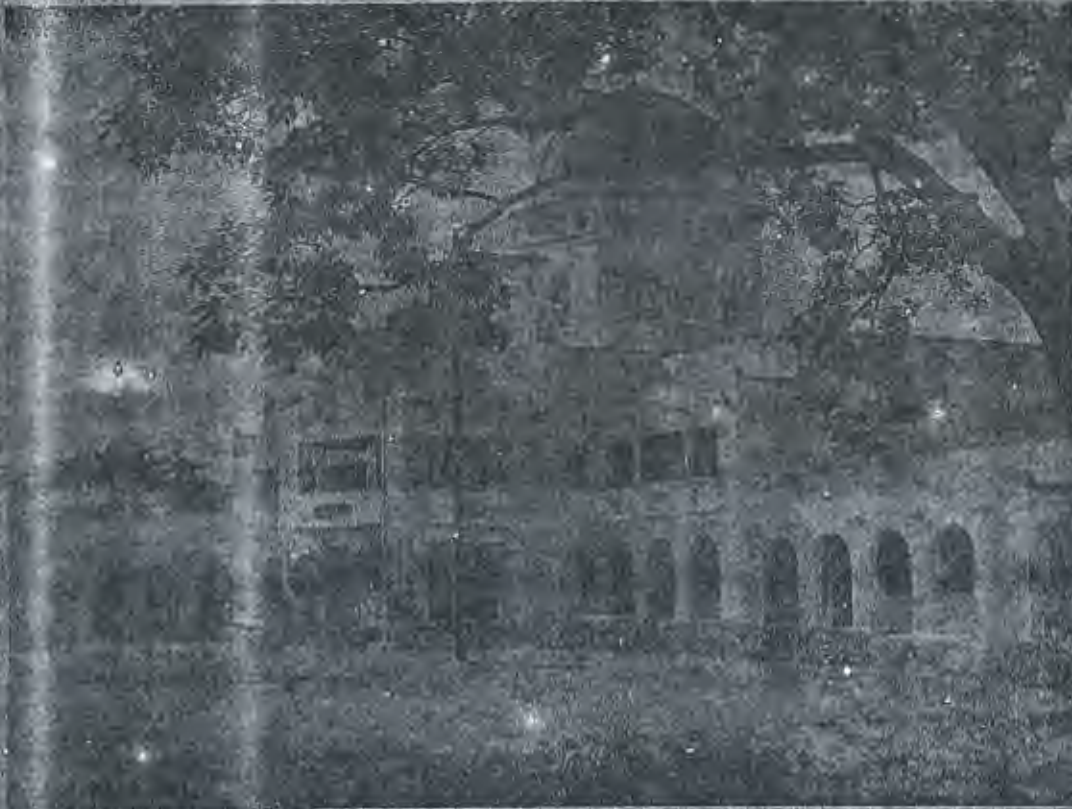




**NORTHERN NIGERIA LEGISLATURE**

**HOUSE OF CHIEFS**



**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**OFFICIAL REPORT**

**(Third Legislature)**

**Third Session**

**COMPRISING PERIOD 10th AUGUST, 1963**

**Price: One Shilling and Sixpence**

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Thursday  
10th August, 1963

NORTHERN NIGERIA LEGISLATURE

**PARLIAMENTARY  
DEBATES**

(HANSARD)

**HOUSE OF CHIEFS  
OFFICIAL REPORT**

**SECOND MEETING OF THE THIRD LEGISLATURE  
OF NORTHERN NIGERIA**

**Session 1963-64**

**COMPRISING PERIOD  
10th AUGUST, 1963**

KADUNA  
THE GOVERNMENT PRINTER, NORTHERN NIGERIA  
1964

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# PARLIAMENTARY DEBATES

## OFFICIAL REPORT

IN THE SECOND MEETING OF THE THIRD SESSION OF THE THIRD LEGISLATURE OF NORTHERN NIGERIA APPOINTED TO MEET IN THE MONTH OF AUGUST, 1963, IN THE COUNCIL CHAMBER, LUGARD HALL

EIGHTH SERIES

VOLUME 19

SECOND VOLUME OF SESSION 1963-64

### NORTHERN NIGERIA HOUSE OF CHIEFS

*Saturday 10th August, 1963*

*The House met at 9.00 a.m.*

(MR PRESIDENT *in the Chair*)

#### PRAYERS

#### OATH OF ALLEGIANCE

The following took and subscribed the Oath of Allegiance:—

Alhaji Inuwa Abbas	...	Emir of Kano
M. Isa Ahmadu	...	Chief of Mubi
M. Yerima Ali Ibrahim	...	Chief of Takum
M. Muhammadu	...	Chief of Waja
Mr Joel	...	Chief of Mbulla

#### ANNOUNCEMENT

**Mr President:** Honourable Members, it is with the deepest pleasure that I rise to welcome you all to this hon. House and in so doing I should like on behalf of you and myself to congratulate the five Members who have just been sworn-in as new Members. We wish them all the best of luck for the years to come. This is indeed a very important Session. We are all aware of the marvellous changes taking place in this country. In this connection, we are all to congratulate the hon. Premier and his colleagues for the all Party Conference of the Nigerian Constitution in Lagos. May Allah strengthen our unity and our stability. I think I am right to say that I assure the hon Premier and his government of our solid support always. (*hear! hear!*).

I received a telegram from the Shehu of Bornu, the Emir of Muri and the Chief of Mora that they were unable to attend, but however, they have sent their congratulations and good wishes to hon. Members. With your consent and on behalf of the House I am instructing the Clerk to send them suitable replies.

I now pray for God's blessing and good wishes to all the hon. Members and guidance for your forthcoming deliberations.

#### PAPERS LAID

**The Premier (Alhaji the hon. Sir Ahmadu Bello, K.B.E., Sardauna of Sokoto):** Mr President, Sir, I rise to lay on the table of

this hon. House the White Paper on proposals for the Constitution of the Federal Republic of Nigeria.

**The Minister of Finance (Alhaji the hon. Aliyu, C.B.E., Makaman Bida):** I rise to lay on the table of this hon. House the Accounts of the Northern Nigeria Staff Housing Scheme Loans Fund for the year ended 31st March, 1962.

**The Minister of Trade and Industry (Mallam Michael Audu Buba, O.B.E., Wazirin Shendam):** Mr President, Sir, I beg to lay on the table of this hon. House the Statement of the Marine Renewals Fund for the year ended 31st March, 1962.

**The Minister of Information (Alhaji the hon. Ibrahim Biu):** Mr President, Sir, I rise to lay on the table of this hon. House the Jos Hill Station Accounts for the year ended 31st March, 1963.

**The Minister for Local Government (Alhaji the hon. Sule, Gaya):** Mr President, Sir, I beg to lay on the table of this hon. House the Accounts of the Native Administrations Motor Vehicle Insurance Fund for the years ended 31st March, 1959 and 1960.

**The Minister of Internal Affairs (Alhaji the hon. Muhammadu Kabir, Ciroman Katagum):** Mr President, Sir, I beg to lay on the table of this hon. House the Statement of the Printing and Stationery Division Machinery Renewals Fund for the year ended 31st March, 1962.

#### MESSAGES ON BILLS FROM HOUSE OF ASSEMBLY

(i) Message from the Northern House of Assembly on Bill entitled "Legislation (Administrative Procedure) (Amendment) Law, 1963.

*Motion made, and question proposed "That the Bill without amendment be now read the first time".—The Premier.*

*Question proposed.*

*Question put and agreed to.*

*Bill accordingly read the first time; to be read a second time later in the day.*

(ii) Message from the Northern House of Assembly on Bill entitled "Ministers' Statutory Powers and Duties (Miscellaneous Provisions) (Amendment) Law, 1963."

*Motion made, and question proposed "That the Bill without amendment be now read the first time".—The Premier.*

*Question proposed.*

*Question put and agreed to.*

*Bill accordingly read the first time; to be read a second time later in the day.*

(iii) Message from the Northern House of Assembly on Bill entitled "Revised Edition of the Laws of Northern Nigeria (Amendment) Law, 1963."

*Motion made and question proposed "That the Bill without amendment read the first time; to be read a second time later in the day".—The hon. Attorney-General.*

*Question proposed.*

*Question put and agreed to.*

*Bill accordingly read the first time; to be read a second time later in the day.*

(iv) Message from the Northern House of Assembly on Bill entitled "Interpretation (Amendment) Law, 1963."

*Motion made and question proposed "That the Bill without amendment be now read the first time".—The Premier.*

*Question proposed.*

*Question put and agreed to.*

*Bill accordingly read the first time; to be read a second time later in the day.*

(v) Message from the Northern House of Assembly on Bill entitled "Widows' and Orphans' Pension (Northern Nigeria) (Amendment) Law, 1963."

*Motion made; and question proposed "That the Bill without amendment be now read the first time".—The Minister of Establishments and Training.*

*Question proposed.*

*Question put and agreed to.*

*Bill accordingly read the first time; to be read a second time later in the day.*

## MOTIONS

### Adjournment

**The Emir of Katsina (Alhaji the hon. Sir Usman Nagogo, K.B.E., C.M.G.):** Mr President, Sir, I rise to move the Motion standing in my name on the Order Paper:—"That this House at its rising this day do adjourn *sine die*".

Mr President, Sir, I beg to move.

**The Emir of Ilorin (Alhaji the hon. Sulu Gambari):** Mr President, Sir, I beg to second.

*Question proposed.*

*Question put and agreed to.*

### Resolved:

"That this House at its rising this day do adjourn *sine die*".

### Constitutional Amendment Act 1963

**The Premier (Alhaji Sir Ahmadu Bello, K.B.E., the Sardauna of Sokoto):** Mr President, Sir, I rise to move the following resolution standing in my name:

"That this House consents to the Produce (Constitutional Amendment) Act, 1963, having effect".

In accordance with section 154 subsection (1) of the Constitution of the Federation the Governor-General may with the consent of the Regional Governments designate certain products as produce. The act of Parliament under reference seeks to empower the Governor-General to make an order declaring certain products as produce and enables this order to be made retrospective to a date earlier than the present Constitution without offending any of the provisions of the Federal Constitution.

It is necessary for this House to pass the resolution because the Produce (Constitutional Amendment) Act, 1963, effects an entrenched provision of the consenting to the Act having effect is therefore required by section 4(1) of the Constitution of the Federation. I beg to move that the House do now agree with the resolution standing in my name.

**The Minister for Local Government (Alhaji the hon. Sule Gaya):** Mr President, Sir, I beg to second.

*Question proposed.*

*Question put and agreed to.*

### Resolved:

"That this House consents to the Produce (Constitutional Amendment) Act, 1963 having effect".

### University of Ibadan Act, 1962

**The Premier (Alhaji the hon. Sir Ahmadu Bello, K.B.E., Sardauna of Sokoto):** Mr President, Sir, I rise to move the following resolution standing in my name:

"That this House consents to the University of Ibadan Act, 1962, having effect".

Mr President, Sir, there is nothing controversial about this resolution. The University College at Ibadan is in the Exclusive Legislative List and as such it is an entrenched clause of the Constitution of the Federation. But section 7(1) (d) of the Act changes the title of this oldest institution of higher learning in Nigeria from University College and transforms it into a fully fledged University of its own. This is as it should be. But it is necessary for this House to adopt a resolution consenting to give effect to the Act before the Act can become operative. I know that hon. Chiefs will support the resolution now before them. Mr President, Sir, I beg to move.



**The Minister of Animal and Forest Resources (Alhaji the hon. Mu'azu Lamido, Magatakardan Sokoto):** Mr President, Sir, I beg to second.

*Question proposed.*

*Question put and agreed to.*

**Resolved:**

"That this House consents to the University of Ibadan Act, 1962 having effect".

#### **Pledging of Government's Credit**

**The Minister of Finance (Alhaji the hon. Aliyu, Makaman Bida):** Mr President, Sir, I rise to move the Resolution standing in my name as follows:—

**Be it Resolved:**

"That this House approves the pledging of Government's credit by guaranteeing the repayment of £2,912,480 being principal and interest due in the future from the Cement Company of Northern Nigeria Limited to Messrs Ferrostaal A. G. of Essen, Federal Republic of Germany, under an agreement between the Company and Messrs Ferrostaal, for the construction of a Cement Factory in Sokoto Province".

Chiefs are aware that the Cement Company of Northern Nigeria Limited has been formed in partnership with the Northern Nigeria Development Corporation and Messrs Ferrostaal A. G. of Essen, Federal Republic of Germany, for the purpose of setting up a cement factory in Sokoto Province.

The Federal Government, when asked, agreed to guarantee to Ferrostaal the repayments of interest and principal due under the agreement with them, provided this Government gave a first guarantee. The Northern Nigeria Development Corporation has in turn been required to guarantee the prompt repayment to this Government of any sum which may have to be paid under the guarantee, and ultimately it will be recovered from the Cement Company.

I am sure Chiefs will agree that it was in Government's interest to give the guarantee in order to get this cement factory started without waiting for a meeting of the House. I hope this House will now endorse the action taken.

Mr President, Sir, I beg to move.

**The Minister of Information (Alhaji the hon. Ibrahim Biu):** Mr President, Sir, I beg to second.

*Question proposed.*

**The Sultan of Sokoto (The hon. Sir Abubakar, C.B.E.):** Mr President, I thank the Government and support the action taken. *(Prolonged applause and cheers).*

**The Chief of Kuta (Alhaji Ahmadu Bahago):** Mr President, Sir, I rise to support this Motion, and there is no doubt that this proposal is a very good one and wish to thank the Regional Government for the action taken. Hon. Chiefs will realise that the Regional Government is a very good government and moreover, I am sure this will encourage foreign investors to come to this Region. I hope and pray to God to help our Government in this agreement. I beg to support.

*Question proposed.*

*Question put and agreed to.*

**Resolved:**

"That this House approves the pledging of Government's Credit by guaranteeing the repayment of £2,912,480, being principal and interest due in the future from the Cement Company of Northern Nigeria Limited to Messrs Ferrostaal A. G. of Essen, Federal Republic of Germany, under an agreement between the Company and Messrs Ferrostaal, for the construction of a Cement Factory in Sokoto Province".

*In pursuance to the standing orders, the President suspended the sitting of the House without question being put.*

*House suspended for 15 minutes, at 9.50 a.m. (House resumed at 10.00 a.m.)*

**The Minister of Justice (Alhaji the hon. Muhammadu Nasir):** Mr President, Sir, I rise to move that the omission made to the Order Paper be corrected. The omission is as follows. The hon. Premier to move the following:—

**Be it resolved:**

"That this House approves the proposed Constitutional Changes to effect a Republican System of Government for Nigeria from 1st October, 1963 as contained in the White Paper laid on the table of this House".

This was an omission and we are sorry. Mr President, Sir, I beg to move.

**The Minister of Trade and Industry (Mallam the hon. Michael Audu Buba):** Mr President, Sir, I beg to second.

**Mr President:** Let the House consent to the amendment.

**The Premier (Alhaji the hon. Sir Ahmadu Bello, Sardauna of Sokoto):** Mr President Sir, I rise to move the Motion standing in my name that this House approves the proposed Constitutional changes to effect a Republican System of Government for Nigeria on the 1st of October, 1963 as contained in the White Paper laid on the Table of this House. As it is in the Order of the day, Mr President, Sir the purpose of our gathering here is to look



[THE HON. PREMIER]

into the possibility of introducing a Republican System of Government which is to be effective from the 1st of October. I wish to introduce the proposals for the Constitution at the opening of this House. It was debated in the House of Assembly and the hon. Members of the House have consented to it. Amongst the things I explained at the House of Assembly, one of them does not necessarily need to be explained in this House. But because so much has been said about it I think it is now necessary to explain it again. This is the point about the Judicial Service Commission. In our opinion, we thought that we should have something to ensure the security of the fundamental human rights. There are some people in this country whose business it is to try to subvert these fundamental human rights. It is these people who are now lamenting on the abolition of the the Judicial Service Commission because by so doing they bring about confusion.

But these people are those who say that they like their fundamental human rights. It is they who will violate fundamental human rights, if you give them a chance. We are aware of a number of people in this country who seek aid from foreign countries to provoke violence in this country. There are some whose aim is to see violence done in this country, but as I said, it is considered necessary because of them to introduce this kind of law, I think that it should be introduced. For example, if the politicians and other people think that it should be introduced, it is all right. We know that some people are afraid, because of the ways such laws are being misused in other countries which we have been hearing of. For an ordinary mention of the name of the Leader a person is sent to jail and detained. We therefore close this matter for the mean time, although a lot has been said in the press and the newspapers about this. But God knows who is right.

In our proposals we have introduced a provision to safe guard the status of chiefs and emirs in a Republican Nigeria. We do not lay down how emirs and chiefs will move about or dress or how they talk. What we said is that if there is anything concerning chieftaincy it should not go to the courts. Because if it is agreed that the matters about chieftaincy can be the subject of litigation there could not be a possibility of appointing a new chief after the death of the latter. Many times some irresponsible members of the royal families will say that they refuse to recognise an appointment because the person selected has been chosen

from a wrong house. Then lawyers will instigate the members of the royal families to take the matter to court, and as such it brings controversy in those affairs. That is what we considered in the conference, but pressmen have asked me "What is the position of the chiefs in this new Constitution?" My answer is simply this: When we became independent of Britain was there any change in the affairs of the Chiefs?

Whatever concerns Chieftaincy now is dealt with by the Council of Chiefs. In this Council there are five Emirs, who are members of the Executive Council of Northern Nigeria. Whenever there is any matter before the Council of Chiefs, four or more Chiefs are co-opted in to the Council. Therefore there are nine Emirs and one politician, that is the Premier, in this Council. For this reason we think that these ten people are capable of seeing that everything goes well. It is my desire to assure this House that Chiefs and Emirs will be protected. But this would be a no licence to warrant some Emirs to say that nothing can happen to them. As before offenders will be punished. But it will be the Council of Chiefs who will do that. I therefore hope that this explanation will be satisfactory to the Emirs, and I pray for God's support. (Applause).

The third thing mentioned in the House of Assembly is the abolition of the Judicial Service Commission. The Judicial Service Commission has done its work, and we are grateful to it. But it is necessary to do things in conformity with how they are done in other Countries of the World. Some ask why it is that the Premier or Prime Minister should appoint Judges or should recommend to the Governor such appointments for fear that these Judges will do what they, that is the Premier and the Prime Minister like. Even now if the Chief Justice is to be appointed it is I alone that recommend to the Governor, although it is the Judicial Service Commission that first decides. For this reason nothing is really lost by the abolition of the Judicial Service Commission.

We do not want whoever is so appointed; to have to dismiss him by bringing the matter before this House. I always consult the Attorney-General and the Minister of Justice who know much better about these matters than I do. Therefore there is not much change in the whole affair only some few people who are bribed go around making a noise to bring confusion. So, therefore, there is not anything objectionable in this White Paper seeking to make Nigeria a Republic which I introduced



in this House. It is a matter of electing the President. And, I would just give one example in Hausa. For example the Minister of Finance Alhaji Aliyu, Makama is *Dangaladima* today and tomorrow we may call him *Ciroma*. Both words mean the same thing. There is not much change between the powers of the President and the Governor-General. Mr President, Sir, I beg to move.

**The Atta of Igala (Mallam Aliyu Obaje):** Mr President, Sir, I beg to second.

**Mr. President:** The question I have to propose is as in the motion by the hon. Premier.

*Question proposed.*

**The Emir of Nassarawa (Alhaji Jibrin Mairiga):** Mr President, Sir, I rise to support this very important motion,—an arrangement which lives in our hearts and which we consider very important.

I have an observation to make on section 13 of the White Paper—The election will be carried out by an electoral college consisting of all the members of both the Senate and the House of Representatives. Each member of Parliament will have one vote. Mr President, Sir, as it is, the President is going to be elected by the whole House, I would like to know whether the Sardauna Province will get a member in the Upper House. If this is so, I beg to support.

**Etsu Lapai (Mallam Muhammadu Kobo):** Mr President, Sir, I rise to speak in support of the motion moved by the hon. Premier, Sir Ahmadu Bello, Sardauna of Sokoto. First of all, I want to congratulate the Prime Minister, the Regional Premiers, and all the leading personalities that have reached agreement in introducing the republican system of Government into this country. I am grateful to the hon. Premier as he has explained fully to the House what it all meant. The political progress, like any other structure, requires a firm and solid foundation. Democracy has gained ground in Nigeria and I feel no doubt that it will continue to flourish.

It is a great credit for our leaders who have chosen to have the Indian type of republican form of Government in which there will be a Prime Minister to advise the President in discharging his duties.

Nigeria has learnt from the mistakes made in some places that chose to have an executive President. An executive President may, in course of time, tend to be too powerful and that may lead to an unpopular rule. For the present, we are very fortunate to have the Governor-

General and the Prime Minister who have worked together in friendly and co-operative atmosphere to the satisfaction of the entire peoples of Nigeria. They have both set a clear example and paved a smooth way for establishing a republican form of Government in Nigeria. May we wish them and their Regional Governors and Premiers a very long time to live and guide the destiny of this young country. It is also very pleasant that our thoughtful political leaders agreed that the new status of our country shall be a Republic that shall be Federal in nature, and shall remain within the Commonwealth.

**The Premier:** Point of Order Sir. The hon. Member can not put up a motion for debate in this House. We are only concerned with chieftaincy in the Law Courts.

**The Etsu of Lapai (Mallam Muhammadu Kobo):** Thank you sir, I am pleased that the office of the Governor-General will be changed to that of the President. The President will be elected by an electoral college consisting of the members of the Senate and the House of Representatives. This change is a happy welcome because the measures will make the independence of Nigeria a complete one, since we Nigerians shall elect and appoint our own Head of State. Again in one section, it is observed that the provision that now allows appeals to Judicial Committee of the Privy Council in the United Kingdom for review, will be abolished and that the Supreme Court will be the final Court of Appeal for the Republic of Nigeria. It will be a very big step forward that the only remaining link in administration between the two countries will be cut, and Nigeria will enjoy full status of her independence.

With these few words, I support the motion.

**The Chief of Idoma (Mr A. A. Ukpabi):** Mr President, Sir, I rise to support this important Motion. In supporting the Motion I have to thank the leaders of the three Regions and also the Federal Government for the decision taken during the last Lagos all Party Constitutional Conference. Our leaders have been straightforward. It is that true straightforwardness which has made Nigeria the best country in this world. Since the leaders have made themselves the channel of the people of this country, I hope if they continue, Nigeria will become the best place for us all.

There is wisdom in Nigeria remaining in that big family of Nations which has abundant



## [CHIEF OF IDOMA]

experience, resources and prestige. For anything it is a pride to be a member of the Commonwealth.

In paragraph 8 of the White Paper Sir, I am pleased to see that the position of Chieftaincy is being protected and dignified by making a provision in the Constitution that will not allow Chieftaincy matters to go to Courts of Law. In the other Regions of the Federation it is somewhat painful to see that Chieftaincy matters go to courts resulting in prolonged and expensive litigations. On the other hand, the status of Chiefs in the North has been well founded from long traditions and customary practices, so much so that no Chieftaincy matters go to law courts for settlement. The Governments of the other Regions should copy this exemplary practice from Northern Nigeria. But, however, I would like to appeal to all the Governments of the Federation to be more tolerant and more sympathetic with affairs pertaining to Chiefs, since they do not drag their complaints to the Courts. In these days of public enlightenment, people write anonymous letters containing false allegations against the chiefs or Native Administrations. Sometimes such letters are signed with fictitious names. By this, it means that the Government may find fault with the Chiefs or Native Administrations. Since the time has come when we, Nigerians, in Nigeria will rule ourselves for ever, steps should be taken by the Governments of the Federation to formulate a policy as to what to do with anonymous correspondences. Until this is done, the position of Chiefs is not so safe as it looks. It is the local government which is the basis upon which the Government stands. It is this local government which is attacked without any true reasons by irresponsible citizens who sometimes call themselves *Mallam Karambani*. What we want, Sir, is a definite ruling over this matter.

The statement of having something to do in connection with the Republican System of Government, as far as the Chiefs and natural rulers are concerned, is in itself a praise to the Government of Northern Nigeria. I have to thank both the elements of Government and the Premier of Northern Nigeria. Our leaders should think of making use of experienced elements, by this I mean, graduates. But the graduates should also try to acquire experience because degree without experience is equivalent to illiteracy. I have not seen where Government can err than this point when not fully considered.

**The Chief of Kuta, (Alhaji Ahmadu Bahago):** Mr President, Sir, I rise to speak on the White Paper, and also to express my gratitude to the Leaders of Nigeria and the Premier for their efficient running of the government. This good arrangement will make life in Nigeria much better. The provisions in the White Paper are such that might not provoke violence after Nigeria has become a Republic. Provision for the Judiciary is something which will bring about peace for the people. It is also my pleasure and gratitude to note the provision of electing a President in the Republic of Nigeria. There is nothing bad in it as it is now. Nigeria's status after becoming a Republic is something to be proud of. We shall be more independent after the Republic. I am therefore very thankful to the Government of Nigeria. I am sure this constitution justifies the good intention of our Government. I pray that on the 1st of October, the day Nigeria becomes a Republic, our eyes will be able to witness it and that peace may attend such events.

**The Chief of Borgu (Alhaji Muhammadu Sani):** Mr President Sir, I rise to praise the Motion made by the Premier about the Chiefs because it concerns all of us, Emirs and Chiefs. We should therefore be grateful to the Premier and also be honest to him. (*Prolonged Laughter*).

**The Emir of Misau (Mallam Ahmadu M.B.E.):** Mr President, I rise to say something. We thank God, the Premier and other Ministers who drafted this Republican Constitution for Nigeria, because many people do not think that this should be a cause for thanks. It is thought that there would be an Executive President. There is no fundamental change from the system as it now stands. The Prime Minister will be at the head of the Government for the Federation while the Premiers will be at the head of the Governments in the Regions as it is now. I am sure that there is nothing wrong with the White Paper. We are very grateful to the Premier for having taken away our Chieftaincy matters from courts, which is not the case in other Regions. We are very grateful to the Premier and the Government.

**The Chief of Jos (Mallam Rwang Pam):** Mr President, Sir, I rise to support the Motion and proposals by our leaders in making a Republican Constitution for Nigeria. Nigeria becoming a Republic is not something very new to what it is now. Some months ago our Leaders met in Lagos for a Conference to make Nigeria a Republic. There are the Prime Minister, the Regional Premiers and



leaders of all major parties in Nigeria. Mr President, Sir, I beg to thank those who made their proposals for this Republican Constitution.

Introducing the amendment to make Nigeria a Republic. There is nothing new in the White Paper showing any changes to the present state of Nigeria. It is almost similar to the proposals for the attainment of Independence. After Nigeria attained its Independence, there have been progress, peace and everything that brings about the rapid development of the Region. Therefore, Mr President, Sir, Nigeria in becoming a Republic is bringing something new to us which we have not seen before. Let me compare the status to Republican Nigeria with that of a man with his own house. The owner of the house knows exactly what he wants in his own house and it would appear unreasonable for a stranger to come to that house and pass instructions as to what is to be done in that house. Nobody would like somebody to plan his domestic affairs for him. That is if Nigeria becomes a Republic, we do not need that advice of outsiders for running our affairs in this country. We are very grateful to our Nigerian leaders. It is in this way Mr President, Sir, that we are very grateful to our hon. Premier of Northern Nigeria. As I have said, there is a good constitution of Nigeria that is why the chieftaincy affairs is never taken to courts in this Region. Everybody in Nigeria will support Nigeria becoming a Republic because the power is not vested in irresponsible people. That means that the President will be advised by the Prime Minister of the Federation of Nigeria. I think everything will run smoothly. Therefore, Mr President, we pray that God will take us to the day when Nigeria becomes a Republic on 1st October, 1963, and with this, Mr President, Sir, I beg to support the Motion.

**The Chief of Lafiagi (Mallam Umaru Oke-Ode):** Mr President, Sir, I have great pleasure in rising to contribute to this very important debate before the House. In the first place, I would like to congratulate our leaders for their bold step, and would like to extend my thanks to all concerned. My heartfelt gratitude goes to the Northern Premier, Alhaji the hon. Sir Ahmadu Bello for the assurance he has given the Chiefs with regards to their position in a Republican Nigeria. He has proved beyond doubt, this high esteem with which he holds the chiefs and also the unreserved respect he and his Government has for the institution of chieftaincy in this Region.

The assurance has removed the fear and cleared the air of doubt which the chiefs had about their position if Nigeria were to become a Republic. This has further strengthened our confidence in him and his Government, and with their activities goes our unflinching support. May God guide them and their counterparts both in the other Regions and the Federal Capital, so that they would all continue to work together so that peace, happiness and harmony would continue to reign in Nigeria forever. A most satisfying arrangement is that of the Heads of State, namely the President and the Prime Minister. I am considering this to be the most fitting for present day Nigeria. This I regard as the gateway to stable and peaceful Government for the country. I wish them long life and hope that they would all work together for the happiness and prosperity of the Region.

Mr President, Sir, I consider this Motion for a Republican Nigeria as the most important Motion before the House. I wish this Motion would give us a stable and peaceful Government in this country. With the proposals for Nigeria becoming a Republic, there is something which is worrying our people throughout the country. This is the mass highway robberies. . . . [THE MINISTER OF JUSTICE: Mr President, point of Order. I think the hon. Chief has the opportunity to discuss this matter separately as it is not included in the White Paper.] I thank you very much. With the arrangements already completed for the head of state, I am quite sure that many people will feel relieved because most people have been judging from the sort of things that have been happening in other countries. Therefore, Mr President, Sir, I wish our leaders, long life, and many more years of office and I hope that they will all work generally for the peace and prosperity of Nigeria. (*hear! hear!*) With these few remarks, I beg to support the Motion before the House.

**The Emir of Jama'are:** Mr President, Sir, I rise to support the proposals in the White Paper. As the previous Chief has spoken about this White Paper, there is no need for me to make a lengthy speech. I only thank the hon. Premier and his Government and the Governor-General and all our leaders of this country. I am quite sure everybody will be satisfied by the White Paper and the hon. Premier has guided everyone not only in Nigeria but everywhere in the world. I thank all the Ministers who are helping us and we are grateful about this. We wish the hon. Premier, and his Ministers and other leaders of the country long life. That is all I have to say. I therefore beg to support the Motion.



**The Chief of Bunu (Mr J. Adebayo Ikusemoro):** Mr President, Sir, I rise to support the Motion moved by the hon. Premier. I also have to thank him for the contribution he made to the regional governments in preparation and submitting this White Paper. It is most gratifying to note that Nigeria will soon become a Republican Government. All Nigerian citizens should be grateful to their leaders for bringing up Nigeria to become a Republic within the Commonwealth. The framework of the Constitution of a Republican Nigeria as contained in the White Paper is excellent. I am grateful to the hon. Premier for the safeguard he has given to the Chiefs when Nigeria becomes a Republic. But I will only appeal to the Council of Chiefs and Ministers to work together when discussing a general affair and they must be sympathetic so that Nigeria will not become a Second Congo in Africa. Another thing I would like to say is about the appointment of the President which I term as another new era.

I think any person eligible to be elected to the House of Representatives must be equally qualified to be a President if the Members of the Legislature so appoint him.

Although, I may be ruled out 'on point of order', because the Detention Act is not contained in the White Paper, in my opinion, such an Act should be passed before Nigeria becomes a Republic because we cannot solely depend on a Criminal Code which had been in use only in Lagos since 1924. What can we do when there is chaos in one part of the Region. It is in the interest of the public that we should safeguard our future should any Region become lawless.

On this point we will say that when the Prime Minister declared an emergency in the West last year, it was because such a provision was contained in the Nigerian Constitution that the action taken was made possible. I should think that this should be embodied in the Constitution before Nigeria assumes a republican form of government. I know this would not affect the North, because we are known to be law abiding citizens but what will happen should there be a break down of law and order in any other Regions. For these observations I have to support the Motion.

**The Chief of Wushishi (Alhaji Abubakar Agwai):** Mr President, Sir, I rise to support this Motion on the Federal Republic of Nigeria, and to express wholeheartedly my thanks and good wishes to our Premier and all Nigerian

leaders especially our Government Party, Northern Peoples Congress. Apart from that, I may say according to me, our leaders are the best thinking people and also honest in all Republican countries; because they are the leaders who worked day and night; on sea, land and air, and within ten years they have achieved for us Federal Independence and finally within three years we come to a Republic. All these were done without fear and blood-shed but through their honest and God's guidance. Mr President, Sir, I appeal to the hon. members of this House that it is our duty now to be honest, tolerant and obedient to our leaders and to the public as a whole, so that our hard working leaders should be encouraged through these efforts to continue our Republican Nigeria in peace and bring more wealth. May God help all and save our Republican Nigeria. Amen. With these few remarks I support the Motion.

**The Premier:** Mr President, Sir, I rise to express my thanks to all those Emirs and Chiefs who have spoken in support of this White Paper. I know there are some Emirs and Chiefs who are not able to have the opportunity to speak today, but I take it that those who are not able to speak have spoken also. I am very proud of the support given to us. Among the chiefs who have spoken I have great confidence in them. The chief of Nasarawa Eggon asked that the chiefs be represented in the Senate. The answer is no. What we agreed upon is that the representation of each Region should be equal. The chief of Idoma spoke on anonymous letters, I think any government worth its salt will take action against such false allegations, but if there are such letters, we shall welcome them and take action on them. I thank the Emirs and Chiefs, but I would like to tell them that not all matters go to the Council of Chiefs unless the matter is of a vital importance.

#### **Legislation (Administrative Procedure) (Amendment) Law, 1963**

*Bill entitled the Legislation (Administrative Procedure (Amendment) Law, 1963. Order for second reading read.*

**The Premier (Alhaji the hon. Sir Ahmadu Bello, K.B.E., Sardauna of Sokoto):** Mr President, Sir, I rise to move that a bill for a Law to amend the Legislation (Administrative Procedure) Law, 1963 be read a second time.

The purpose of the Bill is to alter the form of the Governor's assent to Bills passed by the Legislative Houses of this Region. The form of assent at present is "Assented to in Her



Majesty's name....." The new form of assent would, of course, simply be, "I assent....." The alteration in the form of assent does not represent our meaning of Republicanism. Hon. Chiefs will soon be given a chance to examine and air their views on the substance of the Republican Constitution for this country. But I insist that the alteration in the form of assent is a step in the general direction along which this country has been moving since the achievement of Independence, our goal in terms of Constitutional development being always the achievement of a Republican Constitution. We have at last arrived. The Federal Parliament has since enacted a similar law amending the Legislation Administrative Procedure of the Federation. I am sure that hon. Chiefs do not need to be persuaded to accept this bill. This is the opportune time for it. The general feeling of the hon. House tells me that.

Mr President, Sir, I beg to move.

**The Minister of Establishments and Training (Alhaji the hon. Umaru Babura, Sarkin Fulani Ja'idanawa):** Mr President, Sir, I beg to second.

*Question proposed.*

*Question put and agreed to.*

*Bill immediately considered in Committee.*  
(House in Committee)

*Clauses 1 and 2—agreed to.*

*Bill to be reported.*

(House resumed)

*Bill reported without amendment; read the third time and passed.*

**The Minister of Education (Alhaji the hon. Isa Kaita, Wazirin Katsina):** Mr President, Sir, I rise to move that Section 8(1) of the Standing Orders, be suspended in order that the business on the Order Paper, may be completed.

**The Minister of Information (Alhaji the hon. Ibrahim Bui):** Mr President, Sir, I beg to second.

*Question proposed.*

*Question put and agreed to.*

**Resolved:**

"That Section 8(1) of the Standing Orders be suspended in order that the business on the Order Paper may be completed."

**Ministers' Statutory Powers, Law, 1963**

*Bill entitled the Ministers' Statutory Powers*

*and Duties (Miscellaneous Provisions) (Amendment) Law, 1963—Order for second reading—read.*

**The Premier (Alhaji the hon. Sir Ahmadu Bello, K.B.E., Sardauna of Sokoto):** Mr President, Sir, I rise to move that the Bill entitled the Ministers' Statutory Powers and Duties (Miscellaneous Provisions) (Amendment) Law, 1963 be read a second time. There is no doubt that hon. Emirs and Chiefs will see that the Bill is self explanatory. This Bill will enable Ministers to delegate their powers to their Parliamentary Secretaries to act on their behalf with my consent. Mr President, Sir, I beg to move.

**The Minister of Establishments and Training (Alhaji the hon. Umaru Babura Sarkin Fulani Ja'idanawa):** Mr President, Sir, I beg to second.

*Question proposed.*

*Question put and agreed to.*

**Mr President:** Committee when?

**The Premier:** Now, Sir.

(House in Committee)

*Clauses 1 and 2 agreed to*

*Bill to be reported.*

(House resumed)

*Bill reported without amendment; read the third time and passed.*

**Revised Edition of the Laws of Northern Nigeria**

*Order for second reading read.*

**The Attorney-General (The hon. I. M. Lewis, Q.C.):** Mr President, Sir, I rise to move that the Bill for a Law to amend the Revised Edition of Northern Nigeria Law, 1963, be now read a second time. Members of the House will recall that at the Budget Meeting we passed the Revised Edition of the Laws of Northern Nigeria Law, 1963, and that we then made provision that the Law Revision Commissioner should take account of all laws passed up to the 1st May, 1963. As a result of the decision since then to bring the Republic into being on the 1st October, 1963, it is thought much better to change the date from 1st of May, 1963 to the 1st October, 1963, for the appointed day for the purposes of this Law so that the Law Revision Commissioner may take account of the Legislation that will be passed up to the 1st of October, 1963, and we will then have as up to date a Revised Edition of the Laws as is possible on the introduction of the Republic.



[HON. I. M. LEWIS, Q.C.]

I would only add that this amendment could have been made by order but it was thought desirable to make the alteration by this Bill so that the correct date could be incorporated in the Law by the Law Revision Commissioner when he arranges for this Law to be printed at the beginning of the Revised Edition of our Laws, and everyone will therefore know easily the date up to which the Revised Edition will be effective.

Mr President, Sir, I beg to move.

**The Minister of Justice (Alhaji the hon. Muhammadu Nasir):** Sir, I beg to second.

*Question proposed.*

*Question put and agreed to.*

*Bill immediately considered in Committee.*

*(House in Committee)*

*Clauses 1 and 2—agreed to.*

*Bill to be reported.*

*(House resumed)*

*Bill reported without amendment; read the third time and passed.*

### **Interpretation (Amendment) Law, 1963**

*Bill entitled the Interpretation (Amendment) Order for second reading—read.*

**The Premier (Alhaji the hon. Sir Ahmadu Bello, K.B.E., Sardauna of Sokoto):** Mr President, Sir, I rise to move that the Bill entitled the Interpretation (Amendment) Law, 1963, be read a second time. There are two important aspects to this Bill. As it stands section 27(a) of the Interpretation authorises the Governor to appoint another Minister or Parliamentary Secretary to perform the function of another Minister when such Minister is incapacitated from performing his function because of illness, or because he is away from Kaduna. Clause 3 of this amendment seeks to enlarge the scope of section 7(a). It means that in future the Governor will be able to authorise another Minister or a Parliamentary Secretary or any other Member of the House of Assembly to perform the functions of a Minister as well as that of a Provincial Commissioner in case of illness or absence. The purpose of Clause 3 is to simplify procedure and quicken public business as at present the procedure for appointing an acting Provincial Commissioner is cumbersome. I have no doubt that hon. Members will welcome any measure that seeks to speed up the conduct of public business in this Region.

Mr President, Sir, I beg to move that the Bill be now read a second time.

**The Minister of Works (Alhaji the hon. Shehu Usman, Sarkin Maska):** Mr President, Sir, I beg to second.

*Question proposed.*

**The Etsu Nupe (Alhaji the hon. Shehu Usman Sarki):** Mr President, Sir, I rise to support the Bill. In my opinion, I don't think it is necessary that when a Minister is away from his station on official duties another Minister should be appointed. At the same time when a Provincial Commissioner is away from his Province, another man should be appointed to perform the duties in the Province. But his mere absence from his office does not require the appointment of another person. My argument is that if the Commissioner is absent from the whole Region—then that is another different case of appointing someone instead. For example if the Minister of Education goes to Bida for inspection, it may be necessary to appoint another Minister to perform his duties. I am not opposing the proposals, but I am making an amendment. I am sure the hon. Premier, knows about this, and therefore I would like to have some clarifications.

**The Emir of Zaria (Alhaji Muhammadu Aminu):** Mr President, Sir, I rise to support the Motion before the House. I am grateful to the Premier, Alhaji the hon. Sir Ahmadu Bello, for his good administration and ability. We Emirs and Chiefs are always grateful for the appointment of Provincial Commissioners. Some people are thinking that the appointment of Provincial Commissioners is lessening our powers—that is not so at all. Instead of lessening our powers; it is increasing them.

**The Premier:** Mr President, Sir, I think this is not the right time for the Emir to speak about the Provincial Commissioners.

**Mr President:** I am grateful to the hon. Premier. The hon. Chief would not speak about the Provincial Commissioners as the matter has got nothing to do with the Bill before the House.

**The Premier:** Mr President, Sir, I would like to reply to some of the points raised by some hon. Members with regard to the provisions made in this Bill. These provisions are always made to meet our needs for emergency. Although it has been said that the Governor can appoint anybody but that is not so. I do recommend to the Governor any appointment, he only signs what I have recommended. With



regards to the point raised by Etsu Nupe for the appointment of Ministers to act during the absence of other Ministers, I quite agree with him hundred times. But we have a Minister who always goes on leave during the *Ramadan* (*Laughter*). If a Minister is going on leave I will appoint another person in his place. When the Minister of Finance goes on leave I will disagree, because of the nature of his work. Because if a person is going to act in his place he must be fully aware of his job. For this reason I will recommend to the Governor to appoint an acting Minister. When the Minister is on tour or goes to Lagos, because of his responsibility, we shall have to ask somebody to act in his place.

*Bill immediately considered in Committee.*

(*House in Committee*)

Clause 1-2—*agreed to.*

Clause 3-4—*agreed to.*

*Bill to be reported.*

(*House resumed*)

*Bill reported without amendment; read the third time and passed.*

#### **Widows and Orphans Pension Law, 1963**

*Bill entitled the Widows' and Orphans' Pension (Northern Region) (Amendment) Law, 1963, Order for second reading—read.*

**The Minister of Establishments and Training (Alhaji the hon. Umaru Babura, Sarkin Fulanin Ja'idanawa):** Mr President, Sir, I rise to move the Bill entitled the Widows and Orphans Pension (Northern Region) Amendment Law, 1963, be read a second time. The purpose of the Bill is sufficiently explained in the objects and reasons and is merely to enable Federal Legislation on this subject to be applied to Northern Nigeria by an Order of the Governor instead of by an amending Bill.

Honourable Chiefs will agree that this is a technical matter and that the Bill is non-controversial. Sir, I beg to move.

**The Minister of Justice (Alhaji the hon. Muhammadu Nasir):** Mr President, Sir, I beg to second.

*Question proposed.*

*Question put and agreed to.*

**The Etsu Nupe (Alhaji Usman Sarki):** Mr President, Sir, I know this is not a controversial matter but I should like to point out to the Minister that the majority of our people have four wives, what is it going to be? [THE PREMIER: We are not concerned with the housewives but the people who work for us]. (*Laughter*).

*Bill immediately considered in Committee.*

(*House in Committee*)

Clauses 1, 2 and 3—*agreed to.*

*Bill to be reported.*

(*House resumed*)

*Bill reported without amendment; read the third time and passed.*

**The Premier:** Mr President, Sir, I beg to move that the House do now adjourn *sine die*. I want to take this opportunity to thank the Chiefs and Emirs. I wanted to set a date for the next meeting but I have not been able to reach decision as to the final date yet, but by the grace of God the meeting will be in September. May God take you home safely. We are grateful for the help you have given to us.

**The Minister of Education (Alhaji the hon. Isa Kaita, Wazirin Katsina):** Mr President, Sir, I beg to second.

**The President:** Before I put the question, I would like to inform hon. Members that the Emirs and Chiefs should remain in their seats.

*Question proposed.*

*Question put and agreed to.*

*House accordingly adjourned sine die at 12.15 p.m.*