speaker: May we have a few contributions for or against the Motion?

Several hon. Members: No. It has been accepted

The Deputy Speaker: I will put the question now,

Question put and agreed to.

Resolved:

- (i) That in view of the fact that The News Magazine of 19th July, 1999, Volume 13, Number 2, did carry a cover story on the Hon. Speaker, House of Representatives, Alhaji Ibrahim Salisu Buhari, alleging that Alhaji Ibrahim S. Buhari "has not been honest in his age declaration and academic qualifications;"
- (ii) "That the allegations against the Speaker, Alhaji Ibrahim Salisu Buhari, as contained in The News" cover story has generated serious national reactions among many Nigerians; Nigerians.
- iii) That many other Nigerian Newspapers and Magazines have carried reports and or reactions of many Nigerians and public officials.
- (iv) That the Hon. Speaker has denied the allegations as contained in "The News" Magazine at the sitting of the House on Wednesday, 14th July, 1999.
- (v) That despite the Hon. Speaker's denials, some honourable Members of the House of Representatives still brought the matter before the House of Representatives either under "Matters of Urgent Public Importance" or "Legislators Privileges".

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(vi) That these allegations contained in "The News" cover story and other Newspapers and magazines are not only a matter of utmost importance to hon. Members of the House of Representatives but the entire of the citizens of this Country.

(vii) That this honourable House do refer the matter to a joint Committee consisting of the Committees on:

1 Ethics and Privileges

2 Judicial and

3 Security and Intelligence

(viii) That the Committee should report its finding to the House within 48 hours of this resolution.

ADJOURNMENT

The Deputy Speaker: May I call on the Leader of the House to move the adjournment of today's sitting till tomorrow, 22nd July, 1999 at 10.00 a.m.

HON. Mohammed Wake (Damboa/Gwoza/Chibok): Mr. Speaker, Sir, hon. Members, may I move that this honourable House do stand adjourned till tomorrow, 22nd July, 1999 at 10.00 a.m.

Hon. Abdullahi Idris Umar (Yamaltu/Deba): Mr. Speaker, Sir, hon. Members, I do second that this honourable House do stand adjourned till tomorrow, 22nd July, 1999 at 10.00 a.m.

Question put and agreed to.

Resolved: That the House do stand adjourned till Thursday, 22nd July, 1999 at 10.00 a.m.

The House adjourned accordingly at 3.52 p.m.