

This Day

Conference to Draft New Constitution

Adopts 18-point terms of reference, rules

From Paul Ibe in Abuja, 03.11.2005

One of the legacies the National Political Reform Conference ([NPRC](#)) will bequeath to the nation is a new constitution that may replace the 1999 Constitution.

Also, the conference yesterday resolved to empanel 18 committees, which essentially translates to the number of the broad terms of reference. It, was however, gathered that two more committees, may be added to bring the total to 20.

President [Olusegun Obasanjo](#) had while inaugurating the conference three weeks ago said the experiences of operating the 1999 Constitution in the last six years indicated clearly that it contains a number of imperfections. Also, the constitution had been criticized as being a product of the military establishment and not reflecting the wishes and aspirations of the vast majority of the populace.

In response to that yearning, the conference resolved that a Conference Drafting Committee will be constituted during the "process when the reports and recommendations of all the committees have been formulated, discussed and agreed at the plenary."

The adoption of the terms of reference followed the conclusion of debates on President Obasanjo's inaugural speech and the harmonization of the outcome of that debate with the Makarfi committee report which gave birth to the establishment of the conference.

The conference chairman, Justice Niki Tobi had in exercise of the [powers](#) conferred on him in the absence of rules of procedures (only adopted yesterday afternoon) set up an ad hoc select committee to help in fashioning out terms of reference.

The committee headed by former Chairman of the Economic Commission for Africa, Prof. Adebayo Adedeji, was said to have worked till 2 am yesterday morning to meet its deadline. The committee also included Alh. Umaru Dikko, Prof. Joe Irukwu, Chief Edwin Clark, Chief Matthew Mbu and Dr. (Mrs.) Nkoyo Toyo among others.

But as soon as Adedeji presented his report, a heated debate ensued. Some delegates said it was wrong for Tobi to have set up a committee without approval of the conference. Others noted that the chairman had taken the right step. But in his characteristic style, the retired [Supreme Court](#) judge allowed as many delegates as possible opportunities to make contributions.

He, however, ruled that by setting up the Adedeji committee (which he said also included other eminent Nigerians), he was not only exercising his [powers](#) as chairman, but also in accordance with an earlier motion that asked him to run and conduct the conference in the absence of rules of procedures.

"These eminent men and women worked hard to produce this report (and) is this how we are going to reward them?" he asked.

At this point, Dr. Ibrahim Tahir moved that the Adedeji report be adopted as a framework for the conference's job.

The 18-point terms of reference include

1. the economy,
2. human and social security,
3. national security,
4. social infrastructure for national development and integration,
5. models and structure of government,
6. [power](#) sharing,
7. revenue allocation,

8. the legislature,
9. the executive and
10. traditional institutions and culture.

Others are

11. public service,
12. the judiciary & legal reforms,
13. political parties and the electoral process (models),
14. the environment and natural disasters,
15. civil society, labour & trade unions & national media,
16. local government reforms,
17. foreign policy,
18. national, international development policy constituting a new sustainable democratic order in Nigeria.

Under the economy, issues such as agriculture and food, land tenure system, oil and gas, manufacturing industry, services, foreign trade, monetary policy and protection of the national currency, debt (external and internal) and foreign exchange and national development will be discussed.

The other 17 subjects also have sub-themes listed as follows:

Human and Social Security

- Human rights and the rule of law
- Education: Primary, secondary and tertiary
- Health
- Youth development
- The development of the Nigerian child
- Pro-gender policies
- Food and water security
- Culture & [sports](#)
- Social security (Pension)

National Security:

- Armed forces
- The police
- SSS
- Prisons
- Customs
- Citizen & Immigration
- Substance abuse
- Other security apparatus (Vigilante groups, etc)

Social Infrastructure:

- [Energy](#)
- Railways
- Road transport
- Information and communications technology.

Models and Structure of Government:

Tiers of government (federal, regional/zonal authority)

- State
- Local
- Federal, state and local or federal, region and state.

[Power](#) Sharing:

Exclusive list for [Federal Government](#) (without any concurrent list) with

- Region/state government or local sharing
- Residual [power](#)

- [Power](#) sharing between regional authority and state

Also, yesterday the rule of procedure for the conference was adopted after consideration of the reports by delegates that was submitted at the close of meeting Wednesday. The rules of procedures was adopted after Punch Chairman, Chief Ajibola Ogunshola moved a motion to that effect.

The conference will on Monday commence debate on issues of economy, human and social development, national security and social infrastructure for national development.