

PROCEEDINGS OF THE  
NATIONAL ASSEMBLY

**DEBATES**

**First Assembly**

**First Session**

**SENATE**

**OFFICIAL REPORT**

**VOLUME II**

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4. Senator E. E. Emezie
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4. Senator Haruna Muza
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11. Senator Sikiru Shitta-Bey.

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3. Senator Umara Lawan Bama
4. Senator A. A. Ali
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4. Senator G. A. Daniel
5. Senator E. P. Echeruo
6. Senator N. N. Anah
7. Senator Musa Muhammadu Agwai
8. Senator Jibrin Salihu
9. Senator Yelwaji Saleh
10. Senator Garba Gada
11. Senator Adamu Gaya

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5. Senator M. M. Agwai
6. Senator M. G. Lawan
7. Senator A. I. Barau
8. Senator Bukar Sanda
9. Senator C. O. Ilori
10. Senator Olabode Olu
11. Senator Luka Zanya Zing

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2. Senator Abba Ali
3. Senator I. Obaro
4. Senator Muhtari Abdu-Karim
5. Senator Usman Alto Danbatta
6. Senator J. O. Ansa
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9. Senator Ade Ladega
10. Senator E. K. Ogunleye
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2. Senator Garba Matta
3. Senator S. O. Sogbein
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5. Senator A. Abogede
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10. Senator Adeyiga Ajayi
11. Senator Luka Zanya Zing.

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Alphabetical List of Senators

A

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3. Senator Andrew Abogede .. .. .	Benue North-Central
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16. Senator Abba Ali .. .. .	Katsina/Dutsinma
17. Senator Amadu Ada Ali .. .. .	Benue West
18. Senator N. N. Anah .. .. .	Anambra South
19. Senator Isaiah Nnamani Ani .. .. .	Anambra North
20. Senator Joseph Oqua Ansa .. .. .	Calabar
21. Senator Tony Anyanwu .. .. .	Owerri
22. Senator F. O. M. Atake .. .. .	Bendel Delta
23. Senator Iliya Galiya Audu .. .. .	Wukari
24. Senator Obafemi Ayantuga .. .. .	Epe

B

25. Senator Umara Bama .. .. .	Borno East
26. Senator Bellow Bakori .. .. .	Malumfashi/Funtua
27. Senator Ibrahim Barau .. .. .	Ikara/Zaria/Birnin Gwari

D

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40. Senator Donald Dick Etiebet .. .. .	Ikot-Ekpene

F

41. Senator Ayo Fasanmi .. .. .	Ondo North
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G

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43. Senator Aliyu Mohammed Gani .. .. .	Kwara North
44. Senator Adamu Gaya .. .. .	Kano South
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H

46. Senator George Baba Hoomkwap .. .. .	Shendam
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I

47. Senator Nosike Ikpo .. .. .	Bendel East
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L

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58. Senator Abubakar Magaji .. .. . Suleja/Formerly Abuja  
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61. Senator Haruna Muza .. .. . Sokoto West

N

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63. Senator Offia Nwali .. .. . Anambra East

O

64. Senator Isa Obaro .. .. . Kwara South  
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T

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- 95. Senator Sabo Bakin Zuwo .. .. . Kano Central

Monday, 12th November, 1979

The Senate met at 10.55 a.m.

**PRAYERS**

(The President in the Chair)

**The President :** Distinguished Senators, good morning. You are all welcome back from the short break. For those of us who are Muslims, I hope we had a happy festivity.

I think it is necessary to recap very briefly the mood of the Senate and what it achieved during our last session. The manner in which the Senate, the first of its type in our country, started its work has been commendable, especially, the spirit of oneness which we all showed. I would like to thank you for your co-operation. I hope that co-operation will continue and that a better working relationship will develop in this session.

I am delighted to say that the labels identifying the respective parties have been completely removed. We are now sitting as one Senate, which is our intention, and our spirit will continue to show this oneness. Once again, I would like to thank you for the past and hope that the future would even be better.

On the Order Paper this morning—

**Senator D. O. Oke** (Ondo West) : Mr President, Sir, there is a copy of the Hansard on which some light should be thrown before we go on with our deliberations. I would like to correct something on page 226 of the Hansard of 18th October, 1979, so that we do not, in fact, go on laying today's work on what is essentially a wrong record. It is stated in column 226 of the Hansard as follows :

*Dr Paul Unongo appeared before the Committee, he was considered, but his appointment was not confirmed.* I thought, Sir, this ought to be corrected in view of the fact that what the Senate did was to use a specific word, *rejected* so that we do not confuse the decision of the Senate in respect of Mr Paul Unongo with the category that we debated the second day.

The Senate will observe, Sir, that on the 19th of October we had three categories of *confirmed*, not *confirmed* and *rejected*. It is true that on the 18th these three categories were not specifically stated but we did use the word, *rejected* that day. I would like us to put our records straight so that we do not go on building on a false foundation. Thank you, Mr President.

**The President :** I would agree with Senator Oke that we did decide that we would categorise the prospective Ministers we would deal with and that had been done in a later Hansard, I think. So this correction should be effected.

**Senator Oke :** Thank you, Sir.

like to observe, since the Senator from Ondo West (*Senator Professor Oke*) has been allowed to raise a point of Order, that the Senate cannot reject anybody, it can only confirm or not.

**The President :** Order ! Order ! I quite subscribe to the humorous approach of Senator Dimis. We are all Nigerians. No Nigerian should be rejected.

**Senator Oke :** Mr President Sir, Order 26 (4) reads as follows : *It shall be out of order to attempt to reconsider any specific question upon which the Senate has come to a conclusion during the current session except upon a substantive motion for rescission.*

**The President :** Order ! Order ! The Order under reference is not necessary at this stage. You should listen to my wordings carefully. I have said that as a matter of fact the Senate does not reject any Nigerian. We are all Nigerians. We accept every Nigerian, but that does not invalidate the fact that the correction has been made in the Hansard.

**Senator Ayo Fasanmi** (Ondo North) : As regards what has been said by Senator Oke, there is still an omission in the records of the Hansard. It was not only Mr Paul Unongo that was rejected but there were a few others.

**The President :** If the distinguished Senator was listening, I did say that in the later Hansard the correct version was inserted and that this one should be corrected. Thank you very much.

**Senator Sola Saraki** (Ilorin/Asa) : Mr President, I need your protection here.

**The President :** That is a very good way to start. You are protected. The Senate protects you all the way.

**NOTICES OF MOTION  
WELFARE**

**Senator Saraki :** Mr President Senators, I would like to move :

That the Senate House Committee should join like a Committee of the House of Representatives to deliberate on matters affecting the welfare of the Members of both Houses of the National Assembly and to make recommendations.

Mr President, Sir, when the Senators arrived in Lagos they were allocated flats at Badagry Road. Badagry Road is not safe for anybody to live there. You know there is not enough light in the area. Services like health, good roads, and water supply are not adequate in the area.

Secondly, and this is more important, one of our Senators was attacked by highway robbers as early as 8 p.m. I believe that for Senators to be able to discharge their responsibilities in this honourable Chamber, we need to see them well housed. We would like to see them given all the necessary facilities and amenities so that they can have enough rest of mind to do their job properly.

I know we have set up a committee under Senator Anah to look into the problems facing Senators. It is my belief, Mr President, Sir, that we should not work in isolation because what affects this Chamber definitely affects the Members of the House of



Representatives. It is my wish, therefore, Mr President, that we should work hand in hand with the other Chamber so that all our deliberations will go on smoothly.

I therefore move that we should form the Joint Committee.

**Senator J. S. Tarka** (Benue East-Central) : On a point of order, Sir. Mr President, Sir, I do not want to be a heady Senator.

**The President** : What is the number of the Order ?

**Senator Tarka** : The Order in question is that the Motion moved by the NPN Senate Leader has been overtaken by events.

**The President** : I am inclined to think that you have some information to give the Senate. I take it that you want to give us some information.

**Senator Tarka** : On a point of information.

**The President** : What is the information ?

**Senator Tarka** : I have been out of circulation for some time. I have been a little bit drastic. May I say, Sir, that while I take the point made by the distinguished Senator from Ilorin, it is my belief that the Committee is seeking to discuss what has been overtaken by events. The Committee has sat under the chairmanship of the distinguished Senator Anah. A Report has been submitted. Some of us have seen the Report. One would have been inclined to believe that Senator Saraki would submit that Report for reconsideration if he deemed it fit.

Unfortunately, we saw this on the Order Paper. I do not know how many of us saw it just this morning. I saw it just this morning, for which nobody is to blame. I think that we are just skipping the first Motion, the first point on the Order Paper, which should have brought us into close contact or link with the item No. 2 that is on the Order Paper for today. It is being so, Sir. I would like to suggest seriously that we be given time to look at the Report if Senators have not looked at the Report itself.

**The President** : Distinguished Senator Tarka, I believe that the Clerk of the Senate is briefing you. Are you still insisting on giving us information on the subject matter ?

**Senator Tarka** : Yes, Sir. I am insisting.

**The President** : Do you think that your information is up-to-date ?

**Senator Tarka** : My information is up-to-date.

**The President** : I am not too sure.

**Senator Tarka** : May I make my point, Sir ? I know that the Doctor looks after me very well. He has been holding my chest. (*Laughter*)

May I say, Sir, that we have taken this Report already. Unless there is something new we should make progress on another issue.

The Reason why this item appeared on the Order Paper is for this House to take a resolution to back the Committee's Report which has already been accepted. The President wants it that way because the Committee of the Senate's deliberations on the issue has been forwarded to the President and he has written to me observing that there was no formal resolution passed by this Senate. I think that is what the distinguished Senator from Ilorin intended to do this morning, just to pass a formal resolution.

I recognise Senator Adebayo.

**Senator C. O. Adebayo** (Kwara Central) : Thank you very much, Mr President. I have a few information to add to that important point which he has already made. It is the misrepresentation that has even been given as to why Senators and the National Assembly Members as a whole are concerned about the issue of accommodation and comfortable settlement. I think the issue of safety along Badagry Road is only a minor point. The issue of water and electricity is even more minor because you know these are some of the problems that the average Nigerian is putting up with.

Because we are aware that along Badagry Road there is the FESTAC settlement and there are hundreds and thousands of Nigerians living and enduring these problems, we are more concerned, Mr President, with the issue of inadequate accommodation. We are saying that as Nigerians—Mr President, I happen to be a Member of the Committee of Housing—we have a suite, no matter how super-comfortably furnished. This single sitting room part of which is a kitchen and dinning which has a bedroom barely adequate to take two 3½ft x 6ft beds and which leaves very little room for the bedroom locker, is inadequate for the average Nigerian of any stature who is supposed to stay in any particular place for a period of four years working one hundred and eighty-one days of the year, not counting weekends and public holidays.

So, what we are saying, Mr President, is that a single bedroom is inadequate. There is no provision for the accommodation of our drivers and whatever personal assistants we may have, not to talk of visitors from within and outside the country which, I am sure, Nigerians of all categories would expect their Senators and Members of the House of Representatives to have. What we have been asking for all along which we must put on record that has never been adequately provided, is room enough to take us, like any Nigerian will expect, comfortably to be able to do our work to our nation efficiently. So, we are asking for accommodation of at least two or three bedrooms to be able to take us comfortably, to enable us to bring our families, that is, those of us who have smaller families, not to talk of our fathers like Senator Alhaji Waziri Ibrahim who may have ten times my size of a family. I think we should take pains to explain this carefully not only to remind ourselves but to tell others who may have been misinformed that we are not asking for additional

[SENATOR ADEBAYO]  
We are asking for room that will be adequate to meet the need of the average Nigerian. I thought it was important to bring out this point, Mr President.

**Senator N. N. Anah** (Anambra South): Mr President, Sir, Senators, this looks like my own baby, as the Chairman of the House Committee. I am speaking for the avoidance of any doubt. In removing any scintilla of doubt, it should not appear as if we are re-opening the matter. During our last meeting—

**Senator J. S. Tarka** (Benue East-Central) : Point of Order ! The Motion has not been seconded.

**Senator Anah** : I am seconding the Motion.

**Senator C. O. Adebayo** : My intention was—

**The President** : What you thought is not what is actual.

**Senator Anah** : Thank you, Mr President My main purpose of speaking on this Motion is to remove any scintilla of doubt which may exist in the mind of anybody about our request. During the last meeting of Senate we made a specific request which I laid on the Table of Senate. By a unanimous resolution that request was sent to the President for approval. We are not in any way trying to rescind the request or modify it because our request was specific. We carried out a physical inspection of the area we requested for allocation. I would say, Mr President, Sir, that the more important reason why this resolution is now being sought for this morning is for an effective and urgent implementation of our request. I know for certain, and in fact the whole country knows too, that Senators are working under very terrible hardship.

I can tell you, Mr President, Sir, that since we started sitting in the Senate, I have not been able to do any reading in the house because there is no table to do any reading. The accommodation is too tight, the kitchen is right in the parlour and there is only one bedroom containing no table at all. If really the nation wants Senators to put in their best, it is incumbent on the government to provide adequate facilities in order to enable us put in our best. So, approving it is one thing, but the urgent implementation of it is another. In this vein, Mr President, the Senate is urging that the resolution which we unanimously passed during the last sitting of the Senate be implemented as soon as possible. This is not a diplomatic language and I do not want to use the phrase *with immediate effect*. With the greatest respect, however, we are asking for an urgent implementation of the resolution which was carried by the entire Senators. With these few remarks, Mr President, I humbly support this very important Motion in the sense that everybody must have a base. Thank you Mr President.

**Senator S. M. Ojukwu** (Umuahia) : Mr President, Sir, it is very important that the public should be educated about the functions and the importance of the highest Legislature of the land. We are operating a new constitution and I do not blame people when they speak or talk out of ignorance. If you want this new Constitution, this new system to work and function effectively to make it possible that Nigeria,

like the United States of America, should be a great country, every foundation, everything that goes to make the working of the system in the United States of America possible, should as far as possible, taking into consideration our own local condition, be made available and implemented so that the Legislatures can do their work very effectively.

A Nigerian of any standing, like other Senators have said, normally has a room where he sits to receive his friends. He has a sleeping room, his wife may have another one, he has a table where he writes and he has a kitchen independent of the main building. It is never in his living room. In our own context, Mr President, we are only asking for what is normally available to the average Nigerian and nothing more.

Under the present system we are expected to have three offices, but none is available. Yet we are expected to discharge our duties. In the interim and until other facilities are made available, it is just right and proper that we should have adequate accommodation which can temporarily also take care of our office duties. We can retire to one room sit down and do our work quietly, so that if visitors are received in our place we can lock ourselves up there. Our children can play in the sitting room undisturbed and without disturbing us.

Mr President, we must not allow sentiment to override reason. We must not play to the gallery to give the impression that we are with the people.

We were living with the people before we were elected. We know all their sufferings, but if somebody has to do his work and do it effectively, he must have a base in which to start to operate.

So, Mr President, I support this Motion. I endorse everything that other speakers have said and urge that this Committee should meet as quickly as possible to deal with other issues—not just the accommodation issue.

**Senator S. A. Shitta-Bey** (Lagos) : In contributing and in supporting all the views expressed by my colleagues, Mr President, I think it is important to say this. We either accept the Constitution under which we are working or throw it over board. I said earlier that you cannot approbate and reprobate. I have said this before in this Senate. If this country wants something, then, she should be prepared to pay for it.

We have consciously or unconsciously given to ourselves a Constitution which involves separation of powers between the Executive, the Legislature, and the Judiciary. I think it is incumbent upon, and essential for, the President of the whole nation, who is the father of all of us to ensure that all these organs have facilities to enable them carry out their functions. It is in this respect that we are appealing to him. It is a big appeal that we are making and we want him to please cautiously examine it. If the Executive has got facilities like offices to work in, houses to live in comfortably and adequately, I see no reason why the Legislature which is another organ should be denied these things. (*Applause*)

The Senators have been voted for to come and do a particular job. They have been asked to resign from their own private jobs in order to come and perform a particular duty here. If they are to do that, the public should be educated that the Senators are entitled to these facilities to enable them do this job very well.

In America, Senators are very great men. They are superior to Ministers. They are superior to Governors, and they are superior to others other than the President. (*Applause*). This country should be educated on this issue. I see no reason why Senators should be denied essential facilities to use, and you concede the same to either Ministers or Commissioners whom you have employed, including the special Advisers whom you have examined and whose number you have approved. Yes, you are their employers. They should not take precedence over you anywhere. This cannot be tolerated.

Mr President, I am saying that in order to help this nation, it is either we revert to our Parliamentary System, or we are ready to work and operate this particular system with all the facilities provided for the Executive, the Legislature and for the Judiciary so as to enable all the three organs to effectively work under the Constitution. This is my own contribution, Mr President.

**Senator Jalo Waziri** (Bauchi) : On point of Order, Mr President.

**The President** : What is the Order Senator Jalo Waziri ?

**Senator Waziri** : The question has not been put, Mr President.

**The President** : So, you are suggesting that I should now put the question ? Senator Ali, you may speak.

**Senator Amadu A. Ali** (Benue West) : Thank you very much, Mr President, for allowing me to speak on this topic. It is obvious to everybody who has been to Satelite town or the Hotel where they are supposed to have quartered us, that the facilities for living accommodation there is grossly inadequate.

In the first instance, those of us who come from over a thousand kilometres from Lagos have to travel in our chauffeur driven cars. We come into this place and there is no room for the drivers to sleep. We brought our wives, maybe our younger wives. (*Laughter*) That is true. There is no need pretending to practise progressive polygamy. We believe in having as many wives as we can. (*Laughter*) Yes, there are others who practise progressive polygamy. We find that there is no accommodation for these people and we, ourselves, hardly have an elbow room in the living room in which we are.

For the first week or two, there was no steward even to clean the rooms. All the litters we threw out in the corridor remained there stinking. To add more insult to the whole show, they put up a notice

I moved in with all enthusiasm, bought my meat and went in to put it in the fridge. After resting, I turned on the gas cooker. There was no gas. Now, how do they want me to eat ? Then I asked and they said they have not given out the contract for supply of gas for the building yet, and should the gas come we shall have to be taught the operation individually because they are special equipment. We do not need that yet in Nigeria. We need simple equipment which everybody understands.

The inadequacy of accommodation is a subject which is important to everybody, except our brothers from the media. Besides that, the report that we are discussing here is totally inadequate in itself, because it has not really catered for the immediate needs of the Senators. For example, the toilet facility in this building is awful. It is shocking. The snack bar is hardly a snack bar. Those of us who stay here spend hours on end missing our meals ; when you go back to Festac Town you do not meet anything except drink. There is a closing hour. This is not an atmosphere under which to work.

Even here, we learnt that the Committee Rooms would soon be ready. Maybe, when they are ready we would have enough rooms and probably rooms to do some private work. In this building itself must be situated the First-Aid room with enough attendants. You were here when we almost had an accident or two at the opening.

We also should have hospital facilities where Senators and their families could be attended to. Some of us come from outside Lagos. We have not got our Doctors here. These things must be catered for. The Creek Hospital is available to both civilians and the Army, and a lot of money is pumped into improving it. Let us take advantage of it.

Banking facilities should be in the corridor here. Postal facilities that are supposed to exist do not really exist. I am carrying my letters about now looking for the slightest opportunity to go and post them. The box they put there is just labelled post office and I confidently put my letters there because I was told they would be carried, God willing.

Mr President, Sir, I agree with my colleague, Senator Shitta-Bey, that if we want to operate this system let us go the whole hog. There is no half-way measure. A Senator cannot operate effectively if there is no office in the national capital and if there is none in his Constituency. I went home and did my own clerical duties ; did my sounding of opinion and everything before I came back after the recess. This is not a thing I should be doing. Somebody should have collected enough materials there for me and those who were to rush at break neck speed to interview me on reaching my Constituency would have put everything in writing and submitted same to my office there. There is nothing for us there and you want us to operate.

Constitution, it is the way we operate it. I believe and I will like to feel that those of us who are here now are, God willing, the right calibre of persons to operate this Presidential System and, therefore, we do not intend that this country will fail again at its second attempt at democracy.

As for order of precedence, I think we are wasting time when people talk about Senators being superior to the whole world. I think it depends on how we comport ourselves. That is very, very important. It is not so much of how much we make a law to please ourselves, but how we behave, determines whether or not we deserve what we want.

We are told of other countries where an ordinary citizen, the proletariat, is the number one citizen and the President of their Republic is the last citizen. Of course, we know that it is in the reverse order but that is their own order of preference. That is why I do not want us to go around trying to write something about where we should be or where we should not be. It is obvious to us but let us comport ourselves protocol-wise where we should be by our own behaviour, not by the law. We can make them and still twist them as is done in other countries.

Mr President, I thank you very much. This is the first report from the House Committee on our accommodation and other facilities and it is welcome. I hope they will look into other fields enumerated in my speech. Thank you very much.

**Senator Nosike Ikpo** (Bendel East) : Mr President, Sir, I am happy that we have got the opportunity of discussing this issue for the first time in this Senate. This matter was first raised in the House of Representatives and since then the mass media has been flogging the issue, painting the image of Members of the National Assembly as though they came to Lagos only to seek for their personal comfort. I do not know any member of this Senate who has no home or who has no house of his own. I do not think that what we are asking for is a mansion for purposes of luxurious living.

I think that what we are asking for is space to enable us carry out our duties. A man wants a bed to sleep on. That bed can only be accommodated in one room. To that extent, Members of the National Assembly have been adequately provided for at the Badagry road quaters but we want a working room. There is no library in that place. Sessional papers are piling up in the small rooms we have.

I do not know how Senators live in Washington. Those who are talking of imitating or copying what is happening in Washington should be very careful because it is possible that in Washington Senators' wives or houseboys cook for them in their parlours. Our kitchen is in the parlour and it is un-African to have a visitor watching your wife or houseboy cooking for you. It is unpleasant.

I think in speaking in support of this Motion, special appeal has to be made to the Press. Reporters who cover the proceedings of this Senate should do honour to this Senate. They should, for once, tell

path of honour in this Senate by discussing issues that are not of national importance. For the first time we are discussing matters touching on our own personal comfort.

As I said, many people may want space for various reasons. I do not think all of us will like to uproot our families from our homes. I do not want that myself. All I want is a working room where I can build up a library, get ready for the arduous work which the Senate has for all of us in this place.

I know that some Senators want to distinguish themselves in various fields in the next four years. But they cannot do that when they have no rooms, no tables and no libraries, not to talk of offices, which of course are not our responsibility to provide.

So, Mr President, Sir, I think that whilst speaking on this matter we have to make a special appeal to the Press to sympathise with us and look at the issue more objectively than they are looking at it now. We are not really seeking for our own personal comfort. Some of us have our own comfort. We have not received our salaries since we came here, and some of us have been laid off before the elections. Nobody has hung for it. We have been working.

Mr President, Sir, I think that at this stage attention should be directed more to the press. An appeal has to be made to the press to educate the public to understand the circumstances in which we are asking for more spacious and adequate accommodation. Thank you.

**Senator Bitrus B. Kajal** (Mubi) : Point of Order, Mr President.

**The President** : What Point of Order ?

**Senator Bitrus** : Order Number 31. I am now requesting that the question be put.

**The President** : Your Order is not sustained. Senator Zuwo may now speak.

**Senator Sabo B. Zuwo** (Kano Central) : Mr President, Sir, I rise to contribute to the debate about the recommendation. We are not here actually to deceive ourselves. First of all, our living here is creating hardship for members of our families. Nevertheless, there are people who do not adopt polygamy and they have one wife but they have children who are not attending schools. They left these at home and also their wives remain at home while they come to stay in Lagos. I think not only have we sought for ourselves personal comfort but also we have been asking for some convenience for our suffering families.

In the Badagry Road accommodation, the kitchen is opposite the toilet. Mr President, Sir, I would like to suggest that this Senate should not recommend or approve the appointment of any Minister unless something is done about the welfare of Senators. May I repeat. I would suggest that we should not approve the appointment of any Minister unless something is done about the welfare of our people. Thank you very much.

**Senator Jaja Wachuku (Aba):** Mr President, even though the papers designating the various political parties have been removed, the fact remains that there are five Political parties in this Senate and these parties have leadership. Consequently each leadership has certain dignities attached to that office and I expect that whenever any of them rises to speak there must be a reason for it. It is not normal for any leader of a team to be bustling up and down desiring to speak.

Mr President, Sir, I have chosen to speak on this matter because apart from what Senators are complaining about, I do not know what my Friends on the other Side of the Senate may say, I know that with the exception of one of the leaders of the parties here, we have no offices where we can go into when we come to this Senate to attend to our colleagues or receive people who may have some complaints to lay before us. So, whenever I think about the comfort provided at the Transit Camp along Badagry Road, that is what I call that place ; it is a Transit Camp. It is not a place for any serious minded person who has come to do some work.

Surely, in this Senate, the various leaders of these Political Parties should have their respective offices where their fellow Senators can come to discuss with them their different affairs. It is only the NPN leader who has one office. This is discriminatory on the part of the Government or whoever made that provision.

**The President :** For your information, your Offices should be ready this morning.

**Senator Wachuku :** Well, thank you Mr President. The offices should have been ready before we arrived here. (*Applause*)

Mr President, Sir, another thing I want to comment on is some of the things we have been reading in the Press. I most sincerely hope that the media men would educate themselves in order to educate the populace of Lagos. The Senate does not represent Lagosians only. There are five Senators representing each State and the nation. In each State, you have a House of Assembly with a Governor, Commissioners, and Members of the House of Assembly representing the various constituencies. These are the people who should be told about the woes and sufferings of Lagosians so as to take them to their immediate Governor. The Senators are not here to come and find out how somebody lives at Ajegunle. It is the job of the Member of the Lagos State House of Assembly who represents that constituency to go to Ajegunle to see how his constituents live.

In Imo State, in my own Senatorial District, I have thirteen members in the State Assembly and my people do not expect me to stay in Lagos here and know how the constituents are living in the thirteen constituencies. So, the people of Lagos should understand that there is a division of labour or function. When we come here we are on a national plane to consider matters of momentous import. We

what they go through every morning is ridiculous. It is absolutely ridiculous to keep me or any honourable Senator in one room holiday camp and say that is anything of particular importance to me. One does not need to say that. All honourable Senators know better things than what are provided. It is true that that place is one of the most furnished Transit Camps in the world, and I would suggest that this Senate appropriates that building and rent the place out to the Nigeria Airways or the Tourist Corporation in order to make money for this Senate.

We want functional accommodation. We have come to Lagos to work and we want something that will be conducive to working for the purpose for which this Senate has been created, but you can not have Senators locked up in a room to carry out that kind of assignment.

In that type of accommodation which we are given, the moment you have a colleague Senator with you and you are discussing some important problems and then some other friends come in as they do, without giving you any notice, you have no alternative but to ask them to go away or you ask them to sit in the sitting room and you go into your bed room with the Senator colleague to finish your discussion. If, however, your wife and children are around you might as well drive them out to the corridor. That exactly is the condition under which we are supposed to work. A lot of us are professionals and businessmen who know better, who have better accommodation and homes back home. To come here and say that I must be puerile because I want to serve the nation is, to say the least, appalling. Besides, we have had to go through drudgery in order to be elected here. It is not every body that can be elected to the Senate otherwise everybody will be here.

Now, there are lots of things involved in being elected Senator. This is very important. Sometimes it is written in the Press and I read some of the writings, that we are trying to deprive the Civil Servants of their accommodation. In the early stages of our independence, when we were on the scene, there was a kind of rivalry between the Civil Servants who felt that they had better management education than a lot of those who happened to be Ministers and, therefore, there was an element of some superiority complex, but in this Senate that cannot be true. That gap has been closed. We have eminent scholars ; we have business men ; we have professionals in this Senate and the Civil Servants can not claim any better status than any Member of this Senate. I do not see any reason why they should live in posh houses with air conditioned rooms and offices and expect that I, Senator Jaja Wachuku, a distinguished Senator representing Aba Senatorial District, and by the grace of God and the support of my colleagues here, leader of the NPP in this Senate, should come and occupy a position inferior to theirs ; neither, should Senator Odebiyi here nor any Member of this Senate nor Senator Saraki nor any Senator for that matter.

This is the highest legislature in the land and it is

The trouble, Mr President, is that we have developed to be a nation of hypocrites. We preach low profile that Peugeot 504 should be for everyday use while all the Mercedes Benz cars we have bought are kept in the backyard. By three o'clock, we start driving them. It does not make sense.

Senators are here by honest hard, living work and self-sacrifice. The sooner we educate our people to respect goodness, ability and hardwork, the better. It should not just be because everybody is *doing it*, therefore we too should do same. We are not smugglers (*Applause*). We did not smuggle ourselves into this Senate. We fought a hard fight and we achieved the stature and we want to be respected.

As has been said by my Friend over there, the Constitution has separation of powers ; the Executive, the Legislature, and the Judiciary. If you do not give these sections the rights which belong to them, they cannot function effectively.

Mr President, Sir, what we are saying is that it is not a question of postponing this till next year, we want this to be done this week. (*Applause*) Senators have suffered enough. They have suffered abuses in the newspapers. There is no food in the floor service there. I want to warn now that if we are not removed from that place and put in a more functional accommodation, all the very expensive furniture will be destroyed the next three months because drivers, stewards and visitors use them as their beds.

There is no accommodation for stewards and drivers. When it is night, where are they to sleep ? Do we expect them to sleep in the open air, catch pneumonia and die ? They have to use those furniture, put them together and lie there. You see them polishing their shoes and slippers there. I would like you, Mr President, Sir, to come and visit the place.

**The President :** I know the place.

**Senator Wachuku :** Let the nation know what we are going through. It is when they understand that they can appreciate the difficulty. We are not asking for what we are not entitled to. In fact, this is inferior to what some of us are used to. I have been all over the world both at public and at my own personal expense. It is not because we have been brought here, therefore, we have not any good thing like that. We are pleading most fervently and most earnestly, that today, tomorrow, this week, something must be done to remove this drudgery, this weight, this great burden from the shoulders of Senators to enable us to work together to give the nation the best we can afford. That is our appeal, nothing more than that.

Mr President, Sir, having made this remark, I want to say that this excuse about air-conditioners and the NEPA has been heard so often. Nothing is impossible in this country. I must sincerely ask this Senate and those in authority to take it seriously and give the Committee that have been entrusted with this responsibility all the necessary co-operation. Otherwise—I do not want to threaten—the Senate may decide, by a resolution, that due to circumstances beyond its control, it may adjourn indefinitely to

enable the Executive to make adequate provision for Senators. (*Applause*) And as soon as that happens, we would come back. We have the power to do it if we want to. But we are responsible and we know that our people have sent us here to do some job. We do not want to use extreme measures. Therefore we plead most earnestly and fervently that our plea should be hearkened to.

Thank you very much, Mr President. (*Applause*)

**Senator Garba Matta (Pankshin/Mangu/Kanam) :** Thank you very much, Mr President. Mine is a very short contribution indeed. Unless I do not understand the Constitution, one should have thought that a decision taken by this Senate should be automatically binding on the Executive. Our decision comes in the form of a legislation and if we have approved a recommendation, or resolved that this should be the case, I think it is automatically a legislation. In this regard, one would expect that this should be executed, so to speak. I do not therefore, understand when people say that after we have resolved, we set up Committees ; maybe to go over what we have already done. I think we are not requesting anything from anybody as such. We should be in a position to give instruction in the form of legislation and that should be that.

If our House Committee has recommended certain measures, they have gone around, they have seen the houses that they feel should be appropriate for our work and have put forward this recommendation and it is accepted and voted for here, I think that should be the end of it. I do not think, Mr President, Sir, that we are asking too much ; but when it comes to matters that affect us personally, we have to be a bit cautious. I would not use the word *cautious* as such, but we are saying things with humility that we need this and we need that. It should not be misinterpreted at the other end that we are begging. We have the power to demand what we want and have it.

Mr President, this is what I would like to be understood as my short contribution, namely, that we have legislated that certain houses should be allocated to the Senators and that should be that. There is no other way to it.

Thank you very much.

**The President :** The distinguished Senator Oke may speak.

**Senator D. O. Oke (Ondo West) :** Mr President, Sir, very briefly I just want to correct an impression made both by the wording of the Constitution and the previous government of this nation, namely, that we are here to work for a minimum of 181 days. We are supposed to go home ever so often and stay there. In the first place, Sir, if we are working for just this minimum of 181 days, noting that there are 52 weekends in the year, that is, 104 days, if you were to add this to 181 days I think that will give us 285 days and we begin to see that this comes close to being a full year and when you add to that the public holidays that I think are usually 14 days that gives us 299 days

**The President :** As a matter of fact if I may pass this piece of information to the Senators, I understand you are proposing to work until 9.00 p.m. daily, so that means you may be putting in 12 hours a day.

**Senator Oke :** Thank you for the information. The point I want to underline is that this is really supposed to be a part-time work but all we that are left with is a total of 66 days of the year for vacation, that is, assuming we are doing just the minimum prescribed by the Constitution.

Now, some of us, I guess all of us, are used to working in situations where we can sit down and have a long time looking at our books. As Senator Jaja Wachuku has said there is absolutely no room for that at the moment. We do not need an obscenely lavish kind of flat to do this kind of thing. As a university man I am used to the most modest kind of housing but at least it will leave me with a room to put my books and sit down and do serious work. When I was about to resign from the university and come here I thought I was in fact going to use my training to maximum advantage of the country, namely, sit down, look at the books, see what ever I can get from them and draw from the experience that I have gained elsewhere.

Mr President, when I brought my books I had to take them back home because not only is there no space whether on the wall or elsewhere, I find that if I had to create space I would not be sleeping. I do not think that our friends of the press have visited these rooms to see that the two beds that are put in the room just about occupy everything and that we have very little, even leg room, if you want to sit on your bed and read. I do not always just read, I write and I would like to do at least just this. In order to do that we need a minimum of two rooms. So I think that the world ought to understand that if you are working for the whole year ; because the civil servants do take leave up to 42 days of the year, the university people do take leave up to 42 days and so on, and we are not going to have more than that ; this is full time. So, if you are working full time for the year you at least require conditions under which you can sit down and write and prepare the Bill that you want to present to the House. Where the government is presenting a Bill and you want to do your own research on it you require the minimum of space to be able to sit and work through the night to do this. We are not really asking for much more. If they can reconvert the accommodation that is there, it is all right ; Badagry road is unsafe, mile two is unsafe, many places in Nigeria are unsafe and we are not complaining about the lack of safety. A Senator directly opposite me was almost matcheted on the 18th October, I do not think that he has because of that run away from coming to the Senate. We can expose ourselves to the maximum hazards, we can tolerate the maximum hazards that Nigeria can afford because we are here as leaders of the nation

Jaja Wachuku comes from—he said that what happens in Mushin should not really be his concern— or they are from Mushin what they go through should be the concern of all of us. If the hazards are there let us go through them, they are not what we are trying to avoid. We are merely asking for the minimum space necessary to do the work that the country expect us to do. So, If this is to be granted by conceding a two room flat anywhere in Lagos I think it would be acceptable, a three room flat would be acceptable or anything of that nature but we are not asking for comfort. So, in supporting the Motion moved by the NPN leader I would say that they should give us something that would allow us to do our job but I would like to make a modification on the question of comfort. Some people here are used to comfort but there are others like me who are not used to comfort and I would not ask for it.

**Several Senators :** We are used to comfort in Lagos.

**Senator Oke :** I understand from my colleagues that they are used to comfort in Lagos. Mr President, if my colleagues in Lagos are used to comfort they should also allow me the free conscience to say that where I come from in Ekiti we would like to be used to comfort but we are still expecting that God in His own good time and the government of this country in its own good time would begin to give us the comfort. All the same, Mr President, Sir, I am supporting the Motion but I am asking the world to understand that comfort is not the motive behind it and I therefore move that the question be now put.

**The President :** The question is that this House pass a resolution to facilitate its request for the right accommodation for Senators and Members of the House of Representatives. Before I put the question for your decision I would call upon the distinguished Senator Anah (*Anambra South*) who is Chairman of the House Committee to read the resolution.

**Senator N. N. Anah** (*Anambra South*) : Mr President, Sir, I would like to move a Motion—

**Senator I. Jalo. Waziri** (*Bauchi East*) : Point of Order.

**The President :** Order ! Order ! What is the point of Order Senator Jalo Waziri.

**Senator I. Jalo Waziri :** Mr President, the point of Order is that I thought we would have disposed of this particular Motion and allow the President to move the Motion that has been seconded and the question put.

**The President :** I thought we have passed through that stage.

**Senator J. S. Tarka** (*Benue East-Central*) : Mr President, Sir, what is actually happening is that we are taking two issues into one. We should separate the issue which is before the Senate from what

that correction. The question is that this House do resolve that Senators do have befitting accommodation.

*Question put and agreed to.*

**Senator Jaja Wachuku** (Aba) : No ! No ! That is not what is on the Order Paper. (*Several Senators rose*)

**The President** : Senators may now sit. I thought that we were doing something terribly wrong but we were not. All that should be added is to make it absolutely clear that this is a joint resolution of the National Assembly, in which case, it is as is contained in today's Order Paper.

I shall now call upon this Senate to agree that the Senate House Committee should join its sister Committee in the House of Representatives and put together the two resolutions as a joint resolution passed by the two Houses. I think that that is what is being requested of us.

**Senator Onyeabo Obi** (Anambra West) : Point of amendment, Mr President.

**The President** : What is your amendment ?

**Senator Onyeabo Obi** : It is in respect of the word "joint". (*Interruptions*)

**The President** : Senator Matta, you may speak.

**Senator Garba Matta** (Pankshin/Mangu/Kanam) : Mr President, Sir, I feel that we are doing it the other way round. The Committee should have sat on this in the first place and then we would—

**The President** : The Committee has already submitted its report.

**Senator Matta** : But we are saying that the two Committees should have a joint meeting.

**Senator Anah** : Mr President, Sir, for some elucidation on this matter, I know as of fact, after my consultation with the Members of the House of Representatives, the majority leader of that House and other leaders including the Chairman of the House Committee of the same House, that they, having been meeting on this matter—and it is likely—might have passed their resolution today.

For purposes of co-ordination and co-operation, I informed them that the two Houses should meet today at 1.15 p.m. just to compare notes. However, the meeting of the two Committees will not in any way detract from the resolution which this Senate had earlier passed. I am talking about the resolution in respect of accommodation because the two Houses have no power whatsoever to vary or change the resolution passed by the Senate. In any event, and as I have said earlier, for purposes of co-ordination, it is important that we meet to compare notes and we are meeting at 1.15 this afternoon to clarify certain matters.

**The President** : Senator Anah, I think that you are in order and you may proceed to read your draft resolution for a decision.

Mr President, Sir, for the information of the Senate I think that what we ought to do is to pass the Motion under the name of Senator Sola Saraki (*Ilorin/Asa*). After passing it, we would give the House of Representatives a copy of the Resolution that we have passed here ; that House would pass it and a joint letter would be sent to the President for his action. It is as simple as that and that is what we are concerned with.

**The President** : The question is to know the exact wordings of the resolution we are about to pass. I want the wordings down on paper.

**Senator Odebiyi** : Mr President, Sir, after the passage of the resolution, the Rules Committee would meet and convey the wordings of the letter to the President. It is as simple as that.

**The President** : In fact, Senator Anah need not do it on the Floor of the Senate.

**Senator Lere Adesina** (Ibadan) : Mr President, Sir, I thought we had a comprehensive report from the House Committee which we passed before we went on recess. I think that that report should form the basis of the resolution. We do not need to pass any other resolution here ; that report was very comprehensive and the Rules and Business Committee should frame it into the resolution we require.

**The President** : The report was very comprehensive ; it was passed but we are now only taking an aspect of it because we cannot implement the report altogether. We want to take an aspect of the report and implement it today. This, therefore, is the distinction of what is happening here.

I would now put the question for the Senate to decide. The Question is that this Senate do resolve that adequate accommodation should be arranged for Senators as contained in today's Order Paper.

*Question put and agreed to.*

*Resolved* : That the Senate House Committee should join alike Committee of the House of Representatives to deliberate on matters affecting the welfare of the Members of both Houses of the National Assembly and to make recommendations.

**Senator S. A. Shitta-Bey** (Lagos) : Point of information, Mr President.

**The President** : What information ?

**Senator Shitta-Bey** : Mr President, while this course of action is in order, I think that a similar resolution should be passed in the House of Representatives and then—

**The President** : If the House of Representatives has not already passed a similar resolution, it must have passed it right now.

**Senator Shitta-Bey** : Mr President, Sir, I think that what is essential is that there should be a resolution by both Houses and that is exactly what we are doing.

**The President** : And that is what we have just done.



**Senator Bitrus B. Kajal (Mubi)** : Mr President, Sir, my information is that welfare is broader than just housing. I would hate to see a situation in which we are discussing only housing. I believe that so many Senators have mentioned the fact that we need offices and so many other things, not only accommodation. If we are going to discuss housing alone just after returning from recess that would be bad publicity for us. If we are talking about welfare let us talk about that. Therefore, I think that we should have looked at the resolution which has been read out verbally to us more carefully than merely passing a resolution the impact of which we have not considered.

Thank you, Sir.

**Senator Shitta-Bey** : Point of Order, Mr President.

**The President** : What is the order ?

**Senator Shitta-Bey** : A decision has been taken on this issue ; that decision relates to welfare and the aspect is housing. There is no contradiction whatsoever ; we should call a spade a spade, we are serving the public and if there is something which would involve the public we should let them know.

The Press is a responsible Press. At least, the Members of the Press heard when some of us were comparing the situations here today. We have compared our position with the position of the Executive and with the position of the Judiciary. If they are entitled to some facilities to enable them function effectively, we should not be denied these facilities. I think the Press is very reasonable and the members of the Press will co-operate with us because they know that we must work for them, and that we must ensure that necessary legislation is enacted to ensure their welfare, their safety and everything, and unless we have the facilities to do that, nothing can move in this country. So, this is the position.

**The President** : The issue has been disposed of and we cannot continue to speak after we have already taken a decision.

#### MESSAGE FROM RUMANIA

**The President** : Order ! Order ! I have to relay this message for Senators' information. We received a message from the President of the Senate of Rumania which reads—

*On behalf of the Bureau of Grand National Assembly and my own self, I on behalf of the Assembly, convey to you congratulations and best wishes on the occasion of your election as President of the Senate. It is my hope that contact and exchanges of visits would soon be established between your good self, the Parliamentarians and ourselves.*

This message was received on the 29th of October and I thought I should bring it to the attention of the

**Senator Sola Saraki (Ilorin/Asa)** : Mr President, please protect me.

**The President** : I cannot protect you while you are moving round the Floor of the Senate. You should take one seat.

**Senator J. A. O. Odebiyi (Egbado North/South)** : He is in safe hands, so there is no problem.

**Senator Saraki** : I need your protection because Senator Odebiyi is trying to—

**The President** : I can see there is a comfortable wooing going on. I hope it is for the benefit of the nation.

**Senator Saraki** : I am not a good bride, Mr President. It is the groom who goes for the bride.

**Senator D. O. Oke (Ondo West)** : The other time, Sir, it was said that the Senators on the other side are prostitutes !

**The President** : I object to the use of indecent language in this Senate. So, I call upon Senator Oke to withdraw that word.

**Senator Oke** : I withdraw the word but I was merely quoting the Hansard.

**The President** : Which Hansard ? What date and what page ?

**Senator Oke** : Friday, 19th October, 1979.

**The President** : If that was contained in the Hansard, then it should be expunged.

**Senator Ayo Fasanmi (Ondo North)** : What they meant was political prostitute.

**The President** : No matter whatever meaning they had in mind, it should not appear in the Hansard.

The distinguished Senator from Ilorin/Asa (*Dr Sola Saraki*) may now speak.

**Senator Sola Saraki** : Mr President, Senators, I rise to move—

That the Senate do resolve into Committee of the whole Senate for the purpose of debating the President's Address to the Joint Session of the National Assembly delivered on the 16th of October, 1979.

Mr President, Sir, when the President—

**Senator Ikpo (Bendel East)** : Point of Order !

**The President** : What is your Order ?

**Senator Ikpo** : Order 26 (4) says—

*It shall be out of order to attempt to reconsider any specific question upon which the Senate has come to a conclusion during the current session except upon a substantive motion for rescission.* Mr President, Sir,—

**The President** : You have not allowed Senator Saraki to finish to know the content of his Motion.

**Senator Ikpo** : The Motion has been read

**The President :** I am not too sure that I should sustain your Order.

**Senator E. I. O. Akpata** (Bendel Central) : Point of information. On this question of sustaining an Order, if it is an issue of fact that we have discussed and reached a decision, I do not think the issue of sustenance would come in except he cannot establish that we have taken a decision on the subject. Otherwise, it is going to be very difficult for the President to have to decide what to sustain and what not to sustain if an issue of fact is raised.

**The President :** I would have thought that before you determine the issue of fact you would have heard the story and then make up your mind.

**Senator Akpata :** If I may use the native idiom *arun oju ni* (it is the disease of the eye). This is what we can all see. Anyhow, I thought I should mention this though I do not feel too strongly about it. It is a matter of principle.

**Senator Waziri** (Bauchi East) : Point of explanation.

**The President :** What do you want to explain ?

**Senator Jalo Waziri :** I just want to say that this Motion merely asks us to go into Committee.

**Senator Amadu A. Ali** (Benue West) : On point of information, Mr President.

**The President :** Yes, Senator Ali.

**Senator Ali :** I think the confusion some people have in their minds is that when the President made his speech that day, we moved in here and people were attempting to talk on the speech and we came to an understanding that in the future the speech would be made available to us well in advance and, therefore, we could not comment. So, we went away and got the speech later on in our pigeon holes. Now, this is the first time that it is being tabled as a formal Motion. So, I really do not see the argument in saying that this thing has been discussed before. So, Standing Order 26 (4) which was quoted by my colleague is out of order itself.

**Senator Ikpo :** I thought that I should have been allowed to make my point of order.

**The President :** You did. You read Order No. 26 (4).

**Senator Ikpo :** But I wanted to supply facts to sustain that order. You did not allow me.

**The President :** You did.

**Senator Ikpo :** I did not.

**The President :** You may speak.

**Senator Ikpo :** Like Senator Ali has said, after the address of the President to the combined session of the Senate and the House of Representatives, the Senate reassembled on that day, and a request was made that the address of the President be distributed and debated. In fact, the request was

made in this language, if I may read with your permission in compliance with Order 26 (1). It says, *inter alia*, as follows :

*I would like to request the President of this Senate to set four days aside for Senators to discuss the various issues and the various points raised in the President's address to the National Assembly. I say this because I listened very carefully to his address, and I noted that he outlined the major programmes of his party which obviously has been adopted by his Administration.*

Mr President, Sir, when that request was made of the President and the Senate, the President of Senate overruled that request in these words—

*I may also talk very briefly on the last speaker, but only to remind him that we now operate a new system, a new Presidential System, for which the President of the Federal Republic of Nigeria is expected to bring Bills to this Senate for debate and approval. Any major speech in which programme or programmes are outlined in the present circumstances will be regarded as speeches. But they become a matter of serious concern of this Senate when they are brought before us for approval.*

Mr President, Sir, that ruling was made without any known authority or precedent but it was taken. There was nothing I could do in the circumstance. In fact, it was sustained and the Senate approved it. I thought, Sir, indeed my contention here is that if the President's address had to be debated, although some of us had debated it on the pages of the newspapers—mine was published in the *Times* of Saturday—if the matter is coming back to this Senate, I would like to say, Mr President, Sir, that it should come on a substantive Motion, to rescind.

**The President :** We agree to the last word, *rescind*. That is the applicable word.

**Senator Ikpo :** So, this Motion is not properly brought before this Senate, Mr President.

**Senator J. S. Tarka** (Benue East-Central) : Mr President, Sir, if one can be more constructive in this matter, one should look at the wording of the Motion itself. The Motion does not seek to reopen the issue which was discussed on the date in question. The Motion seeks to give Senators the opportunity of debating the various policy matters that were accentuated in the President's speech to the joint Session of the National Assembly. I would like, Sir, to call your attention to the fact that the wordings which the mover of the Motion sought to bring to our notice are as follows :—

*That the Senate do resolve into Committee of the whole Senate for the purpose of debating the President Address—*

**The President :** There is a typing error in that—the whole Senate, should be the word. There is a word missing there.

**Senator Tarka :** It is implied.

**A Senator :** I take it that the distinguished Senator is very experienced in these matters.

**Another Senator :** Which matter ?

**Senator Tarka :** The matter of the *whole* !  
(Laughter)

I would like to say, Sir, that the best possible way in a situation like this is for us to give ourselves opportunity of debating national issues. The speech made by the President that day contained a lot of flesh, a lot of meat, which requires the attention of the nation and the only place where such a debate could be actually constructively taken is within the two Houses, the House of Representatives and the Senate.

I do not know what is happening on that Side of the National Assembly, but I know for certain that we ought to address ourselves to those issues and to say to the nation whether we agree to the economic policies that were enunciated by the President, the domestic policies, and the foreign policies. The only way we can do so is to bring a formal Motion before the Senate to be able to say to ourselves and to the nation whether these things are actually the kind of things we want for the nation.

In the meantime, if we do not resolve ourselves into a Committee as we did not do that day, we will not be able to pinpoint the various salient issues.

**Senator E. I. O. Akpata** (Bendel Central) : Mr President, Sir, His Excellency the President, spoke to us in the open and in doing so, he also spoke to the nation. I see no reason why having spoken to us in the open we should now discuss it in private. I think it would be dangerous precedent when important issues are being discussed that we should resort to secrecy.

**Senator D. O. Oke** (Ondo West) : The Motion is not yet before the Senate today. What we are waiting for is clearance to move this Motion.

**The President :** Distinguished Senator Akpata, you may sit down. I will call you back to speak. (Interruptions) Order ! I found it very interesting this morning. I think we are yet to come back from our recess completely. The three distinguished Senators on my right, from the front bench were jumping up and seconding the Motion that is not quite finished. I thought that we are still trying to determine whether in fact you want to continue with this Motion or not and it appears that a decision has been taken on my behalf that we should continue, and I will please call back the distinguished Senator Akpata to proceed with his speech.

Senator Sola Saraki, you may speak.

**Senator Sola Saraki** (Ilorin/Asa) : Mr President, I thank you very much for asking me to get on my feet again. I have told you this morning that I wanted protection from the other side.

I would like to state, Mr President, Sir, that I withdraw this Motion because I could see that

that the President raised in his speech. Of course, on your behalf, on behalf of the Senate, the Leaders of the five parties did respond to the speech of the President but I thought it would be proper to allow each and everyone of us here to express his views on the speech. Now, it would appear that Senators are not ready. On the strength of this, I withdraw my Motion and in the absence of any other business this afternoon, I move that the Senate—

**The President :** Point of Order. Senator Jaja Wachuku, you may speak.

**Senator Jaja Wachuku** (Aba) : He has to seek the leave of the Senate to withdraw the Motion, Mr President.

**The President :** I think you are right. He is asking for two things at a time.

**Senator Wachuku :** He is asking for two things at the same time. So if he wants to withdraw it, he has to seek the leave of the Senate. The President will put it to the Senate. When the leave is granted that will be withdrawn. Then he put it on the next Motion on Adjournment. That is the procedure.

**Senator Saraki :** Mr President, I thank the distinguished Senator for reminding me. I thought he said this morning that we are all here to work very hard. I was trying to work very hard. I hereby seek the leave of the Senate to withdraw my Motion.

**The President :** The mover of the Motion has sought for leave to withdraw the Motion and I think it can be granted.

**Some Senators :** No ! No !

**The President :** Order ! Order ! Senator Saraki, you may now move to your second point.

**Senator D. O. Oke** (Ondo West) : Mr President, I observed that the Senator from Ilorin Asa (*Senator Saraki*) is merely asking for leave to withdraw that Motion and he was doing so on not very strong assumption. The first assumption made by the Senator is that the Senator does not intend to debate the President's speech. I think that is an untested assumption and it is a wrong one at that. Secondly, Sir, the Senator was assuming that he would like a very easy way out of the problem that was created by the point of Order raised by Senator Nosike Ikpo. Mr President, I would like to say that there are several ways out. One of them is merely the one—(Interruptions)

**The President :** You may continue your speech, Senator Professor Oke.

**Senator Oke :** May I just summarise the points I have made in the President's absence.

**Senator S. A. Shitta-Bey :** The President is not absent

**Senator Uke** : Mr President, Sir, I have just said that the Senator from Ilorin has based his Motion for leave to withdraw this Motion on certain untested assumptions, some of which I fear are wrong. The first one I said was that this Senate does not intend to—

**The President** : Order ! Order ! I am now putting the question to the Senate, whether you want to accept Senator Saraki's wish or not. Then we would know whether we would discuss—

**A Senator** : It has not been seconded.

**The President** : I am not aware that it has been seconded. Are you seconding it ? Well then, you can speak.

Is it the wish of the Senate that Senator Saraki should withdraw his Motion ?

*Question put and negatived.*

## ADJOURNMENT

**Senator Saraki** : Mr President, Sir, I beg to move that this Senate stand adjourned till tomorrow, 10 o'clock and start business at 3 o'clock.

**The President** : The question is that the Senate do stand adjourned till 10 o'clock tomorrow. I have received notices from Senator Chief Odebiyi.

**Senator Jalo Waziri** (Bauchi East) : I thought that Senator Sola Saraki's Motion said that the Senate stands adjourned until 3 o'clock tomorrow, and according to your question if I heard you correctly—

**The President** : Is your question an information on the basis that you want to withdraw your support ?

**Senator Waziri** : No. I second the Motion he raised that the Senate stand adjourned till 3 o'clock tomorrow.

**The President** : I thought Senator Saraki said 10 o'clock in the morning.

**Senator Saraki** : Mr President, Sir, Senators I beg to move that this Senate stand adjourned till tomorrow at 10 o'clock in the morning, but for business at 3 o'clock in the afternoon. Ten o'clock in the morning is for the Standing Committee's business.

**The President** : May I remind the distinguished Senator that we have not approved a new Standing Order. It is either that this Senate is adjourning till ten o'clock in the morning tomorrow which is the usual time and if we have other business to do which involves working in committees we shall so resolve, or if it is thought that these committees should continue deliberation at another time, that could also be arranged. I want to know when this Senate must adjourn to.

**Senator Sola Saraki** : We are adjourning till three o'clock in the afternoon.

**The President** : You adjourn till three o'clock today ?

**Senator Sola Saraki** : I'm three tomorrow.  
**The President** : Can this not be a statement to be made on the Motion for adjournment ? After the Motion has been seconded, you could make an amendment to the Motion.

Do you not second the Motion Senator Alhaji Jalo Waziri ?

**Senator Jalo Waziri** : Mr President, Sir, the business of today has been concluded, the Leader has resolved and moved a Motion that the House do now adjourn until three o'clock tomorrow.

**The President** : I heard him say ten o'clock. All I want to know is this. Is it ten o'clock or three o'clock ? Well, the mover of the Motion has got to tell us.

**Senator Sola Saraki** : Mr President, Sir, the matter is so simple. (*Interruption*) I need your protection from the other Side of the Senate.

A Senator rose—

**The President** : I cannot have two Senators speaking at the same time.

**Senator Sola Saraki** : I hereby move a motion that this Senate should stand adjourned till ten o'clock in the morning, but to start business at three o'clock in the afternoon. We have the Standing Committees to deal with. I think we can deal with them in the morning and in the afternoon, we would go to business.

**Senator Tarka** : Mr President, Sir, I believe that there is no confusion whatsoever on the issue. The distinguished Senator from Ilorin/Asa is seeking an adjournment against business at ten o'clock tomorrow, but in effect there is no visible business coming before the Senate at that hour tomorrow except for the Committees to formulate their various activities. As the Committees cannot sit inside the Senate Chamber as is being sought by the distinguished Senator, it is, therefore only reasonable for us to call a spade a spade. The Senate seeks to sit at three o'clock tomorrow for active business. In the meantime, we can adjourn till tomorrow at three o'clock. That should not deter the NPN Leader from doing his liaison with other Leaders in the Senate to enable the various Committees to formulate their activities for due sitting at three o'clock.

I therefore seek to assist him in his due work in saying that he seeks the Senate to meet in other Committees outside this Chamber against the official sitting of the Senate at three o'clock tomorrow.

**Senator Uba Ahmed** (Bauchi South-East) : Mr President, Sir, if we are adjourning till three o'clock tomorrow afternoon, let us adjourn till then, but if we are going to adjourn till ten o'clock in the morning, let us adjourn till ten o'clock in the morning. I do not think the excuse being given for Committee meetings stands because the membership of the Committees has not been approved by this Senate, Sir.

**The President :** I have a few announcements to make at the end of the Motion on adjournment in which I intend to highlight the business of the Senate this session. The Senate will not waste any time, any minute and any hour. We would utilise our time fruitfully and seriously too. In the circumstances, I would still uphold an earlier Motion that has been moved by the distinguished Senator from Ilorin/Asa Constituency, Senator Dr Sola Saraki, calling for an adjournment. I would be calling on Senators to speak on the Motion for adjournment. I take it, therefore, that the Motion for adjournment has been proposed and seconded on the basis of ten o'clock tomorrow morning. During discussion it may become necessary to alter the time. I have three requests before me and I would call upon Senator Chief Odebiyi to speak on the Motion for adjournment.

**Senator Nosike Ikpo (Bendel East) :** Point of Order !

**The President :** What is your Order No. ?

**Senator Ikpo :** Order No. 4.

**The President :** What does it say ?

**Senator Ikpo :** It says—

*On Mondays, Tuesdays, Wednesdays, and Thursdays the Senate shall meet at 10 a.m. and, unless previously adjourned, shall sit until 6 p.m. provided that at 1 p.m. the President shall suspend the sitting until 3 p.m. unless a substantive motion has been moved by a member of the Council of Ministers, "That the Senate do now adjourn".*

**The President :** I am inclined to agree with the distinguished Senator that somebody has to move a Motion to suspend the Standing Order. He is right.

**Senator M. Uba Ahmed (Bauchi South-East) :** Mr President, Sir,—

**Senator Jaafar Mangga (Borno South) :** Point of Order.

**The President :** What Order ? Order No. 4 ? He is not speaking on the Motion.

**Senator Ahmed :** Mr President, Sir, I wish to move that the Standing Order be suspended so that Senators could be given opportunity to discuss issues that have happened during the past three weeks of our recess.

**The President :** So that Senators can speak on the Motion for adjournment ?

**Senator Ahmed :** Yes, Mr President.

**The President :** The question is that the Standing Order be suspended. In other words, we should not rise at 1.00 p.m. so that Senators might have opportunity to speak on the Motion for adjournment.

*Question put and agreed to.*

Senator Odebiyi may speak.

**Senator J. A. Odebiyi (Egbado North/South) :** Mr President, Sir, during the consideration of the President's list of Ministers for approval by the Senate, we had a closed session. In the first instance, having a closed session is a very, very serious matter. Normally, when the Senate resolves

proceed in our inability to grapple with the problems that have been confronting us on the Floor of this Senate and we discussed quite a lot of things. But in the Hansard proceedings which followed that meeting dated 19th October, 1979, on page 27, the decision we arrived at was not properly recorded. Therefore, in the best interest of everyone of us here when we do come to the Senate to do business on the following day before we take any other business at all, we must first of all ensure that the proceedings of the previous day have been gone through and are accurate ; otherwise, if we leave it to the judgment of our Hansard reporters, mistakes will occur and we would be mis-represented. I think that the proceedings for that day ought to be corrected particularly in relation to the people whom we screened, whom we rejected or whose papers were not in order and had to be re-presented all over again. These are my comments, Sir.

**The President :** Order ! Order ! If I remember correctly, we took a decision that the discussion on the President's list of the proposed Ministers should be done in the Committee of the Whole Senate at which instance and in which case we cleared the gallery. I also stated that the Hansard covering the discussions should be restrictive. Speaking for myself, I have not seen the restricted Hansard yet. I am sure that the restricted Hansard should contain all the decisions that were taken during the time the Senate was sitting in Committee. The Clerk of the Senate should see me and I should have information on this for Senators later.

**Senator Odebiyi :** Point of information, Sir.

**The President :** What is the information ?

**Senator Odebiyi :** The point we are making is that even the restricted Hansard should contain the proceedings. I am saying that what is here should contain the decision of the Senate. The decision arrived at is not here at all.

**The President :** I do not know the paper you are reading from. But what does the paper say in the end ?

**Senator Odebiyi :** It says : *The Committee deliberated. Whereupon Motion made and Question, That the Chairman do report progress and ask leave to sit again,—(Dr Sola Saraki) put and agreed to. Committee Report Progress ; to sit again after recess.* That is what it contains. We divided and took a decision.

**The President :** That again is contained in the restricted Hansard.

**Several Senators :** No, No. In the proceedings of the Senate.

**Senator Odebiyi :** These are proceedings.

**The President :** But we were sitting in Committee then.

**Senator Odebiyi :** This is after the Commit-

are two reports to come out from the Editorial Office. One is a report entitled Votes and Proceedings. That report carries in precise form all the decisions reached.

**The President :** Order ! Order ! We have since received some information from the Senate Secretariat regarding your query. It is that after the Senate met in Committee it reported progress and the progress was not recorded in the conclusion here. I have asked the Clerk of the Senate to make sure that he includes the progress that was reported in the conclusions. So, that is being taken care of.

**Senator Ayo Fasanmi (Ondo North) :** Mr President, Sir—

**The President :** Are you speaking on the same topic ?

**Senator Ayo Fasanmi :** It is an addition, Sir.

**The President :** Well, if you want to speak on the same topic, I did interrupt Senator Justice Atake. In that case, I should ask him to continue I would come back to you later.

**Senator Atake :** What I am trying to say, Mr President, is that the proceedings have not only incorrectly reflected decisions taken in this Senate, but even the restricted Hansard itself has been slipshoddedly printed.

**The President :** Have you got the restricted Hansard with you ? I am not sure that you have seen the restricted Hansard yet.

**Senator Atake :** What I have may jolly well not be a restricted *Hansard* but I have had occasion to call at the office of the Editor to point out to him as I am entitled to do under the Standing Orders that certain things have not been accurately reported. The Verbatim Reporters, Sir, have not (and I cannot blame them if they do not) accurately recorded what was said and they told me they were going to look into it. They have not looked into it as such.

Again, I have seen here this morning some other aspects of it which I intended to raise at this stage. This is the question dealing with the aspect of a speech I made when it was decided that we should have the Committee of the whole Senate to look into the question of screening of Ministers. This was on the 19th of October, I think. There was a long altercation between Senator Akpata and me but the *Hansard* man did not correctly record it. What was recorded made it appear as if we were children here playing or something. I could not even follow it. It made no sense. And when one even gets in there to point it out to them and say look we want to get these things properly corrected they tell another story and that is that. I would be very grateful if Mr President—that is it here, I have found it.

**The President :** What have you found ?

**Senator Atake :** It is this speech which I am complaining about.

**The President :** Order ! Order ! Senator Atake you may sit for a few seconds.

to distinguish Senators that it is our responsibility to read the *Hansard* and make our corrections with the Clerk of the Senate. I may, at this very stage, wish to remind you again that we would utilise our time fruitfully. If there are any corrections that affect the *Hansard* on what Senators feel have not been correctly reported, this should be taken up administratively. We cannot waste our time on this Floor and start speaking on one *Hansard* about who said what, whether *t* was crossed or *y* was not there or what have you ? I think these can be looked into.

The correct position is that we did resolve the sitting of the Senate to a Committee of the whole Senate. We did sit in camera and decided that the *Hansard* would be restricted. I am told that the *Hansard* for those proceedings are not yet produced and this is why I have, on a few occasions, said that I have not seen them yet. If you have seen them you should tell me that, but I have not seen them yet and I think Senators should be patient until they see them. If, of course, there are wrong recordings there, we shall correct them. There is no doubt about that.

Yes, Senator Fasanmi.

**Senator Ayo Fasanmi (Ondo North) :** I have a short addition, Sir, in respect of the restricted *Hansard*. I think the *Hansard* is only distributed to members of the public and not Senators and as you have rightly said, if we are here for serious business and we had a recess for three weeks, we should have got that *Hansard* by now. I am suggesting, Sir, that by tomorrow morning that *Hansard* should be made available to Senators.

**The President :** I may also give you the information that it is not that the Clerk of the Senate is not working. In fact he works seven days of the week, for your information. He was here yesterday and he was here on Saturday. It was a matter of decision. Should we produce in bits that restricted *Hansard* which would no longer become a restricted *Hansard* or should we produce it in whole ? If we are to produce it in whole, we are aware that the President's list of Ministers is not fully exhausted. So, it would probably be better to produce it when that business is concluded. I think these are the lines of thinking of the Administration and that is why those restricted *Hansards* have not come out. Whatever any distinguished Senator intends to say, when they come out, he will say it. You should just bear a little bit more. I am sure that this week it will happen. May we make some progress now.

**Senator A. A. Adesanya (Ijebu North/East) :** Point of Order, Mr President.

**The President :** What Order Senator Adesanya ?

**Senator Adesanya :** It is Order No. 7 (2) and it reads :

*The Clerk shall keep minutes of the proceedings of the Senate and of committees of the whole Senate, and shall circulate a copy of such minutes, to be known as the Minutes of Proceedings, on the day following each sitting of the Senate or as soon after as possible.*

[SENATOR ADESANYA]

The minutes of the proceedings we are asking for now is the minutes of proceedings of the 18th and 19th October. When this Order says, Sir, *as soon after as possible*, one would infer into it a reasonable time and what is reasonable in such a circumstance, Mr President, cannot be anything more than two to three days. We cannot wait until eternity before we get this or we cannot wait until the whole thing is ready. I therefore move, Sir, that all these minutes should be made available to us first thing tomorrow morning. For instance, we have been talking of the other proceedings now. If we do not have them and we wait until the end of the whole business, a lot of mistakes might have been made and nobody would be able to point them out.

**The President :** I think to assist Senators, we may ask the Clerk to, in fact, produce for Senators tomorrow the restricted copy of what was actually forwarded to the President. I think that is what the anxiety is about.

**Senator Adesanya :** The proceedings of this Senate cannot under any circumstance be confidential to Senators.

**The President :** Nobody had said that. What we have said repeatedly is that what we mean by restricted Hansard is that it is restricted to only Members of this Senate. So what are you quarrelling about ?

**Senator Adesanya :** We should get it within reasonable time. We want to see it.

**The President :** I have not seen it myself as yet.

**Senator Adesanya :** I want the President to see it also.

**The President :** But I saw it in the *Punch*. I do not know how it got there.

**Senator Adesanya :** That is not the official proceedings.

**Senator I. Jalo Waziri (Bauchi East) :** Thank you Mr President, I was just going to say that probably, Senators are confusing Hansard with Votes and Proceedings. I think you require the Votes and Proceedings to make sure that your decisions are right and you require the Hansard to confirm that all that you actually said on the floor of the Senate have been recorded. What is really important is the Votes and Proceedings which you want made available to you.

**Some Senators :** Yes ! Yes !

**Senator Jalo Waziri :** With regard to Hansard, I think, Mr President, sometime the Hansard can be very voluminous, it can be so intricate to the extent that lots of corrections desired by Senators have to be made, and this may delay production of the Hansard. Until the Hansard is corrected and approved by the various contributors to the debate and sent to the press it is not confirmed Hansard. I think what you want is the decision part of the proceedings which is the Votes and Proceedings which I think has appeared long since. The

**Senator Femi Ayantuga (Epe) :** Mr President, Sir, I think it is wrong to delay the circulation of the Hansard to Senators. I do not think it is proper just to have only Votes and Proceedings of the Day rather than having a report of all that we discussed at the time we screened the Ministers. I think Senators are almost unanimous in asking that we have the Proceedings as contained in the Hansard of the 18th and 19th October, and I hope we could have them tomorrow as instructed by the President.

Now I come to my main point.

**The President :** Let us not get two things mixed up. You are talking of Proceedings in the Hansard of 18th and 19th October, 1979 which, I think, you have already got.

**Senator Ayantuga :** For clarification, Mr President, I mean the Verbatim Report of all that transpired in this Senate on the 18th and 19th October, 1979.

**The President :** You mean the Hansard covering the Proceedings in Committee ?

**Senator Ayantuga :** Yes, Mr President.

**Mr President :** Then make it clear. I am afraid we may have to make use of the services of Senators to produce the Hansard for this period.

**Senator Ayantuga :** I will be prepared to give a helping hand.

**A Senator :** I will be prepared to give editorial assistance.

**Senator Ayantuga :** Coming to the main point, Mr President, Sir, during the last public holidays we had only one day as opposed to the two days we were previously having. I remember that the last government instructed that we should have one day for the greater beriam festival and one day for the Christmas holiday. I am going to suggest that for the future, one day is not sufficient for the Muslims for the celebration of greater beriam. We should have two days for that celebration and also two days for the Christmas.

Infact the point is borne out by the fact that the President himself took four or five days off. He left Lagos and went to Sokoto and came back about the 5th day.

I know that as of Friday the Permanent Secretary in the Ministry of Trade went away a day before the holiday and he had not come back by Friday, which means that the big bosses on top take as many days as they want.

**Senator D. O. Dafinone (Bendel South) :** Point of Order, Mr President.

**The President :** What Order ?

**Senator Dafinone :** Order 26.

**The President :** Are you raising a point of Order or you are making a point of information ?

**Senator Dafinone :** Point of information, Mr President. (*Laughter*) I think, with all due respect to Senators on the other side, that it will be very unfair to make allusions to civil servants who are not here and who are not in a position to defend themselves by attacking them in our proceedings in this Senate.

The last speaker said that he went to the office of the Permanent Secretary, and in the Ministry of Trade and that he was not there. The Permanent Secretary is not in a position to defend himself.

**A Senator :** He did not say so.

**Senator Dafinone :** He said so, and I heard him. The Permanent Secretary is not here and he is not in a position to defend himself, and I think this is rather unfair. (*Interruption*)

**The President :** I am getting a little bit worried with the—I will not use the word 'behaviour' because it is too strong. I am worried about the way we have conducted ourselves since we have come back from recess. I take it that we are full of energy and that we are very anxious to expose our reserved energy. I would please wish to remind distinguished Senators that we go back to our original positions whereby we respect the rules and Codes as well as the modes of behaviours in our chambers, and that we do not interject too much when someone is on his feet. We have been doing very well, no doubt, and I am only appealing that we should continue that way. Have you finished Senator Dafinone ?

**Senator Dafinone :** I have not finished. I was on my feet when I raised that point of information. The other point of information is on his allusion that the President was away for four or five days.

**The President :** Are you intending to comment on that ?

**Senator D. O. Dafinone (Bendel South) :** I should.

**The President :** I do not think that you possess enough information to comment on it more than myself. I would like to remind the Senator that I know that the President works for not less than twenty hours out of twenty-four hours in a day. A Senator probably works for only three hours out of the twenty-four hours !

You may continue Senator Ayantuga, but remember that we are speaking on Motion for Adjournment and that others want to speak.

**Senator Ayantuga :** Thank you Mr President. I will be very brief. As a matter of fact we also went on recess for three weeks because some of us went to pray for the Nation. I think it is very important that we as leaders of this Nation should live by example and not by precepts. I will also expect in this regard that our President in the future (he was elected by the whole country and not just by one State).

**The President :** Did you say one State or five States ?

whole country.

**The President :** By the whole nineteen States.

**Senator Ayantuga :** Thank you Mr President.

**Senator Uba Ahmed (Bauchi South-East) :** Point of Order. Order number 26 (6) says—

*No Senator shall impute improper motives to any other Senators.*

In this particular case, Mr President, the speaker was imputing motives that the President took upon himself four or five days leave. But whatever it is, it is disrespectful to the sovereignty of the President of this country, to be imputing an insulting situation as to the conduct and behaviour of the President of this great country. This is a very, very serious matter. Some of us are patriotic. We know there are some news papers that are favourable to the people on the other Side of the Senate. These papers have already indicated that there is going to be a stormy Session today and Senators are trying to flare up and create that kind of situation.

Mr President, Sir, I do not think it is right for some of us who believe in the unity and greatness of this country to sit here and have individuals who would simply derogate on the greatness of this country and on the sovereignty of the Head of this country. I do not know and I have not read in any of the papers or government publications where it says that the President has gone on five days leave to Sokoto or wherever it is in this country. So, I would like the President to please restrain other Senators from imputing motives, or injecting ideas into their speeches, which could create disharmony in this Senate and in this country. I would ask that he withdraws that insinuation. Thank you Sir.

**The President :** Senator Ayantuga please wind up.

**Senator Ayantuga :** I was saying that we must live by example and not by precepts.

**The President :** You may wind up. I would not accept any more discussion on the President please.

**Senator Ayantuga :** Thank you, Mr President, I was saying that this Senate should not be limited in discussing any issue affecting this country. Leaders in this country should live by example and not by precept.

**The President :** I hope you will realise that you will continue to ask for permission to speak on Motion for adjournment.

**Senator Ayantuga :** Mr President, we made you President and I am sure you allow me to speak all the time I want to speak. I think our Head of this country in future could, of course, wish to spend his holidays in Lagos and not going to Sokoto all the time. (*Interruptions*)

**Senator Garba Matta (Pankshin/Mangu/Kaduna) :** Point of Order.



**The President :** What is your Order ?

**Senator Garba Matta :** Order number 26 (a) says *The conduct of Her Majesty, members of the Royal Family, the Governor-General, Members of the Senate and judges or the performance of judicial functions by other persons shall not be raised except upon a substantive motion ; and in any amendment, question to a Minister or remarks in a debate on a motion dealing with any other subject, any reference to the conduct of the persons aforesaid shall be out of order—*

**The President :** Thank you very much. The question is being put. Dr Saraki have you made the amendment to your time factor ?

**Senator Jaja Wachuku (Aba) :** Point of information. If we adjourn till three o'clock tomorrow we would have time to read through some papers. Secondly, it used to be the practice that you have two copies of the Hansard (I do not know what it is now when we have leaner purse). They are distributed to Members, the corrected ones are returned to the Clerk of the Senate and as a Senator we get the other one. I hope this practice will be resuscitated.

**The President :** Let us go back to the original mover of the Motion on time.

**Senator Sola Saraki (Ilorin/Asa) :** I beg to move that the Senate do stand adjourned till ten o'clock tomorrow morning.

**Senator J. S. Tarka (Benue East-Central) :** I beg to second.

**The President :** The question is that the Senate do stand adjourned till tomorrow morning. I heard that there is some amendment. What is the amendment ?

**Senator Jaja Wachuku :** Substitute the word *ten* with *three*.

**Senator J. A. O. Odebiyi (Egbado North/South) :** I beg to second.

**The President :** Order ! Order ! There is an amendment to the original Motion for adjournment which was proposed by the distinguished Senator Jaja Wachuku from Aba and seconded by distinguished Senator Odebiyi from Egbado, that the Senate should stand adjourned till three o'clock, tomorrow instead of ten o'clock.

The question is that the Senate do stand adjourned till three o'clock tomorrow.

*Question put and agreed to.*

*Resolved :* That the Senate stand adjourned till three o'clock tomorrow.

**The President :** While we adjourn till tomorrow, I must say that this is a welcome Motion because I want the already functioning Committees to meet tomorrow morning. In this regard I would also announce that the Selection Committee would meet tomorrow at ten o'clock in the morning. I also have a request from the Chairman of the Business and Rules Committee that they would meet by ten o'clock tomorrow morning. We should meet tomorrow at three o'clock. The Senate now stands adjourned.

*Senate adjourned accordingly at 1.50 p.m.*

Tuesday, 13th November, 1979

The Senate met at 3.30 p.m.

### PRAYERS

(The President in the Chair)

**The President :** Order ! Order ! I see on the Order Paper this afternoon that we have two reports to consider. May I call on the Chairman of the Business and Rules Committee to lay the first report on the table.

### PUBLIC BUSINESS

#### Business and Rules Committee

**Senator I. Jalo Waziri (Bauchi East) :** Mr President, I seek your permission to lay before the Senate the Report of the Business Committee and ask for its approval. The purpose of the report is to draw up a programme for the business of the Senate for the rest of the session. In this report you will notice, Mr President, that care has been taken of the provision of our Constitution that the Senate must sit, at least, for 181 days of the year. The number of sitting days taken away from 364 days of the year would give us 183 days. Of the 183 days left, I believe that Saturdays, Sundays and Public Holidays will take 104 days. So, we are left with 79 days of recess classified by the Committee as follows : there will be a long recess of 26 days, you can call it Summer recess, but we prefer to call it a long recess ; Id-El-Kabir recess—25 days ; Christmas recess—14 days ; Easter recess—7 days ; and Id-El-Fitri (Sallah) recess—7 days, which gives you a total of 79 days. So, Public holidays, Saturdays and Sundays take 104, the sitting days take 181 and the recess take 79 days which will give us a total of 364 days of the year.

**The President :** What happens to the other one day ?

**Senator Alhaji Waziri :** The one day will depend on whether it is a leap year or an ordinary short year.

The Committee went further to recommend that the designation of Chief Whip should not be used. In its place, the Committee recommended that there should be Party Leaders. Each party will therefore have one leader. In addition, there would be the leader of the Senate who is responsible for all Sides of the Senate, he would be the leader of all the parties. The political leaders of the Senate should now be known as party leaders and not whips.

Another recommendation made by the Committee to the Senate is on the sitting time of the Senate on each day. It has recommended that on Mondays, Tuesdays, Wednesdays and Thursdays, the Senate shall meet, which is the practice in most Parliaments of the world, in the afternoon, that is, at 2.30 p.m. For our own convenience and unless previously adjourned the Senate will continue to sit until 9 p.m. provided that allowance shall be given for breaks according to what the provisions of the Standing

Orders might say. On Fridays, the Senate shall meet at 9 a.m. and if not previously adjourned shall sit until noon.

Mr President, these are the recommendations we have made to the Senate. It is straightforward, it is for the convenience of the Senate and it is in line with the provisions of our Constitution. I therefore move that this Senate accepts the Committee's report. Thank you.

**The President :** Distinguished Senator from Benue East may speak.

**Senator Chief J. S. Tarka (Benue East-Central) :** Mr President, Sir, I beg to second, although I am not from Benue East but from Benue East-Central. I wish to suggest that the word *House* in the report be altered to the proper word *Senate*. The House is the other Chamber. I beg to second.

**The President :** The question before the Senate is that the Senate accepts the report of the Rules and Business Committee as presented by the distinguished Senator Jalo Waziri from Bauchi. Senators may wish to speak. I recognise distinguished Senator Garba Matta from Plateau.

**Senator Garba Matta (Pankshin/Mangu/Kanan) :** Thank you very much, Mr President. I notice that we want to have 79 days recess in a year, that is, from 365 days. I recall, Mr President, that yesterday we had to touch on this subject. We have 52 weeks in a year and there are 104 week-end days in a year. If you add 104 to 181, you have 285 days ; but there are other salient holidays which have not been mentioned here. Even if we disregard this, we will be left with barely 80 days. Now if you add the other holidays which have not been mentioned here—and there are quite a number of them—I feel 79 days is not a good calculation. I think we have to go further down. It should not be more than 60 days unless, of course, we want to disregard the Constitution that lays down 181 days.

Also Mr President, I feel that if twenty-five days are allotted to Id-El-Kabir recess, we should equally give the same number of days to Christmas as it would be appreciated that they are two major religious commitments and they take almost the same period. So, I would rather suggest that these periods are split in such a way that they take the same period of recess.

Finally, Mr President, regarding the long recess, I think that we have to do some arithmetic somewhere because twenty-six days in my view are not enough. There are lots of things which many of us need to do during this long recess. It does not end with going round Lagos or going to our constituencies. There are quite a number of us who are committed to doing other things in the interest of the nation which require more than twenty-six days. In this respect, I would want us to fiddle around with this figure so that we could get between thirty to forty days long recess. Thank you, very much.

**The President :** I recognise Senator Akpata from Bendel Central.

**Senator E. I. O. Akpata** (Bendel Central) : Mr President, Sir, I want to speak generally about this. The impression might get around when we talk about long recess, recess for Christmas and recess for the various festivals that those periods are periods of rest. I should like to point out that the main job of a Senator, in fact, lies outside the Senate buildings. The job lies within his constituency and in a large measure, the whole country is his constituency.

I have, in fact, discussed with some friends that some means should be found for Senators. I speak for Senators, the people in the other House can speak for themselves, to be able to have facilities to go round the country. It is hardly worthwhile discussing agriculture for example, in this Senate, if someone starts talking about the subject in the Rain Belts or in the Swamps, if he knows nothing about agriculture in the Dry Savannah and in the Sahel region of this country. Therefore, I do want to stress particularly, that this word *recess* may be used in the sense of school holidays and tomorrow we may start hearing our friends who belong to other Estates saying that we have granted ourselves long vacations. I myself am not extremely fussy about the number of days allotted to each religious persuasion. If we were to start arguing that, then of course, we would have to provide for other people with other beliefs who may be represented in this Senate but it is not fashionable to so declare. I think that although pilgrimage is not unimportant in the Christian persuasion, it is not as compulsory as it is in our sister religion which also believes in one God. Therefore, I am inclined to think that in a place like this, we ought to be ready to give and take ; what you lose on one occasion, you may gain on another. I only trust that when some advantage, if it is indeed advantage, would come to those who are christians, our brothers would also look at it with the eye that I am looking at this one.

The other point that I wish to make is that the Constitution says at least one hundred and eighty-one days. If we get so tight to get the rights almost near the boundary, we are leaving ourselves no elbow room in case of necessity. When, once upon a time, I used to be in the Service, we used to have contingency plans and for estimates you allow for contingencies. I think that in this matter we ought to give ourselves two days ; two days would hardly be adequate. I have, in fact, no paper of mine but I would rather suggest that those who have the paper should have a second look at it and that instead of one hundred and eighty-one days, one hundred and ninety days may be adequate.

I take the point that some people have other things to do which are not unimportant as far as the nation is concerned, but the Constitution is generous to allow us to be absent one-third of one hundred and eighty-one days. If you are not absent that fraction perhaps you are absent for one-fifth of one hundred and eighty-one days extra recess ; one-fifth of that period would roughly be thirty-five days or thirty

**The President** : I recognise distinguished Senator Idrisa Kadi.

**Senator Idrisa Kadi** (Borno North-Central) : Mr President, I have looked at the breakdown of the figures introduced by the Committee for a recess of seventy-nine days. I do not object to that figure but I have comments to make on some of the figures.

With regard to the last one, that is, the Id-El-Fitri (Sallah) recess, that is the Ramadan period or what you may call the fasting period, seven days have been allotted to this festival and at the same time the Committee has talked about long recess. I do not know what that means. I am, therefore, appealing to the Senate to consider increasing the number of days allotted to Id-El-Fitri to at least thirty-five days which period is the Ramadan or fasting period. We would rest for thirty-five days and after Sallah we would need three other days. There should be a reduction in the number of days allotted to the long recess and the number brought to seven because we do not know what that recess means. I feel that seven days allotted to Id-El-Fitri recess are too few and I beg the Senate to look into this matter.

**The President** : I recognise distinguished Senator Nunieh from Rivers State.

**Senator C. Nunieh** (Bonny/Bori) : Mr President, I am, in fact, thinking of the second recommendation on this paper which has recommended the commencement time of the Senate to be at 2.30 p.m. throughout. I am of the opinion that at this early stage this may be very convenient ; but we are aware that we have a duty of contacting Members of our respective constituencies and we have to take notice of what is operating in this country regarding safety and so on. (*Laughter*) I think Senators would like to hear more on that but I do not think that is really going to be beyond that ; but I would say that if we schedule our time to be 9 p.m. whether we would be in Lagos, in Abuja or wherever the Senate may be, this offence is universal. I, therefore, would strongly suggest that we need not be bound by what we hear obtains in other countries but to take judicial notice of what obtains in our own country. So, I would suggest that in view of the fact that it is important that the morning hours be used sometimes for committee work, that the period be divided into two, say, Mondays and Tuesdays we would commence at 2.30 p.m. and close, as recommended, at 9 p.m. ; then Wednesdays and Thursdays, we would commence at 10 a.m. and close at 6 p.m. I think 6 p.m. or 7.30 p.m. is a holier and comparatively safe, hour than expecting members from our respective constituencies to come at mid-night to see us because we have to be briefed by people from our various places.

Another thing I would like to say is that although

perhaps after the first year, we may have to look at whether it would always be that we sit here for 181 days, but that is not now before us. So, I am suggesting, for the present, that in the second recommendation, because one of the purposes of the job of Senators is to be aware of what is happening in this country, to see things for themselves and to be able to verify recommendations that may be made by Ministers in due course, therefore, we have to travel. We have to be in contact with our respective constituencies. In the circumstances, I would suggest that the period be as I have suggested : 2.30 p.m. Mondays and Tuesdays and we rise at 9 p.m. Wednesdays and Thursdays to commence as before at 10 a.m. and rise at 6 p.m.

**The President :** I recognise Senator A. D. Rufai to speak.

**Senator A. D. Rufai** (Bauchi Central : Mr President, Sir, I do not appear to be happy at the beginning of the debate over this issue. I like to appeal to my very very good friend the Senator from Pankshin/Mangu/Kaman (*Senator Garba Maita*) to please change what he has at the back of his mind over the question of Christmas, Id-El-Fitri or Eid-El-Kabir. This sort of thing, Sir, will not help us. We are here to help this country and to help ourselves. The question of apportioning 25 days for Eid-El-Kabir recess is not because any importance is attached to it more than Christmas ; but the consideration is that during that time many people will go on Pilgrimage and you cannot go on pilgrimage and come back within a fortnight. So, I appeal to you and any other Senator who will like to argue over this question to please leave it as it is. Christmas is as important as any Salah to me, the only difference is that I do not go to Church on that day ; but I change my dress, celebrate it and go to my friends and so on. I am appealing to you, please Senators, it will cost us more to argue on this ; but it will cost us less to just overlook it. I am appealing to you, Sirs, Senators, to leave this thing as it is. In fact I had wanted to ask for more days for Id-El-Fitri but when I observed the mood of some Senators I just stopped. So, Mr President, Sir, it appears that I have succeeded.

Mr President, Sir, another thing that worried me is adjourning at nine o'clock, to go to Badagry Road.

**The President :** Do you think it is too early ?

**Senator Rufai :** I do not know what to say again, Mr President.

So, may I suggest that we start, say, at 1.30 and adjourn at 8.30. This would give us time to go and rest. But if you leave here at nine o'clock, reach Badagry Road at ten o'clock or 10.30, before you rest it would be 12 or one o'clock. You know, it is better that we start at 1.30 and then adjourn at 8.30. So, with these few remarks, Mr President, I would like, once more, before I sit down, to appeal to my colleagues, Senators, to accept my appeal.

**The President :** I would suggest that we address our minds to three main important points raised in

whether there should be changes or not. As regards the question of closing time, I would remind the last speaker that we can always suspend the Standing Order until we can implement that aspect of it. With these few remarks, if I am not talking too much, I think I would recognize Senator Alhaji Bakin Zuwo, to speak.

**Senator Bakin Zuwo** (Kano Central) : Mr President, in recommendation No. 5, Id-El-Fitri recess is too small actually to the Muslim section of the community. Mr President, Sir, I am not here to discuss anything concerning religion. Nevertheless, we Muslims believe that Christians and Muslims are all the same. The only difference is that they go to the church, we go to the mosque. But in the fundamental principles of Islam, that is, the five pillars, we recognise Jesus Christ as one of the prophets. So, if any Muslim does not believe in Jesus Christ, he is not a Muslim.

Also, I think in the Ten Commandments of the Bible, there is no provision where the moslems are criticised ; only those who are ignorant of the religion would prefer to pass criticisms. Our aim is to reach our God, and also possibly to enter into Paradise either through Jesus Christ or through Mohammed.

Mr President, Sir, I want to appeal to Senators who may have religious bias to forget that, in order to achieve success in this particular matter. Actually, during the Id-El-Kabir, that is the Ramadan, we require about forty days or thirty-five days. Therefore, Mr President, I appeal to my colleagues to consider this matter. Actually, this is very important.

Mr President, with these few remarks, I would like to take my seat.

**Senator Onyeabo Obi** (Anambra West) : Mr President, Sir, maybe as a member of the Rules and Business Committee, I should make some contributions. It was agreed in the Committee that since there was no unanimity in the recommendations, members of the Committee would feel free to express their own views clearly even in contradiction to the recommendations made in the report.

The first point I would like to make, Sir, is that we are not in the process of amending our Standing Orders. The Rules and Business Committee has commenced the exercise of revising the entire Standing Orders of this Senate. I think it would be wrong to treat these matters in isolation. I think the value of the report is to place it before the Senate, fly a kite, get the reaction of Senators and embody the conclusions in the Standing Orders which will eventually be brought before the Senate for consideration.

I would like to say, Sir, that with reference to the third paragraph of the report—those of us who were not involved in the initiation of the draft do not see that the designation of Chief Whip is what is equivalent to the Leader of the Senate. I think it is unfair to the present Party Leaders or any of them who might be Leader of the Senate to think that at the present he is only a Chief Whip.

**The President :** Order ! Order ! I have to come in with some interruptions here. I think there was a point to be highlighted later on. I think there is a bit of mix-up with the nomenclatures of Chief Whip and Party Leaders. Here, that is what the Committee has done. I know that one or two Parties here have Whips. They are quite distinct people from the Party Leaders. I intend to call upon the Chairman of the Rules and Business Committee to clarify the position on this.

**Senator I. Jalo Waziri (Bauchi East) :** Thank you, Mr President. I was itching to see whether I can make a reply on this issue. What the Committee said is that there is no question of Whips at all. The Party Leaders are in a different category from the Whips in this new system. We do not talk of Whips in this new system. We can talk of Party Leaders and Majority Leaders or Senate Leaders. In this case, the Committee chooses to call it the Leader of the Senate instead of the Majority Leader. I do not think, Sir, that the question of Whips should come into this.

**The President :** I think we would ask the distinguished Senator Obi to oblige us with some further explanations.

Senator Odebiyi, you have some information. You may speak.

**Senator J. A. O. Odebiyi (Egbado North/South) :** Mr President, Sir, I want to make some few comments on the question of—

**The President :** I thought you have information.

**Senator Odebiyi :** I want to speak. I want to contribute to the debate.

**The President :** I said this because somebody was speaking. Senator Adesina, you may speak. I hope you have information on the subject.

**Senator 'Lere Adesina (Ibadan) :** The Committee is misguided by the information given in regard to the format of the Senate in the United States. I am saying this because I am a member of this Committee. I brought to the Committee a plan because my Chairman was talking about what obtains in the other part of the world from where we copied. We have not only Party Leaders we have also the Chief Whip. If the Party Leader sits, the Chief Whip sits next to him ; and then the Leader of the Senate and the Chief Whip in the Senate would sit together.

**Senator Waziri :** I am not saying that there are no Whips in the United States of America or any other part of the world ; what I am saying is that we have a new system in Nigeria in which we have not considered Whips.

**The President :** That is how I consider it too.

**Senator Adesina :** I am still giving the information because I gave this similar information in the Committee.

**Senator Adesina :** Mr President, I think we are evolving a new system. The position of the Party Leader is completely distinct from that of the Whip. While the Party Leader is busy with the business of the Senate, somebody is maintaining discipline and getting people together especially when there is a division. It is not the Party Leader's function to come around. I am only giving this by way of information because I should not be completely different from what the Committee says.

**Senator Obi :** Mr President, Sir, a well-organised party like the NPP has the fortune of having a Party Leader, a Deputy Party Leader, a Chief Whip, and a Deputy Chief Whip. I do not think that it is the function of the Standing Orders to go into the internal organisation of political parties as represented in the Senate. The Standing Orders will concern itself with the officers of the Senate. I think the terms used here are capable of causing confusion. Parties within themselves can organise themselves as they want for the business. I think that the question should not be confused. I will also suggest, Sir, that this report would have been better if it has dealt with the time of sitting of the Senate only.

**The President :** The distinguished Senator Shitta-Bey, you have information. You may speak.

**Senator S. A. Shitta-Bey (Lagos) :** Senator Obi is a very good friend and colleague. This is just to assist him. He said that the internal organisation of their party should not be a subject matter of concern for us here. Again, I must say with due respect to him, that from the point of view of recognition, recognition is a domestic word. It is also an international expression. From the point of recognition by the Senate that becomes not your internal affairs again but the affair of the Senate. Maybe from this angle you may continue.

**The President :** I do not call that information, I call that enlightenment.

**Senator Onyeabo Obi :** Mr President, Sir, for the time being, I will suggest that this report had better dealt with only with the sittings of the Senate with regard to hours and days and that the third and fourth paragraphs be deleted from this report at this time and form the subject of consideration when the Standing Orders pertaining to these offices come to be considered. When we find their roles and functions then we may be in a better position to decide whether certain offices are necessary or not.

I subscribe to the enlightenment by my distinguished Friend that some party officers should be recognised, and if the Senate agrees to recognise four officials or more or less, I think it is a proper thing for the Senate. I suggest, Mr President, Sir, that these two paragraphs be deleted so that this Senate at this time may decide on the length of

**Senator D. O. Oke** (Ondo West) : Mr President, Sir, there are three major recommendations before the Senate from this Committee. I want to speak on the first two since the last one about the times of meetings, I think, seems to me not so controversial considering the business we have today and, of course, if we give all the considerations to Senator Nunieh and his fears about being *nuniehed* on the way, I think we shall have done justice to that recommendation.

Now, I think the two recommendations that seem to me to be controversial are the ones about the work-free days, which we call recess, and the one relating to the organisation within Senate which concerns leadership in the Senate here. Therefore, I will start with the one dealing with work-free days. In my view, I think we are wrong to say that we have 79 days that we can call recess. In reality as I tried to point out yesterday, we have less than that because in addition to the 285 days that are neither weekends nor prescribed by the Constitution, we have days during which every Nigerian is also on some kind of vacation, that is things like Christmas day, perhaps New year's day, and October One, where everybody is on leave from work and so on.

My own view is that we should add these to the ones that are not available to us for planning, because whether we like it or not the country does not expect us to work on such days. It seems to me that we have at our disposal about 72 days within which we have to plan for recess or whatever we want to call it. The next question about those work-free days is to ask what they exist for, what we want to use them for. It is not enough just to have holidays or work-free days or recess ; they are meant for something.

Some of our colleagues have already suggested that we need to get back into communication with our electors within the constituencies, that is one. We also need to consider the question of relaxing so that we do not all collapse. In fact, it is surprising that this kind of thought had not come earlier through the doctor that is on that committee, that is the NPN leader, Senator Dr Sola Saraki, who ought to be concerned about the health of all of us. We need a consolidated period within which to relax.

**The President** : I do not quite get you. Did you say he was a doctor to the Committee ?

**Senator Oke** : No. If he was a doctor to the Committee, Sir, in fact he would be doctoring all those people.

**Senator Sola Saraki** : Mr President, Sir, I need your protection.

**The President** : I do not think you are under attack.

**Senator Sola Saraki** : I have been asking for protection from you about the attacks of Senator Prof. Oke and Senator Chief Odebiyi. I have been asking for protection from you.

**Senator Oke** : Thank you, Mr President. Senator Dr Sola Saraki is always asking to be saved from his friends.

I do not really mind what time it comes, but a long enough period to allow people to rest and then to look after the health of their families. We have played down this a little too much. We forget that quite a number of us are not into the sixties and seventies, that some of us are in fact just at the stage where we are still rearing children ; that is children who are still around five years, three years, in fact quite a few months old ; and that part of our responsibility to this nation is to bring up these people very well. It would be very, very useful if we can have time to stay with them and really wield the influence that parents are suppose to wield on children. Therefore, this question of scattering the 72 days that we have at our disposal need to be reconsidered.

Somebody asked earlier *what is the long recess?* I think it was my friend, the GNPP leader. What is long recess? I do not understand it. I want to suggest that when the Chairman of the Committee, Senator Jalo Waziri, describe it by saying you can call it summer recess, I understand it to mean that time of the year when the school children are on vacation and we can be with them at home and really have some influence on them for three weeks or four weeks.

If we considered this, we may find that in fact there is no point in reducing it. If anything, I will go in the line of Senator Garba Matta that we should increase it. Perhaps he suggested between 30 to 40 days. I would in fact suggest five weeks which is 35 days ; not only to meet our constituencies, in this case to look after our own health and be with the family and look after the health of the family.

**The President** : What period is this ?

**Senator Oke** : The so-called long recess was defined earlier to be between July and August. I understand it is sometime in July and early August or something like that ; and I am suggesting that this is the period when we can kill very many birds with one stone. I asked, what is the purpose of the recess, and I defined some purposes, and added that this particular period will enable us perform these functions, of the Senator, and that of the human being, the father of the family ; all at the same time, so that in fact if you are persuaded by this, then we have to increase it from 26 days to 35 days, that is about five weeks.

We have to doctor ourselves, doctor our families and also attend to the needs of our constituencies. The others of course can be re-adjusted, the christians love their Easter but, I do not think that anybody with faith in Jesus Christ will be collapsing if he does not have seven days of the Holy week. The rest of the country have two days namely Good Friday and Easter Monday and quite honestly I do not think we need more than that or more than the extra day to travel back here.

If we can re-adjust then that so-called long recess will be increased, we shall have done all the duty to ourselves and to our family.

Now I come to the second point, Sir, which is the organisational structure of the leadership within the Senate. It is very clear that every party in the senate has a leader and Senate has so recognized. Therefore,

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that one is non-controversial. It happens, however, that the various parties have various offices that they considered useful to their organisation and to their effectiveness within the Senate. If I were on this Committee, I would have suggested that we ask first what are these offices that the five parties consider to be essential. In that case, we may find that some of them are common, and that we should recognize those that are common.

If all the parties have whips or chief whips as they call them recognise that, they are not going to be paid offices. They are offices for organisation and for the effectiveness of Senate; if all the parties have some other offices that have not been named here and you find that they are common to all five of them, then recognise them. If all of them say that this is necessary for their effectiveness, then it is *ipso facto* necessary to the effectiveness of Senate.

Therefore, the question of whether there should be Chief Whip or not depends on the organisational structure of the parties and if the party does not oppose, I will suggest that we reintroduce it.

The controversial thing here, Sir, is the question of these-called Leader of the Senate. Now, somebody who is going to be Leader of this very important Senate of Nigeria ought to be someone who is acceptable to at least half of this Senate.

In order words, where we have a majority party which I define as a party with at least fifty per cent of the composition of the Senate, there should be absolutely no argument as to who is the Leader of the Senate, because the majority party just needs to tell us this is the Leader of Senate and we know that that Leader commands respect and allegiance of at least half of Senate. So, I would suggest that in fact, whether we are taking a decision now or we are deferring it to the future, that this be adopted—that whoever is selected by the party that is in outright majority should be taken as Leader of Senate. But, where there is no party as we have at the moment and we do not expect that we would go on having this kind of thing, then we ought to make another arrangement, but the principle remains the same that whoever is the Leader of Senate should have at least the implicit allegiance of half of this Senate.

In order words, we need to determine what is half, and one way of doing it in fact, is to me the non-controversial way of electing the Leader on the Floor of the Senate.

Suggestion would come from here and there and we would probably for the first time, be surprised to see that people are suggesting others who might not be in their own party because you have your idea as to who could give leadership and the kind of persons in whom you have confidence. We should almost certainly have more than one nominee, in which case we go to vote. Whoever appears to have more than half or at least half the membership of Senate behind him becomes the Leader. I suggest

**The President :** Distinguished Senator Suemo Chia.

**Senator Suemo Chia (Benue East) :** Thank you very much, Mr President. I intend to speak on the recess areas and also on the sittings of the Senate. Looking at how this has been broken down, we have five recesses in a year. Now, if you break up the year into these five recesses you would find that at this rate we would have very little time to settle down here and do some serious work for the nation.

**A Senator :** For 181 days ?

**Senator Suemo Chia :** Yes, but once it is broken up into five places. We are not sitting continuously for even two months. So, you have very little time to sit down here and do very serious work for the nation. You will come and spend a month here and the next month you are going back because of Easter recess or because of Id-El-Fitri recess. When shall we have enough time to do enough work for the nation which the people have elected us here for ?

What I am saying is that it is necessary for us to have recess, but it should not be so numerous as to tamper with our efficiency. We should have a maximum of two recesses in a year—the long and the short recesses.

**The President :** And you suggest what time ?

**Senator Chia :** I am coming back to that, Sir. We should enjoy the other public holidays in the same manner as other Nigerians do either in the Civil Service or other public services. Our being here does not make us more religious than other Nigerians. Why should we ask for 25 days for Id-El-Kabir, 14 days for Christmas and another recess for other public holidays simply because we are Senators or simply because we are Members of the National Assembly ? I would not succumb to that sort of thing. In a way, we are trying to mix religion with State affairs. If not, why should our recess be based on religions or religious festivities ?

Mr President, Sir, you asked a question as to what time we should have the two recesses that I suggested ? If the suggestion is agreed, it is then left for us to know when it would be best for us. I may not be in a good position to know when best to have recesses, but that does not mean the rest of you would not be in a position to know.

Secondly, on the issue of the sittings of Senate from 2.30-9.00 p.m., it is my humble suggestion and contribution that we continue to sit in the mornings till afternoons as we have been doing. This is the time when one's mind is fresh. It would be so hot in the afternoon. And, in the evenings, perhaps, some of you would be thinking of attending a party in Surelere or somewhere else. You want State matters to be disrupted because you want to have a party somewhere. I disagree with that, Sir.

**The President :** Are you suggesting that we have parties in our minds much more than State matters ?

about accommodation, we talked about our wives. I think the best time to stay with our wives is in the evenings and not in the mornings. So, Mr President, with these two suggestions I conclude my contribution.

**The President :** Order ! Order ! I think we should now take a look at this paper and come to certain basic decisions so that we can make some progress. I am sure if we are all to talk, everybody would like to contribute to the debate.

There are certain essential points highlighted here ranging from a new time-table for sitting in chamber, recess period, and the Leadership in the Senate. On the leadership question, there is a new dimension as to whether we would recognise the existence of Whips. These are the very points that are contained in this paper. It appears to me that this is a complicated paper and, perhaps, it requires setting out in a number of resolutions. We take resolution one—yes, resolution two—yes, resolution three—yes or no or whatever we may choose to decide. If that is the position we should then proceed with the paper. I would then have to call for resolutions which would amend some of the contents here if we do not agree with them. So we can pass them one after the other, but if that is not the case, I will suggest that we take a decision on the time element and throw the paper back to the Committee to prepare this thing for our consideration at another time.

**Some Senators :** Point of information.

**The President :** I am hearing *point of information* from the same side. I assume that you will all gather the information together. I will now call upon the distinguished Senator from Ife-Ilesha (*Dr Ilori*) to speak.

**Senator C. Adeoye (Oshun I) :** Thank you very much, Mr President. In view of the arguments that have been going on, I will like to suggest that we throw this Paper back to the Committee and it should bring back in the form of resolutions to facilitate the job of the Senate.

**The President :** I thought you had an information to give.

**Some Senators :** Point of information.

**The President :** Is it the same information ?

**Some Senators :** No.

**The President :** What is your information ?

**Senator C. O. Ilori (Ife/Ilesha) :** I will want to comment on the proposed sitting period of the Senate, that is, between 2.30 p.m.-9.00 p.m. I thought that Senator Idrisa would tie the timing to the last *Idil Fitri* recess. This is the fasting period and I have noticed that during the fasting period it is a general practice that you go home to break the fast around 7 p.m. So, in order not to disrupt the meeting of the

sitting between 2.30 p.m. and 9.00 p.m., and this should be changed because we recognise this. I am just saying this as a point to be considered when this Paper is sent back to the Committee.

**The President :** I would like to correct this impression on the question of sending the paper back to the Committee that it is not as bad as it is being conceived. Maybe, this will help us.

Senator Chief Odebiyi, while you were out, we did say that there was a possibility of the Committee looking at the various resolutions which are contained in this paper and highlighting them so that we can take one decision after the other because it seems to be a complicated document with several variable decisions to be taken.

**Senator J. A. O. Odebiyi (Egbado North/South) :** That is all right.

**The President :** I want non-members of the Committee to speak. I recognise the distinguished Senator from Rivers II (*Senator Ellah*).

**Senator S. J. Ellah (Ahoada/Ikwerre/Etche) :** I believe we should be referring this back to the Committee but before we do so, I think we must give the Committee clear terms of reference so that when this business comes back to the Senate it will be in the proper form. I personally consider the approach to be quite arduous. We are arguing about holidays, but what we should be doing really is to think about a calendar and then the holidays would come in as a recession in this calendar of business. Otherwise, there is no reason why the Press will not criticise us and there will be no excuse if that is done. With every due respect, I think we should pay attention to this aspect, that is, think of a calendar of work and then insert the holidays in it.

Another question that has to be considered is this very strange provision of 181 days. This is a very rare thing and we ought to be very careful on how we look at it. After all, the Senators have mentioned tours and contracts with their constituencies. It is up to us as we are the authorities, to interpret what is meant by a meeting and there is no reason why a tour to a project cannot be called a meeting. Whatever those who wrote this Constitution must have had in mind, I do not know, but it is not their business to tell us what a meeting is. We can bear this in mind and we should not go to provide a minimum of 181 days if they say that is the minimum. We should at least, in my view, think in terms of something in the order of 200 and then use this authority for interpretation and we will have to balance it up.

Then, of course, there is this other point which has been made that each of us has yet another minimum to qualify. This again would give us some lee-way.

All these, I think, should be the terms of reference of the Committee when this paper is sent back. Thank you.

**The President :** I recognise the distinguished Senator from Rivers III.



**Senator A. Zuofa** (Rivers III) (Brass/Sagbama/Yenogoa) : I want to comment on the last recommendation as regards starting work at 2.30 p.m. The Committee has given no specific reasons why the provisions contained in Section 4 of the Standing Orders are in any way unacceptable. I think it is unreasonable for the Senate to place itself on a sort of permanent night duty. We can definitely divide the period between 10.00 a.m. and 6.00 p.m. to do whatever work we have, perhaps the first two hours could be for Committee work and the last three hours for the work in the Chamber or the other way round. I have not seen any good reason why we should not meet until 2.30 p.m.

In any case, it will be misunderstood that we are now going to work for half a day. The Committees can work between 10.00 a.m. and 2.00 p.m. and the Senate between 3.00 p.m. and 6.00 p.m.; that is a full day and that is enough. As far as I am concerned, I object to the working day commencing at 2.30 p.m. Let it be 10.00 a.m. to 6.00 p.m. as it is contained in Order 4, that is, Mondays to Thursdays, and on Fridays 9.00 a.m. to 12.00 noon. Thank you.

**The President** : I recognise the distinguished Senator from Ikot Ekpene (*Senator Etiebet*).

**Senator D. D. Etiebet** (Ikot Ekpene) : In discussing the last paragraph, Mr President, we did take into consideration that we have to perform in very many committees but such days have not been separately set aside so far.

The only alternative we have, therefore, was to set aside the morning periods from ten o'clock till the noon to do the work of these various Committees about 17 of them and accordingly the time left for the full session would therefore start from about 2.30 p.m.

Nevertheless, we can agree now that the time of sitting should not extend to 9 p.m. in the evening in view of the fact that many Nigerians are now conscious of listening to news, especially the NTA news which starts at nine o'clock in the evening. We want to listen to these news so that we may be sure of how we have been reported on by the Press. Accordingly, I will suggest that the time nine o'clock be changed—

**A Senator** : Mr President, Sir, Senator Etiebet is a member of the Committee and should not speak now.

**The President** : Order! Order! I think that objection would be sustained. I did not realise that Senator Etiebet is a member of the Committee. I recognise Senator Adegoke who may now speak.

**Senator Adeleke Ayoola** (Oyo) : Mr President, Sir, I rise to contribute to these debates and I like to support my colleagues who have said that sitting in the night would not be too good for us because if we sit in the night, before long the time would be disrupted during the fasting period as most of us are Moslems. The Moslems break their fast at 7 p.m. during the Ramadan periods and the majority of

Also, I would like to talk about the period of recess. There is no earthly reason why we should take more than the normal period of holidays that other Nigerians take. We can then reserve the rest of the days saved from normal public holidays and add them to certain periods. I said also that most of us here belong to the Moslem religion. We may have to perform the Hajj and we require more days for travelling and seeing to some other religious matters there.

Again, we need to tour our Constituencies when we get home. Even after this last session some of us toured our senatorial districts. We cannot come here, go home and not tell them what had been done here; otherwise we would be representing ourselves and not the areas that sent us here. So we need more days not necessarily for resting but to do more work outside the Senate.

So, Mr President, I would suggest that we do normal days. Instead of seven days for Easter and seven days for Christmas we can have the normal two days for all religious holidays and then add the remaining days for the long recess.

Speaking about the Leadership, I agree with the suggestion made by a colleague that we vote here and get somebody to be the leader of this Senate. He may be in one party or the other but he should be somebody distinguished by his experience, known to the majority and fit to lead this Senate. Mr President, we should do this since we do not have one party that has got 50 per cent of the Membership. With all these guidelines, this paper I suggest can go back to the Committee so that when it comes back the Committee would have given us something to debate on.

Thank you, Mr President.

**The President** : I recognise the distinguished Senator and Leader of the UPN, Senator Chief Odebiyi.

**Senator J. A. O. Odebiyi** (Egbado North/South) : Mr President, Sir, I just want to make a number of comments on the question of hours of sitting. Many Senators who have spoken on this aspect of the Committee's report seem to have forgotten the need for Senate Committees to meet in the mornings. Apart from that, Sir, if Senators want to go about the Ministries for information, the best time to do it is in the morning. So, we cannot escape from the fact that we just have to hold our sessions in the afternoons. The fact that afternoon sessions begin at 2.30 and is supposed to end at 9 p.m. does not mean that we have to be here from 2.30 to 9 p.m. All we have to do is to suspend the Standing Orders and close at whatever time we consider convenient unless previously adjourned depending on the business of the Senate.

I think, Sir, that whatever we do, it is better to have

be brought to us in the afternoon. One very important factor which Senators have glossed over is the fact that in the mornings when we are stopped it will be easy. Also, in the evenings when we are supposed to be coming to the Senate, people would have been going back to their various homes. At that time the traffic in Lagos is reduced to the minimum. If we leave the Satellite Village at about 1.30 p.m. we get here earlier than if we are to come here early in the morning. Since members of the Committees who would be operating at the same time are few, the others would be busy trying to get information that will help them in the performance of their duties.

So, Mr President, it is absolutely essential that we get work done through our Committees and for this purpose the morning ought to be allocated to them. We are not compelled to spend six hours in the evenings. Once our business is completed that is the end of the matter.

**The President :** Order ! Order ! I stand to take some decisions and we are going to deal with the time factor.

The Question is that the Senate sitting session in the Chambers should now be 2.30 p.m. and closing time should be 9 p.m., Mondays, Tuesdays, Wednesdays and Thursdays.

**Some Senators :** No !

**The President :** Is there any amendment on this Section before we vote ?

**Some Senators :** Yes.

**The President :** I recognise Senator Alhaji Haruna from Sokoto West.

**Senator Haruna Muza (Sokoto West) :** Mr President, Sir, my suggestion is that the time be reduced to 6 p.m. instead of 9 p.m. All of us here have forgotten a very essential point which has been expressed here severally without any effect. It has been reiterated that we are in danger really.

**The President :** Order ! Order ! May I remind you, Sir, that we passed a resolution yesterday which we hope to implement shortly or in the near future, that is, that the suggestion that the Standing Orders can be suspended for the time being, is possible. I only remind you of this because it can help you in your contribution.

**Senator Jalo Waziri (Bauchi East) :** Mr President, Sir, I just want to give further information on night sitting and also the time of sitting. The mornings are left for Committees to find time to sit. As you know according to Senator Odebiyi's explanation, there is more work in the Committees than in the Senate because if the Committees do their work properly it will relieve the Senate and more time will be saved.

news programme could ask Mr President to provide them with television sets in the sitting rooms or in the lounge if they are more interested in the news than in debates. They could sit there and listen to the news.

My third explanation is that the Standing Orders of the Senate will make provisions for breaks. When it is 6.30 and you want to observe prayers or take coffee, the Standing Order will provide for about 30 minutes' break. During the fasting period, the Standing Order will state categorically that you can go and break your fast. So, there is a break at that particular time. I hope, Mr President, Senators will not be too touchy on this.

**The President :** Order ! Order ! I will now welcome only amendments on time. Please give me your own time so that we can decide upon it if it is different from the one in the report.

**Senator Haruna Muza (Sokoto West) :** Mr President, Sir, my amendment is that the time of closing which is recommended is, of course, too late. I want it to be much earlier. Six or seven o'clock in the evening will be adequate.

**The President :** You are suggesting that sittings should be from 2.30 to 7.00 p.m. Are there other amendments on time ?

**Senator Muza :** Yes. I have further amendments. I would like to add more points. I would suggest that a further application should be made to the Lagos State Government for more security. We were told during the last session that we were protected but when we closed there was no policeman or soldier to accompany us to Badagry Road and it was on that very day of the promise that there was an incident. We ourselves have to apply for more security. We were informed that we were protected by one of the UPN leaders while we were not. So, if we are to continue sitting throughout the night we must make sure that we are fully protected.

**Senator E. P. Echeruo (Okigwe) :** Thank you, Mr President, for giving me this opportunity to propose an Amendment. My Amendment is that on Mondays, Tuesdays, Wednesdays and Thursdays the Senate should meet at 10.00 a.m. just as contained in our present Standing Orders. (*Interruptions*) Unfortunately there has not been the opportunity for those who do not agree with this suggestion to give their views.

Hitherto, we have been discussing the entire report which covers three broad aspects. I would like to say, although persuasive arguments have been advanced as to why we should meet from 2.30 p.m. to 9 p.m. that if I establish any body and ask them to do any work and they decide to start the day's work at 2.30 p.m. I would automatically say that they are not serious. If you have any serious work to do you start that serious work in the morning.

The argument has been advanced that the Committees would be meeting in the mornings but I think that is begging the question. We are almost adopting a system being used elsewhere. What do

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they do there? I think we can afford to meet at 10 and if there are Committee meetings to be held, the Committees can proceed and go on with their work. That is what happens elsewhere.

Also I do not think it is reasonable to expect that a Senator will come in here at 2.30 p.m. barely after he has finished his lunch and sit till 9.00 p.m. A lot of people will just fall asleep and not pay adequate attention to the deliberations of the Senate.

**The President :** Order! Order! I hope Senator Echeruo will agree that I have been generous with him. Will you please limit your suggestion to alternative time so that we can make progress. I will allow you to speak on other things later on but for the time being limit your suggestions to this time factor.

**Senator Echeruo:** Thank you, Mr President, for your generosity. My amendment is that the Senate should start sitting at 10.00 a.m, suspend at 1.00 p.m to resume at 3.00 p.m, and adjourn at 6.00 p.m. Mondays, Tuesdays, Wednesdays and Thursdays.

**The President :** Order! Order! We now have three different suggested times of sitting. We have one which is in the report which states that we should start sitting at 2.30 p.m. to 9.00 in the evening with, of course a provision for break. This also means that distinguished Senators do come here in the morning to get involved in Committee or research work.

An alternative has been suggested, along the same line, but with a provision that the time should be limited to seven o'clock.

The other alternative is almost along the same line too, that Senators must be here at ten in the morning, break at one o'clock, resume at three to close at six. Unless you have alternative suggestions different from these three I would be inclined to put them to vote.

**Senator Jalo Waziri (Bauchi East) :** The last speaker said that the Committee should sit at the same time the Senate is sitting. I imagine a situation where four of the Senate Committees are meeting at the same time.

**The President :** It may even be more than four, because we have 22 Committee Rooms.

**Senator Jalo Waziri :** The remaining Senators will be too few to carry on the business of the Senate.

**The President :** Or, you may have nobody in the Senate to continue the business. I am calling for Senators who may subscribe to the time issue, and at this stage I think I ought to apologise to Senator Barau Ibrahim the leader of the PRP. I think he has been itching to say a few words.

**Senator Ibrahim Barau (Ikara/Zaria/Birnin Gwari) :** I do not see how we can have the full session when there are at least three Committees sitting at the same time. We have eleven Senators in

Senators recommended that the Senate should start at 10.00 in the morning, and at the same time have the Committees to go on during the morning session, then we may not even have a quorum. This is a Senate of 95 members with 22 Committees. If by any chance we have more than three or four Committees sitting at the same time it does not make any sense.

It could have been better for the remaining Senators to use their time for research and attend the library or do other readings. The deliberations of the Senate is an issue which follows the deliberations of the Committees. So it is relevant that these Committees do sit in the morning, while the Senate as a whole sits later, say as from 2.30 p.m.

**Senator N. N. Anah (Anambra South) :** Thank you very much, Mr President, Sir. I would like to strike a compromise, and I very much agree with the leader of the Business Committee that it is necessary that sometime should be given for Committee meetings. In doing so, my compromise is that we have morning sitting on Mondays and Tuesdays and afternoon sittings on Wednesday and Thursdays or the reverse.

In other words, the four days should be divided into two; two days in the morning and the two days in the afternoon. This would enable the Committees to function effectively. To be more precise, Mr President on Mondays and Tuesdays, the Senate should start sitting from 2.30 p.m. and close at 9 p.m. then on Wednesdays and Thursdays the Senate should start sitting at 10 a.m. with the normal break at 1 p.m. later to resume at 3 p.m. and close at 6 p.m.

**The President :** I think I need to help you, Senator Anah. While you were out, there were vital suggestions that we should not worry about the closing time because you can always suspend the Standing Orders. So I do not see what you are worrying about.

**Senator Anah :** I think what really matters is the principle to have two days for the morning session and two days for the afternoon session so that those people who want to have their Committee meetings, and those people who want to engage in research may be able to utilise the two days in doing so.

**The President :** Let us go over that again. How many days do you want in the afternoon?

**Senator Anah :** On Mondays and Tuesdays the sitting should start from 2.30 p.m. while on Wednesdays and Thursdays sitting should start from 10.00 a.m. This will really reconcile the two views.

**The President :** What did you stipulate as your closing time?

**Senator Anah :** Mr President, Sir, we can also strike a compromise there and make it 7 p.m.

**The President :** We have received the following suggestions. The first suggestion is that the

hours in the Chamber on Mondays and Tuesdays from 2.30 p.m. to 9 p.m. and on Wednesdays and Thursdays from 10 a.m. to 7 p.m.

*Question put and negatived.*

**The President :** The second Amendment is a provision for the Senate sitting in the Chamber from 10 a.m. to 1 p.m. and with the provision for break between 1 p.m. and 3 p.m. The Senate will resume at 3 p.m. and close at 6 p.m.

*Question put and negatived.*

**The President :** The third Amendment is that the Senate sits in the Chamber between the hours of 2.30 p.m. to 7 p.m. only.

*Question put (Interruptions)*

**The President :** Order ! Order ! I want to explain before we take this Vote again. I think people get confused as to what is on the paper. What is on the paper now is 2.30 p.m. to 9 p.m. and you have a chance of suspending the Standing Orders any time you like. But the Amendment calls for a fixed time of a seven o'clock. I will now put the question the second time. *(Interruptions)*

Order ! Order ! Senators may sit. I will put the question the same way as is contained in the report.

**Several Senators :** Yes.

**Some Senators :** No.

**The President :** The question is whether Senators are in favour of the Senate sitting in the Chamber between the hours of 2.30 p.m. and 9 p.m.

*Question put (Interruptions)*

**Senator S. A. Shitta-Bey (Lagos) :** We want a division so that we have on record those who voted against it.

**The President :** You want a division ?

**Several Senators :** Yes.

**Several Senators :** No.

**The President :** My decision has been challenged. I call upon the Clerk to clear the lobby. May I now call on the two Sides to appoint their tellers.

Order ! Order ! If you want the working hours to be from 2.30 p.m. to 9 p.m. so that the nation will know that we are serious move to the lobby.

**Senator A. A. Ali (Benue West) :** Point of information.

**The President :** Senators may sit. You will agree with me that my earlier thinking that this paper requires some more work to be done is correct. I am prepared to allow one thing, that is, Senators should consult each other today before we come back to a final decision on this matter.

**Several Senators :** No.

**The President :** It is all for the benefit of Senators. You will require talking with each other. There is nothing to attach sentiments to since nobody is going to gain or lose on this issue. So, let us think

exactly what we want, because once we divide it will go down and that will be the law. My suggestion would be that I am prepared to suspend a division to some other time.

**Several Senators :** No.

**The President :** Order ! That would be if I have your co-operation and order. I think the Chairman to the Rules and Business Committee who submitted the report wants to say a word.

**Senator I. Jalo Waziri (Bauchi East) :** Mr President, Sir, with your permission I would like to say that with your explanation I intend to bring a more acceptable amendment, say tomorrow. *(Applause)*

**The President :** I think that is being welcomed by both Sides of the Senate. So, we would let the matter lie like that.

Should we, therefore, refer the paper back to the Rules and Business Committee with the guidelines and the other suggestions we have made ?

**Several Senators :** Yes.

**The President :** The paper is then referred to that Committee, and we have only taken the time aspect of the paper today.

**Senator M. A. O. Abiru (Ikorodu) :** I have an information to give, Mr President.

**The President :** I hope that you are not re-opening debate on an issue that has been suspended.

**Senator Abiru :** No, Sir. Mr President, Sir, I presume that if this paper happens to be referred to the Rules and Business Committee, the paper should go back to that Committee on all the recommendations it has sent to the Senate today. In view of this, the point of information I have is to the effect that during the recess, I filed a motion a copy of which I gave to the Clerk of Committees with a view to incorporating it in the Standing Orders of this Senate, certain aspects of change which are very necessary. We all agree that the Standing Orders are rather obsolete and archaic.

I would like to know whether the Rules and Business Committee upon its deliberations would be reporting back on the Standing Orders itself. This is in support of what Senator Obi had earlier on mentioned. I was expecting that by today they must have done that massive work and reported back to us even on the Standing Orders being used by this Senate. I am saying Mr President that—

**The President :** Are you saying or you are giving information ?

**Senator Abiru :** It is a point of information in view of the fact that I have sent in a Motion in this respect urging them that certain aspects—

**The President :** Order ! Order ! What has been submitted today, is only an extract of the work of the Business and Rules Committee. The Standing Orders is a massive small notebook and as far as I know, the work on that job is in progress. Once the Committee

[THE PRESIDENT]

is ready it will report back and I do not think that we need to flog certain issues. So, I would suggest that you get in touch with the Chairman of that Committee and find out how far they have gone.

Distinguished Senators, we may now move to Item 2 on the Order Paper and that is the Report from the Senate Committee of Selection. Since my deputy is not here, I shall call upon the Clerk of the Senate to announce the names of members to the various Committees. This basically, has been the work of the Committee of Selection and this is what the report is all about. Will the Clerk proceed to announce the names ?

**Senator Mahmud Waziri (Adamawa) :** Point of Order, Mr President.

**The President :** What is the Order ?

**Senator Waziri :** I want the report of the Committee and not just to listen to names.

**The President :** That is not an Order. I have given you the report as the Chairman of the Committee. As I said, the Committee had deliberated and has come out with names for each Standing Committee. I am now calling on the Clerk of the Senate to read the names out unless you want me to read the names out myself.

**Senator Waziri :** I do not want the report treated by just the reading of names. I want the report, not just the reading of names.

**The President :** This would appear in your Hansard when next you get your copy. Would the Clerk please read out the names ?

**Senator J. Wachuku (Aba) :** Point of Order, Mr President. I think that the procedure is to call upon the Leader of the Senate to lay the report and once it is seen it would appear on the Order Paper next day.

**The President :** I now call upon the Leader of the Senate to lay the Report on the Table.

#### Committee of Selection Report

**Senator S. Saraki (Ilorin/Asa) :** Mr President, Sir, I want to lay before the Senate, the Report of the Committee of Selection.

**The President :** The Report of the Senate Committee of Selection has been laid on the Table and would be considered tomorrow.

#### NOTICE OF MOTION

##### President's Speech

**The President :** Order ! Order ! Item No. 3 on today's Order Paper is Notice of Motion and I now call upon Senator Sola Saraki (Ilorin/Asa) to speak.

**Senator S. Saraki (Ilorin/Asa) :** Thank you, Mr President. With the permission of the Senate, I seek leave to withdraw this Motion standing in my name. Yesterday, I withdrew this Motion but my

**The President :** I see that you are looking at Senator Chief J. A. O. Odebiyi (Egbado North/South).

**Senator Saraki :** He organised that the Motion be brought back.

**Senator J. A. O. Odebiyi (Egbado North/South) :** Mr President, Sir, I am always very, very useful to my good Friend. When he takes advice all is well but when he does not all is not well.

**Senator Saraki :** Mr President, I seek the permission of the Senate to withdraw the Motion.

**Senator J. O. Umolu (Bendel North) :** I beg to second.

*Motion by leave withdrawn*

**The President :** Senator Dr Saraki may speak.

#### ADJOURNMENT

**Senator Dr Saraki :** Mr President, Sir, Senators, I beg to move that the Senate stands adjourned till tomorrow at three o'clock.

**Senator I. Jalo Waziri (Bauchi East) :** I beg to second.

**The President :** The Motion is that the Senate stand adjourned till three o'clock tomorrow. Senators may choose to speak on the Motion.

#### Servicing The Senate

**Senator Professor S. A. Akintoye (Ondo Central) :** Mr President, Sir, speaking on the Motion for adjournment, I am raising a matter that affects the effectiveness of, and the working of the Senate. Senators who have attempted to put forward Private Member's Motions, have been told that we do not have in this Senate a very important servicing arm of the Secretariat for the Senate ; namely, that we do not have legal draftsmen to help prepare Bills properly for the Senate. It is my view, Mr President, that if it is considered that we do need legal draftsmen to help prepare Bills coming before the Senate, they should have been considered as important as in fact, the Clerk of the National Assembly. I do not see that it is possible for the Senate to be effective, I do not see that it is possible for Senators to do their work properly if they are not assisted by the appropriate officers who would prepare Bills to be put before the Senate.

Mr President, I think that at this stage, after we have spent more than six weeks in existence, it is distressing to find that we still do not have that very important servicing section that the Senate very much requires. May I suggest, therefore, that this Senate should look into this matter of legal draftsmen.

I am told that some request has been made to some departments of the Federal Government, especially to the Federal Ministry of Justice, and that some promises have been made. I think that this

The Senate requires to sit down and do its work and to be able to do that, we must have the Clerk of the Senate, we also must have a unit of legal draftsmen so that Senators could place their Bills properly before the Senate. So, Mr President, may I suggest that this Senate should take this matter up with the great seriousness it deserves and we should demand with great urgency that this Senate be supplied with legal draftsmen to help Senators prepare their Bills. Thank you.

### An Apology

**Senator J. S. Tarka** (Benue East-Central) : Mr President, Sir, once in a while we go through the thorny rose gardens even in legislation ; once in a while, we try to humour ourselves. The other day I had occasion to remember what my old teacher said to me. It is relevant or rather pertinent to what I am now going to say.

He said of David Dankaro who is not here : "Good morning, Sir" because David was wearing a hat, a trouser and a blazer while he was merely wearing a jumper. Then, he discovered that David was a student in the sports field and he slapped him and said : "Sir, is cancelled, good morning only".

In this Senate we started very well as friends and we must introduce a new motto : Make love, not war.

**A Senator** : Make love ?

**Senator Tarka** : Yes. I love you as my friend and you love me as your friend, we are not at war, we are not at daggers drawn.

**A Senator** : You are imputing.

**Senator Tarka** : I have a clean mind, not a dirty mind. It has been suggested in various forms that some people in this Senate have prostituted politics. But, I would like to say to those who object to such words that those words were used with all good intentions and I extend my hand of fellowship to those who feel they were referred at them. I, therefore, unreservedly, withdraw the objectionable parts of my speech. I am not proud about it, not proud about what was said and how the said people felt, but I am proud that we are still friends and comrades on the Floor of this Senate and outside. We must learn to live together as citizens and leaders of this nation. Thank you very much.

### Two-third of Ninety-five

**Senator Idris Kadi** (Borno North Central) : Mr President, the Senate is making smooth progress and that is appreciated. At the same time, Committees on different matters are about to be created and as soon as they are formed Bills on controversial and non-controversial matters would be taken on. I am asking the President of this Senate to determine before any matter is taken up what would represent two-third. This is a Senate of ninety-five members and we cannot determine resolutions unless this is determined. I am, therefore, asking the Senate to determine this before we start work.

**The President** : Order ! Order ! I am not quite clear on what should be determined.

**Senator Kadi** : Two-third of ninety-five, because we are ninety-five here and an issue may arise which would require that fraction before it could be determined.

**The President** : I think that that is being hypothetical and the Senate cannot work on hypothesis. I recognise Senator Dimis from Bauchi.

### Press Conferences

**Senator Ibrahim Dimis** (Bauchi South) : Mr President Sir, I rise with your permission to speak on the motion for adjournment in respect of certain things that are happening. These things are not usual happenings, but they do happen at times. With due respect, Mr President, this type of attitude should be discontinued. When Senators come to the Senate, they should work and act together even in areas where there are disagreements on the Floor. For certain Senators to go out and hold a Press Conference is purely an act of defiance of what happened in the Senate, and it is what I would call cheap popularity which would not achieve anything in this Senate.

**The President** : Order ! Order ! I would like to appeal for restraint from Senators. You may continue to speak on the motion for adjournment but I am asking for restraint.

**Senator Dimis** : We are a disciplined people I agree, and I shall proceed to speak on the motion for adjournment.

**The President** : I recognise Senator Ansa to speak.

### Diplomatic Passport

**Senator Joseph O. Ansa** (Calabar) : Thank you, Mr President. On point of information, I would draw the attention of this Senate to the issue of diplomatic passport which we discussed and which we were told to wait for. Up till now there is nothing heard about it as to whether it is forthcoming or whether it is ready or whether we should be hopeful.

### Traffic Edict

The second point, Mr President, is that you will remember that during our last session issues were raised about an appeal about this odd and even restrictions which we are passing through in the Lagos State, the Federal Capital. In view of the fact that we are now about setting up all Committees to work very hard, at times we have very bad times, we return at times late or to come early, I would very much crave the indulgence of this Senate that we want to hear the progress so far made about this odd and even because it would actually go very far into facilitating our work to this nation.

[SENATOR ANSA]

### Service to the Nation

I want to say, Mr President, Sir, that, with due respect, like many of the ills of this Federation, during the past regime many things were swept under the carpet. At the resumption of office, having been elected into this Senate, we were confronted by members of the public because they are now allowed to speak aloud. They have elected their people to come to this Senate and so we are actually in a very serious situation having to answer questions about their problems. So, now that these Committees are now to start very active work, Mr President, I will very much like us to say very seriously that when we say we are actually starting, we should start well. If we cannot do that, we will not be able to carry out the job. In order to be at peace with those who elected us into office, we have to do something about our impassable roads. We must realise, we have no sufficient transport for the workers, we have had civil service complaints, we have had retrenchment, we have economic strangulation, we have had all what you can think of about the evils in this country. We are the only people expected to come and redeem our poor nation.

I would furthermore crave the indulgence of this Senate, Mr President, to say that what we have got to do is that we have got to put these people first. We have tried to tell them that we have come for serious work and my prayer is that this Second Republic should actually correct the ills of the First Republic. God being our helper.

Thank you. (*Interruptions*)

**The President :** Order ! I recognize Senator Dr Saraki.

**Senator Sola Saraki (Ilorin/Asa) :** Mr President, Sir, my honourable friend from the Cross River (*Senator Ansa*) wanted to know what happened to the issue of passports. I have taken up the matter with the President and the matter is being looked into and as soon as I get any reply from the President, I would report to the Senate but the matter is being looked into.

**The President :** I recognize Senator Ayo Fasanmi to speak.

### Students Crisis

**Senator Ayo Fasanmi (Ondo North) :** Mr President, Sir, as a result of the students crisis of 1978 and also as a result of the judicial enquiry that was set up to probe the unfortunate incident, four students in various universities were expelled and only last year, Mr President, Sir, one of the student in a press statement appealed very passionately to the President to consider their case.

**A Senator :** No President there.

**The President :** One of the Presidents you say ?

**Senator Fasanmi :** Mr Segun Okeowo the

**The President :** From one President to another President ?

**Senator Fasanmi :** A previous President of the banned NUNS Sir, appealed that their case should be reviewed as an act of clemency. I want to join in the appeal to the Head of State who in his right is a father apart from being a father of the nation to reconsider the case of these unfortunate students

Mr President, Sir, we have to remember the invaluable role which the students of this country have played in our national life. If one might mention one or two cases, we remember very well, Sir, the obnoxious Anglo-Nigerian defence pact of 1960 but for the students, Sir, this obnoxious pact would not have been abrogated.

I also want to recall, Sir, that in 1975 as a result of the unsuccessful coup carried out by Dimka and his collaborators the students came out without any security for their lives in order to defend the nation and I think, Sir, we should consider their case. Students all over the world have a way of expressing their grievances and we have to give them the right to do so. As a matter of fact, Sir, the central figures in this case are now well settled. One of them apart from being a Member of the Order of the Niger is a Senator here and the other one—

**Some Senators :** Ali Must Go !

**Senator Fasanmi :** I have not mentioned any name, Sir.

**Senator A. A. Ali (Benue West) :** I am not a Member of the Order of the Niger. I am a Commander of the Order of the Niger.

**Senator Fasanmi :** The correction is accepted. As I said, Sir, my own friend who was at the heart of the whole matter is not only a Commander of the Order of the Niger but he is a Senator here now. Apart from that, Sir, one of the Vice-Chancellors in whose campus some of these students were killed has now become a Federal Minister of Defence. I should think the time has come when the Head of State should review the case of these unfortunate students. I, therefore wish to appeal through the medium of this Senate that the Head of State, President Shehu Shagari, should review the case of these unfortunate students. After all, Sir, to err is human and to forgive is divine.

Thank you, Mr President.

**The President :** I recognize Senator Obi Wali to speak.

### Mobilisation of Senate

**Senator Obi Wali (Phalga) :** Thank you very much, Mr President. What I have to contribute in this debate on the Motion for adjournment, Sir, is that we have got a few officers of this Senate, the chief of whom is the President of the Senate. Then there is also the Deputy President of the Senate.

it does appear to me that in spite of the intentions of the President himself this Senate is yet organized for any meaningful work. I was particularly happy to listen to Senator J. S. Tarka say that we should make love, not war. It is that a certain spirit of our meeting and a certain spirit of conscientiousness must have to return to this Senate and that means that in what looks like a gathering of comrades all of us are grouping more or less under a certain system with no real experts in it. The sooner these leaders we redesignated come together to mobilise this Senate for some kind of work here, some kind of work that would be satisfying, the better for this Senate and the better for the country. I do not think we can continue to look at these things in terms of partisan politics.

Thank you very much, Mr President.

**The President :** I recognize Senator Barau to speak.

### Supply of Documents

**Senator Ibrahim Barau** (Ikara/Zaria/Birnin Gwari) : Thank you, Mr President. Mr President Sir, within the few weeks since we started in this Senate, we have been served with the Constitution, the old Standing Orders and the complete work of the Constituent Assembly. Mr President, I would like to recall that a number of Decrees were passed shortly before handing over. Is it not relevant that we are given copies of these Decrees for the study of the Senate. On our side, Sir, the NPN Leader has thrice moved a Motion for the debate on the Address by the President of the Republic to the National Assembly and has thrice withdrawn it. To my mind, Mr President, the Address of the President of Nigeria is a very important document and it gives much food for thought. I would appeal to the NPN Leader to resubmit this Motion in time and give this Senate sufficient time to debate it.

Thank you, Mr President.

**Senator Prince Onyeabo Obi** (Anambra West) : Thank you, Mr President. I would like to go back to the point we raised yesterday about the copies of the Hansard.

**The President :** Actually I made a mistake. I have before me, Senator Echeruo.

**Senator Prince Obi :** You also have my endorsement, Sir.

**The President :** Well, it is not here now. I am sorry about that. I made an error. I meant to call Senator Echeruo.

Senator Echeruo, you may speak.

### Electronic Voting Device

**Senator E. P. Echeruo** (Okigwe) : Thank you very much, Mr President. I want to comment on an earlier contribution made about providing Legal services, including drafting services, for this Senate. I wish to mention that this is a matter that requires

a Motion urging that something be done immediately in that regard. That is not the only thing that requires urgent attention. I think it would also be necessary for us to have organised immediately a unit that would take care of costing whatever Bill or whatever proposal we pass in this Senate. If any Bill has any monetary implication it is necessary that we have a fiscal expert who would cost it in order to guide us. I have already giving a notice of a Motion to that effect. It would also be necessary to have an Audit Unit because it would be necessary for us to oversee the Executive to make sure that they are keeping to whatever decisions we arrive at.

Those notwithstanding, there is another facility which I think we need very much. I have been looking for an opportunity to point out this. I think we need an electric-vote recorder in this place. I want to indicate why I think it is necessary. It is not a computer however. It is a simple device by which we can take a division in a matter of a few seconds. It will save our time. It would also make it possible to record who votes where because it is necessary if any Senator is taking any side on any issue he must be recorded on that issue so that posterity will know where you stand on any issue. An electric-vote recorder is not an expensive thing. I hope Dr Wayas will bring in a Motion later that the Clerk of the Senate implores the possibility of installing an electric-vote recorder in this senate.

The Senator who spoke last mentioned one of the things which I am very much concerned about. In fact I am not thinking only about the decrees that were passed just before we were sworn in. I am thinking about the laws of the Federal Republic of Nigeria. We are here as Legislators. We would be concerned with making laws and making existing laws and studying the laws that govern this country. It is necessary just as the Constitution is necessary that we have a full set of the laws of the Federal Republic of Nigeria.

I think I would use this opportunity to request that our officials should investigate the availability of this document which is necessary for our work.

The only other thing I would like to talk about is dressing. Although this country is said not to have a lot of money now, we can afford to make fresh outfits and more elegant outfits for the officials who participate here. I was privileged to attend one of the sessions of one of the States House of Assembly during the recess and I was quite impressed by the outfit they made for the officials. This is a dignified Senate. Those who work here should also be treated with dignity. I think it is not going to cost us much to provide the outfit. With these few comments, Mr President, Sir, I beg to take my seat.

### Order of Precedence

**Senator Adeyiga Ajayi** (Ikeja) : The President, Sir, the matter I would like to raise is a Constitutional matter. In the pages of some National News Papers last week and particularly yesterday, there was a



[SENATOR AJAYI]

picture of the President of this Senate. I think it was said he was representing the Head of State at the opening of a factory somewhere at Ikeja. What I am saying touches on the question of separation of power. Our new Constitution recognises that there are three arms of government; the Legislative, the Executive and the Judiciary. The President of the Senate embodies that separation of powers as far as the Senate is concerned and it is on—

**The President :** Order ! Order ! If it is on that topic I would give you some information.

**Senator Ajayi :** It is only for the future, Sir.

**The President :** Maybe the information will help you to leave the subject. That was another wrong press reporting. The invitation was sent to the President of the Senate substantively and in fact the commemorative plaque that was laid on the opening of this factory was made in the name of the President of the Senate and not of the President of the Republic.

**Senator Ajayi :** If that is the case, Mr President, do not be rash. Just at the proper time, may be when the Senate convenes, it is for the President of this Senate, at least, to correct the impression because everybody has been talking about it. What are you doing in Nigeria ? They said there is separation of powers yet the President of the Senate is representing the Federal Republic of Nigeria. Those newspapers should be called to order to correct that impression.

**The President :** It is noted.

### Nigerian Currency

**Senator Sabo Bakin-Zuwo** (Kano Central) : Mr President, on the Motion of adjournment, I would like to suggest to this Senate that Senators should invite the former Head of State under the Military Regime, General Obasanjo to come to this Senate to explain the nine tons of Nigerian currency notes captured by Idi Amin sometime last year.

Mr President, Sir, when the matter was published in various newspapers, there was no statement from the previous government, and there was no denial. There was silence and you know what silence means; silence means acceptance. Mr President, Sir, you can imagine what nine tons of currency would amount to. I hope this Senate will convey our complaints to the present Head of State and invite the former Head of State to come.

**Senator Amadu A. Ali** (Benue West) : Point of information. May I remind the Senator that I do not know of an aeroplane that can carry nine tons of anything airborne. So, you see, from the very beginning, the premise is wrong. It is a rumour that he might have heard. I want him to be scientific. (Applause) Even the PRP Leader who is an oil trader cannot carry nine tons.

**Senator Sabo Bakin-Zuwo :** This allegation is serious. May be my colleague was involved in the previous regime. However, the allegation is serious.

**Senator Amadu Ali :** Point of Order. Order No. 26 (2).

*A Senator must confine his observations to the subject under discussion and may not introduce matter irrelevant thereto.*

Standing Orders No. 26 (2) (4) and (6) also apply.

**The President :** Order ! Order ! I think I have no choice but to sustain that Order. The Senator may wind up.

**Senator Bakin-Zuwo :** In order to minimise the difficulty, I consider very seriously the amount captured by Idi Amin. Although he is no longer the Head of State of Uganda, all the same we want our money to be brought back to this country, or rather the former Head of State should come here to explain, although he is an ex-serviceman now.

### ANNOUNCEMENTS

#### Committee Meeting

**The President :** I think it is time to interrupt the business of the day. I have the following announcements to make. The Committee dealing with remunerations will meet on the 14th of November, 1979 at 11.00 in the morning.

Senators should please pin their names and their constituencies by their seats so that we would put this in a chart form. This should be done by the close of the day tomorrow. It is very simple, just your name and your constituency.

**Senator 'Lere Adesina** (Ibadan) : It has been done.

**The President :** Has it been done already ?

**Senator Adesina :** We have done the chart and it is the duty of the Clerk of the Senate to paste it for us.

**The President :** I see, when did you do the chart ?

**Senator Adesina :** We did it two or three weeks before we went on recess.

**The President :** Has any chart been done now ?

**A Senator :** It appears they have pre-empted the President.

**The President :** I understand it has been done by one of the parties. For those who have not done it, may we have it done at the close of the day tomorrow, please.

*Question put and agreed to*

*Resolved :* That the Senate do now adjourn till 3.00 p.m. tomorrow afternoon.

Wednesday, 14th November, 1979

The Senate met at 3.25 p.m.

### PRAYERS

(The President in the Chair)

**The President :** Order ! Order ! We have two items on the Order paper this afternoon. The first is the Report of the Auditor-General of the Federation. I recognise Senator Jalo Waziri.

### Amended Report

**Senator Jalo Waziri** (Bauchi East) : Mr President, Sir, I wish to move that the amendment I proposed on the Business and Rules Committee Report be included in today's Order Paper.

**Senator J. S. Tarka** (Benue East-Central) : I beg to second, Sir.

**The President :** The question is that the Chairman of the Business and Rules Committee moved that the Amendment be included in today's Order Paper. Is that the wish of the Senate ?

**Several hon. Senators :** Yes.

*Question put and agreed to.*

*Resolved :* That the amendment proposed by the Chairman of the Business and Rules Committee be included in today's Order Paper.

**The President :** I suppose, therefore, that every Senator has got a copy of the suggested amendment ?

**Several Senators :** Yes.

### PUBLIC BUSINESS

#### Auditor-General's Report

**The President :** May I call upon the distinguished Senator from Benue East-Central, Senator Chief Tarka, to lay on the Table the Auditor-General of the Federation's Report.

**Senator J. S. Tarka :** Mr President, Sir, I do hereby lay on the Table the Auditor-General's Report for the year ending 31st March, 1978 with all the attachments therein.

**The President :** Thank you very much. Yes, Senator Akintoye.

**Senator S. A. Akintoye** (Ondo Central) : Mr President, Sir, I just wanted to ask whether there had been some alteration in the technical assistance. The speeches in this Senate this afternoon are disturbed by a noise emanating from the sound equipment here. I just wonder whether this is something we should tolerate.

**The President :** Do you want to know if the fault in the equipment is deliberate ?

**Senator Akintoye :** Yes.

**The President :** Mr Clerk, what is your explanation ?

**Mr Clerk :** It is being taken care of, Mr President.

**The President :** I recognise Senator Jalo Waziri.

**Senator Jalo Waziri :** Mr President, Sir, yesterday I—

**The President :** I am sorry to interrupt you. I thought you wanted to introduce something new. I guess, having accepted that it would form part of the items for discussion today, we would come to it definitely.

**Senator Jalo Waziri :** I thought the Senate was not on any particular business so, I took the opportunity to introduce it.

**The President :** I have a list here and I should follow my list.

**Senator Jalo Waziri :** Thank you, Mr President.

**The President :** I am told that the music you are hearing from your loud speaker is as a result of the re-winding of the computer and it would cease soon.

### Committee of Selection Report

The second item for the consideration of the Senate this afternoon is the Report of the Senate Committee of Selection. In the Order Paper, the list of the Committees in the Senate, as approved by you earlier on, is listed. Under the listed names of the Committees, are the names of the members of the Committees as have been suggested by the various Parties in the Senate. I would, subject to any comment, put the question to the Senate Committee by Committee. If any distinguished Senator has any amendment or objection to make on the names as they appear or if they are wrongly spelt, he should now do so. Yes, I recognise Senator Suemo Chia.

**Senator Suemo Chia** (Benue East) : Mr President, Sir, under the Committee on Banking and Currency, page 24, No. 9, the name Hassan Iya Zun is to be changed to C. Nunieh.

**The President :** No. 9 is out and is replaced by C. Nunieh.

**Senator Suemo Chia :** Thank you, Mr President.

**The President :** In order that I do not run into arguments on the Floor of the Senate I would suggest that any such changes should be announced by the Leaders of the various Parties. So, if you have any amendments or suggestions to make you should please consult with the Leader of your Party—the five recognized Leaders.

**Senator Dr Sola Saraki** (Ilorin Asa) : Mr President, I would like to suggest that we go Committee by Committee so that it would be easier to follow rather than turn over pages.

**The President :** Is it the wish of the Senate that we go Committee by Committee ?

**Several Senators :** Yes.

**The President :** We would then make all necessary amendments Committee by Committee before I put it to the Senate.

#### Committee on Trade and Industries

Is there any amendment to be made? In the absence of any amendment on *Committee on Trade and Industries* I will put the question to the Senate.

The question is that the names on the Order Paper constituting members of the *Committee on Trade and Industries* be accepted.

*Question put and agreed to.*

#### Committee on Petroleum and Energy

**The President :** Is there any amendment? I recognise distinguished Senator and Leader of the GNPP Alhaji Idrisa Kadi.

**Senator Idrisa Kadi** (Borno North-Central) : Mr President, Sir, the name on number three should be Umara Lawan Bama.

**The President :** I recognise distinguished Senator Chief Odebiyi, Leader of the UPN.

**Senator J. A. O. Odebiyi** (Egbado North/South) : Mr President, Sir, may I amend the name on number 10 from Senator S. A. Akinleye to S. A. Akinloye. Also number 9 should read Senator M. A. O. Abiru.

**The President :** Senator Obi Wali may speak.

**Senator Obi Wali** (Anambra East) : Mr President, Sir, in order to protect the southern minorities the initials of numbers six and eleven should be shown so that there will be no question that they come from the southern minorities.

**The President :** I accept it on the basis that you are only adding to existing names on the Order Paper. If it were any other kind of change, I rather let your Leader speak. Number six I know very well to be D. D. Etiebet. The last one should be O. Eberewariye.

In the absence of further corrections or amendments, I will now put the question to the Senate.

The question is that the names in the Order Paper as corrected on the *Committee on Petroleum and Energy* should be the names approved by the Senate.

*Question put and agreed to.*

**The President :** It has just been suggested that when distinguished Senators wish to speak, they should remember the use of the apparatus in front of them and press the button for a request to speak so that their microphones can then be automatically switched on.

**Senator C. Nunieh** (Rivers IV (Bonny/Bori)) : Mr President, Sir, number three should read Senator Cirus Nunieh.

**The President :** I recognise Senator Audu.

**Senator Iliya Audu** (Wukari) : Mr President, Sir, the correct name under item one is Senator I. Audu and not Andu.

**The President :** I recognise the distinguished Senator and Leader of the GNPP.

**Senator Idrisa Kadi** : Mr President, Sir, under number seven the correct name is B. B. Kajal.

**The President :** I recognise Senator Oke.

**Senator D. O. Oke** (Ondo West) : Mr President since we have a list of members, the type that we had two days ago, it would, in my view, have been better if we start with the initials as given on that list so that we do not just shorten names. Where somebody is given three names, for instance, a surname and two other names, we could just give his initials and be consistent. This is an editorial thing. Alternatively, we could give the first name and middle initials or whatever it is. I thought this would have been better, Sir, since that is what we adopted for the Senate.

**The President :** Well, thank you for your suggestion but I think there is no harm for the Senate making sure that what appears to be the list of the membership of a Committee is correct and that we do not rely on third party to correct it. I know you may consider it a waste of time but this is democracy. So, let us practise it.

In the absence of any further amendment or correction, I would put the question to Senate.

*Question put and agreed to.*

List on Committee on Foreign Relations, as amended, approved by the Senate.

#### Committee on Labour and Internal Affairs

**Senator Andrew Abogede** (Benue North-Central) : Mr President, Sir, Item 8 on the List of this Committee should read Senator Andrew Abogede and not just Senator Abogede.

**Senator Sola Saraki** (Ilorin/Asa) : Mr President, Sir, I would like to remove the name Senator A. D. Rufai from this Committee. He is to be replaced by Senator Ibrahim Dimis.

**Senator G. Dada** (Minna/Kagara) : Mr President, Sir, Item 7 on the Committee under consideration should read G. M. Dada.

**The President :** Is he the General Manager of the Senate? I do not think Senator Chief Odebiyi will take kindly to that!

**Senator J. A. O. Odebiyi** (Egbado North/South) : Mr President, Sir, I do not mind being the General Manager of all your businesses!

**Senator Idrisa Kadi** (Borno North Central): Mr President, Sir, I have a query from Senator J. O. Ansa as to why he should not be addressed as a Prince. He even wrote a letter to the Clerk of the Senate to the effect that the word *Prince* should be included in his name.

**The President** : I guess that the distinguished Senator from Calabar would want to speak on the subject himself.

**Senator J. O. Ansa** (Calabar) : Mr President, Sir, with due respect, after four years, we would cease to be Senators and our names remain with us. I think we have a precedent here. Item 1 on the list of membership of the Committee on Labour and Internal Affairs shows Senator Prince Onyeabo Obi. That is his proper name. After being a Senator, he remains a Prince. So, I would like, with due respect, to be accorded my proper name.

**The President** : I think your request should be granted. If you are a Prince you are a Prince.

**Senator Onyeabo Obi** (Anambra West) : Mr President, Sir, may I suggest that to make the name of my distinguished Senator and colleague complete it should be written as Senator Prince J. O. Ansa, GNPP ! (*Laughter*)

**The President** : I am not too sure that the Senate will uphold that because we have decided to do away with our Party Labels.

**Senator Mahmud Waziri** (Adamawa) : Mr President, Sir, it appears that we have too Princes here and it may be of interest to know when they will take over their thrones. Thank you.

**The President** : When they take over what ? The Presidency of the Senate ? (*Laughter*). I am afraid you will have to do it democratically, otherwise you will be committing treason.

**Senator S. A. Shitta-Bey** (Lagos) : Mr President, Sir, there is no room for monarchy in this country. We are a Republic.

**The President** : That is why I said there are only two ways to do that. It is either he is going to commit treason or he will try it by democratic process. I got here by his vote incidentally. He voted secretly for me ! (*Laughter*)

**Several Senators** : How do you know ? How do you know ?

**Senator N. N. Anah** (Anambra South) : Mr President, Sir, while we are on this question of Prince or no Prince, as a matter of principle, it is either the word *Prince* is dropped or if retained the Chiefs in this Senate should also be accorded their right title because, Mr President, Sir, if you go through the entire list, the word *Chief* is dropped. For instance if you go through the Committee on Judiciary and Civil Service or the Committee on Agriculture and Natural Resources, Item 6 reads Senator N. N. Anah with the word *Chief* dropped. I do not see any reason why we should retain the word *Prince* and drop the word *Chief*. Prince is

temporary because when the Prince becomes a King he drops the title *Prince*, but a chief remains a chief for as long as he lives. So, Mr President there must be some uniformity.

**The President** : I consider that this matter requires a fundamental decision and I would rather wish that the distinguished Senator puts it in the form of a motion.

If your suggestion is to be taken seriously, I want the Senate to decide.

**Some Senators** : Progress ! Progress !

**The President** : Is that the wish of the Senate ?

**Some Senators** : No.

**Senator Offia Nwali** (Anambra East) : Mr President, Sir, I think that this is a point that Senator Professor Oke was making, that for consistency, the names that have been used previously should continue to be used.

**The President** : You have brought back the Professor now. The Doctors want it ; the Alhajis want it and so on.

**Senator Sikiru Shitta-Bey** (Lagos) : People should go exactly by the names in their returns. I think that is the only logical thing. There are return to this Senate. If a name is wrongly spelt or quoted, they can refer to the Clerk of the National Assembly who will correct it. That is not a matter for us, Sir.

**The President** : I think we are taking very serious decision here even though we are laughing over it. But, we are taking a very fundamental decision as to whether, in fact, the Senate should drop other titles when referring to Senators or to use them all along. I do not think that Senators are taking notice of that.

**Senator Ayo Fasanmi** (Ondo North) : I hope the President is not contemplating on taking a Chieftaincy title.

**The President** : I had become one long ago. I am a Chief by birth and not a Naira Chief. (*Laughter*)

**Senator Ayo Fasanmi** : Mr President, Sir, we should have no problem in this matter. We should all be known as Senator this and that. If anybody wants to parade his Chieftaincy Title, he should do it outside this Senate.

For instance, I did not know that you are a Chief until you are telling me now.

**A Senator** : You are not a Chief.

**Senator Ayo Fasanmi** : I am not supposed to be one.

**Senator Bitrus B. Kaja** (Mubi) : Mr President, you are right in saying that this is really a fundamental question because we could call ourselves Senators only. We are all commoners before we were elected by our people, having risen to a sufficient stature, to take decisions on their behalf. We should go back to our domains as feudal lords, to take titles of Princes, Chiefs and so on. (*Interruptions*)

[SENATOR KAJAL]

I am, in fact, making a Motion (*Interruptions*) that as from now on, we should call ourselves by our first and last names, and simply put the adjective *Senator*; no more, no less. If you want to be a Chief, then you can call yourself Chief outside the Senate, or in your territory.

Thank you, Mr President.

**Senator 'Lere Adesina** : (Ibadan) : Point of information.

**The President** : What is your information ?

**Senator Adesina** : I will rather think that when we are in a group like this, in the Senate Chamber, we should know one another as *Mister*. In the *Hansard* which we have been reading, we have been referred to as Senator *this* and Senator *that* making speeches. In all the *Hansard* that I have been reading, I have always seen people being referred to as *Mr* because it is the Senate meeting. It is people outside that refer to us as Senators. We, among ourselves in this Senate should refer to one another as *Mister*. If I show you the Congressional record or the *Hansard* from the Westminster, you find them say *Mister*, fullstop.

**The President** : Westminster is not practicing it.

**Senator Adesina** : In the United States Congressional records, they refer to themselves as *Mister* within the Senate.

**The President** : You cannot reduce the *Doctor* to *Mister*, the Chief to *Mister*, Alhaji to *Mister*, a priest to *Mister*, Barrister to *Mister*, et cetera.

**Senator S. A. Akintoye** (Ondo Central) : I agree with you entirely that this is a fundamental issue. I think, in fact, having adopted the Republican type of Constitution, we ought to have the courage to go all the hog and stop clinging to monarchical type of nomenclature in addressing the important officers of State. I will suggest, Mr President, Sir, that it is sufficient to refer to ourselves in the Senate simply as Senator *this* and Senator *that*, and any additions like Professor, Chief, or Prince, I think, should be dropped.

In addition to this, Mr President, in fact, I think it is the duty of the Senate to look at the thing a little beyond the Senate. We still have people being referred to in this country as His Excellency *this* and His Excellency *that*. Foreigners addressing the Ambassadors of Nigeria—

**The President** : Order ! Order ! May I assist you to drop that point because *Excellency* came about as a result of the Vienna Convention, which all Heads of State of the world recognise as an acceptable prefix. You may continue.

**Senator Akintoye** : Thank you, Mr President

Governors, I think it is sufficient to say *Governor Ojo*, *Governor Ajayi*, *Governor Wali*, *Governor Mohammed* rather than saying *His Excellency Governor so and so* of so and so State.

I think the Senate of the Federal Republic of Nigeria owes it as a duty to set a standard and streamline things in this matter. I think we should stop referring to people as *His Excellency this or that*. A person below the level of the President of Nigeria should simply be referred to by his titles. I think a man should be *Governor X* or *Governor Y*; *Senator X* or *Senator Y* and not *His Excellency Governor this or Governor that*. Thank you, Mr President.

**The President** : You have introduced a new dimension into the whole thing, Professor Akintoye. I am inclined to think that this is an issue which should be a decision by the Senate, and I think I should put it to the Senate.

**Senator Col. A. A. Ali** (Benue West) : Point of information.

**The President** : What is the point of information ?

**Senator Ali** : Mr President, Sir, my information is that when we came in here and swore on that Bible, they asked us what names we would like to be known by, and we wrote down the names we would like to be called. This debate about somebody adding Prince or subtracting Chief is not relevant. If you did not put anything down, it meant that you did not want us to know you as such.

**The President** : The Governor is not here.

**Senator Ali** : The Governor is not here and we are not discussing the Governors here.

**The President** : That is what I am interested in.

**Senator Ali** : So, Senator Akintoye is totally out of order.

**The President** : Now, you have a point.

**Senator Ali** : Senator Prof. Oke had told us here that the list they gave us tells us what prefixes we have against our names or initials, and this paper should not come out without using them. So, people should stop making corrections here.

**The President** : Order ! Order !

**Senator Ibrahim Kolo** (Bida) : Mr President, Sir, I beg Senators that if there is anything we should avoid in this Senate, it is waste of valuable time at our disposal. You can look at me, I am a Chief—I am the Wali of Bida—and when I was appointed, there were several hundreds of people on horse backs. Apart from that, I am an Alhaji—an appointment by God in the *Quran*. (*Laughter*) Therefore, let us be simple and straightforward and get something done. I am satisfied to be called Senator I. Kolo.

**Senator Sabo Bakin Zuwo** (Kano Central) : Mr President, Sir, in respect of these titles given to

five-year old cannot be a Senator.

I will now put before the Senate the question on the names on the Committee on Labour and Internal Affairs including the amendments as contained in the Order Paper today.

**Senator D. O. Oke** (Ondo West) : Mr President, we have not finished yet ; we just stopped on Prince and there is still one more name. I would like us to look at Item II.

**The President** : Senator Oke, I am sorry, I guessed you should have asked for permission of the President to speak and when permission is granted, you could then speak. I was putting the question before the Senate and you should have first of all attracted my attention, and I would have recognised you. In the circumstances, I recognise you to make your correction.

**Senator Oke** : Thank you, Mr President. I was saying that we had, in fact, not concluded the names of the Committee on Labour and Internal Affairs. We read as far as Senator Dada and we have not taken the rest of the names. I was suggesting that Item II requires correction also because the surname is hyphenated and should read Bakin Zuwo.

**The President** : In the absence of any further correction on the Membership of the Labour and Internal Affairs Committee, I will put the question.

*Question put and agreed to.*

*Resolved* : That the Senators whose names appear on the Order Paper should be Members of the Committee on Labour and Internal Affairs.

#### **Committee on Federal Capital**

**The President** : We shall move on to the Committee on Federal Capital.

**Senator A. Abogede** : Mr President, Sir, Item 5 should read Senator A. Abogede.

**The President** : The distinguished Senator from Borno South (*Senator Mangga*) may speak.

**Senator Ja'afar J. Mangga** (Borno South) : Mr President. Item 9 should read Ja'afar J. Mangga.

**The President** : Any further Amendment or correction ?

Senator Prof. Oke may speak.

**Senator E. O. Oke** (Ondo West) : I will draw the attention of the Senate to Item 7 and will like to presume that it is the same as Item 2 under the Committee on Foreign Relations. If it is so, when I was talking on consistency earlier, the point I was then making now gets drumfully home. It is very difficult to know that we are talking about the same Senator. If it is going to be *Thomas* as it was in the Committee on Foreign Affairs, let it be so, or if it is going to be just Senator T. Yepwi it should remain like that.

**Senator Abubakar Mogaji** (Suleja) formerly Abuja) : No. 6 should read Senator Alhaji Abubakar Mogaji, and Alli should be deleted, because Alli is just five years old and he did not contest any election.

**The President** : Order ! Order ! Senator Garba Matta may speak.

**Senator Garba Matta** (Pankshin/Mangu/Kanam) : Mr President, I do not think we have a Senator from Abuja but I guess we have a Senator from Suleja.

**Senator Abubakar Mogaji** : No, my constituency is Abuja/Suleja. I am also representing Abuja and Suleja because they all voted for me. I am from Abuja Senatorial District.

**Senator Garba Matta** : That is wrong.

**Senator Abubakar Mogaji** : It is not wrong, that is what the Federal Electoral Commission put there.

**The President** : Distinguished Senator Garba Matta, are you from Abuja ?

**Senator Garba Matta** : No. The Constitution provides for a representative from the Federal Capital.

**Senator Abubakar Mogaji** : That is for the House of Representatives.

**The President** : Well, if you are querying the President's pronouncement I would refer you to the list of elected Senators State by State, a paper which should be in your possession. Item 30 says Niger State then you see Suleja formerly Abuja. So, if I call formerly Abuja now Suleja you will understand it.

**Senator Abubakar Mogaji** : Mr President, this point needs to be corrected. You know people in Abuja. For instance, I am affected by the new Federal Capital and all the people who voted for me there are also affected. Also, those in Suleja who voted for me are affected and these people are part of my Senatorial District. Therefore, I come from Abuja Senatorial District. The name has been put there, but when you say Suleja which side do you mean ? Do you want me to say I am from Suleja and at the same time say I am from Abuja ? My Constituency is known as Abuja Senatorial District.

**The President** : Order ! Order ! May I, for the information of the Senate, let you know that Suleja is a town inside Abuja. In Abuja you have several other towns and villages of which Suleja is one of them. So, it is very correct to say that Abuja is a Senatorial District as well. (*Interruptions*)

Order ! Order ! Senator George Hoomkwap may speak.

**Senator George B. Hoomkwap** (Shendam) : Mr President, Sir, I want to correct one notion given by our distinguished Senator. As far as records show, Abuja extends right through Plateau and if he says that he represents Abuja, it then means that he represents people who are now in Plateau. So, it is better to put Suleja rather than Abuja.

**Senator Abubakar Mogaji** : The whole Senate may wish to know that other areas affected are negligible areas and Abuja is the majority area.

**The President :** Order ! Order ! Let the Senate benefit from the distinguished Senator from Benue's experience.

**Senator C. Nunieh** (Bonny/Bori) : Point of Order.

**Senator J. S. Tarka** (Benue East-Central) : There is no point of Order in this.

**Senator Nunieh :** They are speaking outside the Motion, so I am raising a point of Order.

**Senator Tarka :** I refuse to yield.

**The President :** Senator Nunieh, you are not recognised to speak.

**Senator Tarka :** Mr President, Sir, I think we are confusing issues. The distinguished Senator concerned knows his senatorial district better than we do. He was elected in Abuja Senatorial district, and he is not claiming to have been elected from Abuja which extends to Plateau State, Kwara and Benue States. He is claiming his right as the Senator for Abuja Senatorial District ; Suleja happens to be just part of his Senatorial District. In any case, this is not a matter for controversy, so we should make progress, Sir.

**The President :** Order ! Order ! The question is that we accept the names as contained in the Order Paper for the day confirming the Membership of the Committee on Federal Capital.

*Question put and agreed to.*

#### Committee on Housing, Urban Development and Local Government

**The President :** We now go to the Committee on Housing, Urban Development and Local Government. I recognise the distinguished Senator from Anambra, Senator Ani.

**Senator I. N. Ani** (Anambra North) : Mr President, Sir, my name is I. N. Ani not I. A. Ani.

**Senator Garba Kware** (Sokoto Central) : Mr President, Sir, my name is Alhaji Garba Kware not Alli.

**Senator Umara Lawan Bama** (Borno East) : Mr President, Number 8 on the list should read Senator Umara Lawan Bama. The *u* should change to *a*.

**The President :** Distinguished Senator Chief Odebiyi.

**Senator J. A. O. Odebiyi** (Egbado North/South) : Mr President, Sir, may I make a correction in respect of Number 9 ; it should read Senator M. A. E. Onukun. Then Number II, Sir, please substitute Senator Luka Zanya Zing for Senator J. O. Umolu.

**The President :** In the absence of any further correction I would put the question that the names as contained in the Order Paper for the day with the Amendments be accepted as the list of membership of the Committee on Housing, Urban Development and Local Government

#### Committee on Transport and Aviation.

**The President :** We have to make progress now. I recognise Senator Dimis to speak.

**Senator Ibrahim Dimis** (Bauchi South) : I have an observation on the *Committee on Transport and Aviation*. I would like to submit that the Senate agrees to separate Transport and Aviation because they are different Ministries.

**The President :** The Senate has already approved these Committees. Any suggested changes have to be brought in a substantive Motion, I am afraid.

Change Number seven from *Sendator* to *Senator*

In the absence of any further correction, is it the wish of the Senate that those listed in the Order Paper form the membership of the Committee ?

*Question put and agreed to.*

#### Committee on Communications

**The President :** Any Amendment ?

**Several Senators :** There is.

**The President :** I recognise the distinguished Senator from Ilorin/Asa (*Senator Dr Sola Saraki*) and Leader of the NPN.

**Senator Saraki :** Sorry, I have no Amendment.

**Senator J. J. Mangga :** There is an Amendment on Number six.

**The President :** What is your correction ?

**Senator Mangga :** *Manga* should read *Mangga*.

**The President :** I recognise Senator Chief Odebiyi to speak.

**Senator J. A. O. Odebiyi** (Egbado North/South) : Number three, Sir, should read Senator Ademola Adegoke instead of *Adenola*. Then Number five, Sir, should read Senator M. A. O. Abiru.

**The President :** Senator Nwali to speak.

**Senator Offia Nwali** (Anambra West) : There are two *ff* in the name.

**A Senator :** Number nine should read Senator V. Akan.

**The President :** Any further Amendment ?

**Several Senators :** No.

**The President :** Is it the wish of the Senate that the names as amended form the membership of the *Committee on Communications* ?

*Question put and agreed to.*

#### Committee on Educations Science and Technology

**The President :** I recognise the distinguished Senator from Eket (*Senator Victor Akan*) to speak.

**Senator Victor Akan** (Eket) : It should be Victor Akan, not Akan Victor, Sir.

**The President :** I recognise the NPN Chief Whip.

**Senator Ibrahim Dimis** (Bauchi South) : Number seven, should read Abdulkarim.

**The President :** The distinguished Senator from Anambra North (*Senator I. N. Ani*) may speak.

**Senator I. N. Ani** (Anambra North) : The initials

**The President :** In the absence of any further amendment I would put the question to the Senate. Is it the wish of the Senate that those names on the Order Paper form the membership of the *Committee on Education, Science and Technology*.

*Question put and agreed to.*

### **Committee on Public Works**

**The President :** The distinguished Senator from Benue East/Central (*Senator J. S. Tarka*) may speak.

**Senator J. S. Tarka** (Benue East/Central) : I submit, Sir, that the name under number six, which is Senator A. Zuofa be substituted with Senator V. Akan.

**The President :** In the absence of any further correction the question is that the names as corrected in the Order Paper for today form the membership of the *Committee on Public Works*.

*Question put and agreed to.*

### **Committee on Health and Social Services**

**The President :** Senator Kadi, Leader of the GNPP, may speak.

**Senator Idrisa Kadi :** Number six is not G. Daniel. It should read G. A. Daniel.

**The President :** I recognise the distinguished Senator from Kachia/Jemaa/Saminaka (*Mr J. Madaki*) to speak.

**Senator Jacob Madaki** (Kachia/Jemaa/Saminaka) : Number eight should read J. K. Madaki and not S. Madaki.

**The President :** In the absence of any further correction, the question is that the names as contained in the Order Paper with amendments form the Committee of Health and Social Welfare of the Senate.

*Question put and agreed to.*

*Resolved :* That the names as contained in the Order Paper with amendments form the Committee on Health and Social Welfare of the Senate.

### **Committee on Judiciary and Public Services**

**The President :** I recognise the distinguished Senator from Benue East-Central.

**Senator J. S. Tarka** (Benue East-Central) : Mr President, Sir, we wish to substitute Senator M. U. Ahmed with Senator Y. Saleh on the list of that Committee.

**The President :** I recognise Senator Kadi to speak.

**Senator Idrisa Kadi** (Borno North/ Central) : May I refer to the name which is number eight. Daniel should be inserted instead of Danial.

**The President :** I recognise the distinguished Senator from Rivers.

**Senator F. J. Ellah** (Ahoada/Ikwerre/Etche) : Mr President, without any intention of going over what the Senate had agreed before in regard to title, I think

one owes it a duty to give very vital observation. If you look at this title here, Committee on Judiciary and Public Service, the first thing that is observed is that the Judiciary is an Estate of the Realm, the same as the Legislature and the Executive. We are now providing half a Committee for it. There is something that is unreasonable about this. Secondly, there is an element of repetition. When you say Judiciary, and you couple this with the words Public Service, there is something not symmetrical there because the Judicial Service should go with the Public Service and not the Judiciary, as such.

**The President :** I think we have dealt with this before when we said that at a later date a substantive Motion would be considered. We are now correcting errors in the names of the membership of the various Committees. We are not going to change fundamentally what the Senate has passed. The Senate has passed and has approved the list of Committees as they are contained here. I do not think that we are capable of changing the names of the structure today.

**Senator Ellah :** Mr President, what you ruled is that we should not split Committees or create new Committees after the existing ones. What I am leading on to is to show the unnecessary repetition here and the necessity for seeing that if we call it the Public Services it will serve our purpose. Also, there is some element of tautology in what we are doing now using the word Judiciary in this way.

**The President :** What is your Amendment ?

**Senator Ellah :** As I said, the Judiciary is an Estate of the Realm like the Legislature.

**The President :** I agree.

**Senator Ellah :** We have said the Judiciary and Public Service. If we have to use the two, we should say the Judicial Service and the Public Service.

**The President :** I think what you want is to add an s to service and make it services.

**Senator Ellah :** If we did that Mr President, it would conform with what I am saying.

**The President :** You want two services there : Judicial Service and Public Service.

I recognise the distinguished Senator Odebiyi.

**Senator J. A. O. Odebiyi** (Egbado North/South) : May I make a suggestion, Sir, in order to get over the problem. If it should be a Committee on the Judiciary and the Public Service, then it means the Judiciary is separate and the Public Service is separate.

**The President :** That is what is here.

**Senator Odebiyi :** No, it is quite different.

**The President :** What you have here is a Committee on Judiciary and Public Service.

**Senator Ellah :** The last Amendment does not—

**The President :** I am very keen in knowing what you are up to. You were a former secretary of government and Head of Service. You must be talking from your wealth of experience.



**Senator Ellah :** By the Grace of God and the goodwill of the people. The suggestion made by the distinguished Senator Odebiyi would still contain the complaint I am making. The Judiciary is an Estate of the Realm. It is on all fours with the Legislature. How do we make a Committee out of it and combine this Committee with the Public Service? The Judicial Service as it should be called is still part of the Public Service. What the President suggested at one time, *viz* Public Services, would be quite satisfactory.

**The President :** So we have an *s* there.

**Senator Ellah :** Committee on Public Services.

**The President :** Point of information, Senator Adegoke.

**Senator A. Adegoke (Oyo) :** The distinguished Senator's attention should be drawn to the Committee on Transport and Aviation. There are two different areas in that. In the case of the Judiciary and the Public Service, the Public Service is separate and the Judiciary is separate. They just might not be inter-related, but they are combined for Members of the Committee to thrash any matter arising from the different sections.

**Senator Onyeabo Obi (Anambra West) :** Point of information, Mr President.

**The President :** Senator Onyeabo Obi, you may speak.

**Senator Obi :** Mr President, if I may refer to the Hansard of 15th October, 1979, I made a contribution there which says as follows :

*Finally, Sir, I would like to point out that the Committee which is mentioned as Judiciary and Public Service Committee, the Public Service should be renamed Public Services so that it is confined, as we know the term, to the Civil Service so that the Committee can deal with all organs of the Public Services and not confined strictly to the Civil Service.*

I would suggest that the addition of *s* would take care of the problem posed by my distinguished colleague.

**Senator Cyrus Nunieh (Bonny/Bori) :** The Judiciary as the Senator has referred to, we all know, is a distinct sector of the Service. Here for the purpose of our Committee and in order not to get too many of them, we have combined the Public Service which we know is not the same as the Judiciary, to be under this Committee.

I do not think it is causing any ambiguity as far as the two areas are concerned. What we are concerned with is what is this Committee going to be responsible for. So I do not think we are mixing issues at all.

**The President :** Let us benefit from the experience of distinguished Senator Justice Atake.

**Senator Atake (Bendel Delta) :** I think the point raised by the Senator from the far end of the Chamber is a matter of constitutionality. I have

separate Committee be established which does not incorporate to the Judiciary any reference to the Public Service. The Public Service as stated there, connotes the Civil Service. If there is one thing Judges do not like, it is their being mixed up with the Civil Service. This is a matter of constitutional arrangement, the Judiciary on one plane, the Legislature on another and the Executive on yet another. What we are doing now is to bring a body in the Executive to have it mixed up with the Judiciary. Not only must there be a separation of powers, it must be seen to be sustaining that separation of powers. That is the basis of the Motion which I have filed and up till now it has not come up.

All that the gentleman seeks to bring out which I support, and which perhaps is not relevant at this stage unless a Motion is brought to have it rescinded, is that we should, when the Motion comes up and it is argued, we should separate the Judiciary from the Public Service altogether. The Judiciary should be a Committee on its own. It is not enough to say we have seven Senators who will sit over the affairs of the Judiciary and the Public Service ; there must be two completely different Committees. I think that is all that the Senator down there seeks to bring out, but we cannot do anything about it now, until the Motion which I have filed comes up for further hearing.

I think I have been able to represent him well.

**The President :** I am told there are some files on my desk which contain motions. I would take a look at them.

**Senator D. D. Etiebet (Ikot Ekpene) :** The matter is quite in consonance with the provision of the Constitution quite apart from the fact that the Judiciary comes under the Judicature as a separate Estate under Chapter 7 of the Constitution and the Public Service too is re-defined under a different chapter of the Constitution. Moreover, they both have different commissions.

**The President :** What is the point ?

**Senator Etiebet :** I am contributing to the speech of Senator Atake.

**The President :** Are you supporting it ?

**Senator Etiebet :** Yes, I am supporting it.

**The President :** We would come to that some other time. I think it is an unchallenged Amendment. We would come to it at a future date. Let us deal with Amendment or corrections.

**Senator D. O. Oke (Ondo West) :** Since we agree that the question of splitting is something to come on a substantive Motion, I think what we really need to do at this stage is simply to put our title in at least what is grammatically correct and I suppose that was what Senator Chief Odebiyi was suggesting earlier. In other words, at this stage, the best we can do is to correct this name as *Committee on the Judiciary and Public Services*. When the Motion

dent, Sir, the proper thing for us to do today is to leave it as it is. Since the Judicial Service Commission is there, you will also have the Public Service Commission. A substantive Motion could be brought later to alter the title itself, that is, Committee on the Public Services, that will cover the Public Service. You need not bring the Judiciary into it at all.

**The President :** Quite frankly, is it the wish of the Senate that we could entertain such a substantive Motion today ?

**Several Senators :** Later, not today.

**Senator Dr C. O. Ilori (Ife/Ilesha) :** What I was going to suggest is this. The incompatibility of the two sections, that is, the Judiciary and the Public Service, has been shown. If that is the case since this division has been passed by this Senate, then if we are convinced that the two arms of government, that is, the Judiciary and Public Service, are not the same, they are different from one another, then there can be an internal arrangement within the Committee. The Committee should be divided into two. This should be an internal arrangement within the Committee ; one Sub-Committee to take charge of the Judiciary and the other to take charge of the Public Service, until a substantive Motion, if there is need for it, is brought about to divide the Committee into two, that is to have two separate Committees for the Judiciary and the Public Services. That is the point I am trying to suggest.

**The President :** Can we not take this when we come to discuss the substantive Motion on it ? Any further amendment ?

**Several Senators :** No.

*Question put and agreed to.*

*Resolved :* That the names as amended should form the membership of the Committee on Judiciary and Public Services.

### **Committee on Banking and Currency**

**The President :** I recognise Senator Odebiyi.

**Senator Chief Odebiyi :** Mr President, Sir, I would like to propose an amendment to No. 3 to read Senator J. O. Umolu instead of Senator J. O. Unolu.

Another amendment is No. 5, Senator Mosike Ikpo, to read Senator Nosike Ikpo. Also No. 11, Senator Muhammed Waziri, to read Senator Mahmud Waziri.

**Senator Alhaji Abubakar Magaji (Suleja, formerly Abuja) :** Mr President, No. 8 is Senator Abubakar Magaji instead of Senator Abubakar Mogaji.

**Senator S. Saraki (Ilorin/Asa) :** The name Senator Hassan Iya Zuru should be substituted with the name Senator Cyrus Nunieh.

corrections, the question before the Senate is that the names as contained on the Order Paper and amended for the Committee on Banking and Currency should be approved.

*Question put and agreed to.*

### **Committee on Defence**

**The President :** The next is the Committee on Defence.

**Senator Chief J. A. O. Odebiyi (Egbado North/South) :** For this Committee, the name Senator David Oke should read Senator D. O. Oke.

**Senator Chief J. S. Tarka (Benue East-Central) :** On the name of the Committee as shown on the Order Paper, I want to observe that it should just be Committee on Defence.

**The President :** Your Amendment is accepted.

**Senator Alhaji Idrisa Kadi (Borno North-Central) :** The name Senator Ja'Afar Manga should be corrected to read Senator Ja'Afar Mangga.

**The President :** Distinguished Senators, wherever you find the name Manga on the Order Paper, it should read Mangga. The name Senator Etiebet should read Senator D. D. Etiebet.

**Senator G. M. Dada (Minna/Kagara) :** In respect of name No. 9 on the list, the correct name is Senator G. M. Dada.

**Senator Chief Tony Anyanwu (Owerri) :** Mr President, Sir, the correct name for No. 6 on the list is Senator Chief Tony Anyanwu.

**The President :** I thought that we had settled this issue of chieftaincy.

**Senator Chief Anyanwu :** Mr President, Sir, I was not here when that was discussed.

**The President :** Is it true that your Chieftaincy title has been cancelled by the Governor of your State ?

**Senator Chief Anyanwu :** Some of us are installed Chiefs and we have royalty in us. I am not aware of what the Governor did.

**The President :** That was Senator Akpata's (Bendel Central) information.

**Senator Chief Anyanwu :** Senator Akpata I think is from Gongola State.

**Senator Chief E. I. O. Akpata (Bendel Central) :** Mr President, I heard that ten Chieftaincy titles were cancelled not by a stroke of the pen but on the radio.

**Senator Chief Anyanwu :** Mr President, Sir, I request that the word *Chief* be put after Senator.

**A Senator :** A decision has been taken on that.

**Senator Chief Anyanwu :** Mr President, I did not know of this and I am sorry.

**The President :** The issue has been settled.

**Senator Professor D. O. Oke** (Ondo West) : Mr President, Sir, I have two minor corrections to make. I suggest first of all that in the title we should delete the second occurrence of the word *Committee*. In respect of name No. 11, I suggest as I did before that the surname be split into two.

**The President** : We have effected these corrections. In the absence of any further corrections is it the wish of the Senate that the names that appear on the Order Paper and as corrected form membership of the Committee on Defence ?

*Question put and agreed to.*

**The President** : Next on the Order Paper is the **Committee on Appropriation and Finance**

**Senator Alhaji Idrisa Kadi** (Borno North-Central) : The first name on the list should be corrected to read Senator Mahmud Waziri.

**Senator Dr Obi Wali** (Rivers I Phalga) : Mr President, for name No. 10, there is no letter "r" at the end of the surname.

**The President** : In the absence of any further corrections, the question is that the names contained on the Order Paper and as amended form membership of the Committee on Appropriation and Finance.

*Question put and agreed to.*

#### Committee on Agriculture and Natural Resources

**The President** : We shall now deal with the Committee on Agriculture and Natural Resources. Any amendment ?

**Senator Idrisa Kadi** (Borno North-Central) : In respect of name No. 4 on the list, it should be amended to read Senator G. A. Daniel.

**The President** : The distinguished Senator from Plateau may speak.

**Senator Muhammed M. Agwai** (Lafia/Akwaga/Awe) : No. 7. I want it to read Senator Musa Muhammed Agwai.

**The President** : There should be Musa there ?

**Senator Agwai** : Yes.

**Senator Col. A. A. Ali** (Benue West) : In chronological order, Moses came before the Holy Prophet Mohammed. (*Laughter*)

**The President** : I think you would make a good Reverend. (*Laughter*) Any further correction ?

**Several Senators** : No!

**The President** : In the absence of any other correction or Amendment, the question is that the names contained in the Order Paper form Committee on Agriculture and Natural Resources.

*Question put and agreed to.*

#### Committee On Water and Mineral Resources

**The President** : The last but not the least—

**Senator Idrisa Kadi** (Borno North-Central) : Thank you, Sir. No. 8. Senator Bukar Sanda should read Senator Bukar Sanda.

**The President** : Senator Bukar Sanda is corrected. I call on the distinguished Senator from Ife/Ilesha—to make his amendment.

**Senator Dr C. O. Ilori** (Ife/Ilesha) : No. 9. It should be C. O. and not O. O.

**The President** : Yes, it is Christopher—Dr Christopher O. Ilori. Any further comment ?

**Several Senators** : Yes.

(*A Senator rose*)

**The President** : Yes, what is your name ?

**Senator Z. L. Zinu** : Pastor Zanya Luka Zing.

**The President** : I have not seen you before. You are from Gongola ?

**Senator Pastor Luka Zanya Zing** (Muri) : Yes, from Muri Constituency, Gongola State. It is Luka Zanya. Zing is the name of the town or the name of the Local Government and also the name of the people. Zanya is my name.

**The President** : Thank you very much Senator Luka Zanya Zing.

**Senator Zing** : Yes, that is the correct one now.

**The President** : In the absence of any further amendment, the question is that the names as contained in the Order Paper today on Committee for Water and Mineral Resources be approved by the Senate.

*Question put and agreed to.*

**Senator Chief J. S. Tarka** (Benue East-Central) : Mr President, Sir, whilst the Leader of the NPN in the Senate was outside the Senate Chamber—

**Senator Dr Sola Saraki** (Ilorin/Asa) : Mr President on point of Order. (*Interruptions*)

Mr President, I have been asking for your protection.

**The President** : Order ! Order ! Yesterday, I did observe the wooing that was going on. I hope that the NPN Leader would make an announcement very soon. (*Laughter*)

**Senator Dr Saraki** : Mr President, Sir, I have been asking for protection from you since the beginning of the Senate. I have been detained here. I can not get out. (*Laughter*)

**The President** : I hope that was not seriously an illegal detention. Senator Chief J. S. Tarka you may continue your speech.

**Senator Chief Tarka** : On a more serious note, Sir, whilst distinguished Senator Saraki was out of the Chamber praying, we misplaced two names in

Education, Science and Technology the name under No. 5 still stands as Senator Victor Akan. It should not be substituted with Senator Zuofa. There was no change at all on Committee on Public Works. We made an inadvertent correction—name No. 6 Senator A. Zuofa was said to have been substituted with Senator Akan. We, therefore, want it to remain Senator A. Zuofa as before.

**The President :** Order ! Order ! May Senator Prof. Akintoye speak.

**Senator Prof. S. A. Akintoye (Ondo Central) :** Mr President, one thing has been cleared throughout the consideration—

**Senator Dr Jaja Wachukwu (Aba) :** Point of Order, Mr President.

**The President :** He was still making further corrections.

**Senator Dr Wachukwu :** There was no Committee in this Senate to—

**The President :** Senator Jaja Wachukwu, earlier, the NPN Leader had announced some changes on Committee for Works—Item 6—the name A. Zuofa should be changed to V. Akan. Now, it has been reversed to the original position with Senator J. S. Tarka's Amendment.

**Senator Dr Wachukwu :** Having made that change, it stands part of the whole schedule now. I am not objecting to it, but the proper thing would be for the whole thing that has been approved to be put to the Senate for final approval.

**The President :** I am just coming to that. I did not know whether or not he has another amendment, that was why I allowed him to speak.

**Senator Alhaji Jalo Waziri (Bauchi East) :** On point of explanation, Mr President. I think in this case it is the person who moved the amendment that wants to withdraw the amendment. All you do is to ask the Senate whether they agree with the withdrawal of the amendment that the two names should remain as they were.

**The President :** Senator Dr Saraki asked Senator Tarka to stand in for him. When Senator Tarka was crying that Senator Saraki was out, he did not in fact know that he was already back and on a different seat.

Yes, Senator Prof. Akintoye.

**Senator Prof. S. A. Akintoye (Ondo Central) :** May I suggest, Mr President, that the officials of the Senate submit to us a proper list with initials and everything.

**The President :** That request is upheld provided that you want something different from what I have here and which you already have.

**Senator Prof. Akintoye :** What I mean, Mr President, is that in all other future transactions we should have the names properly spelt out.

The Clerk of the Senate, please note that in future all names are properly spelt, *t*'s crossed and all *i*'s dotted.

I will entertain any further discussion on this subject during Motion for Adjournment. May we now proceed.

The question is that the Committee of Selection's Report and the composition of the various Committees of the Senate as amended this afternoon be approved by this Senate and thus form the Standing Committees of the Nigerian Senate.

*Question put and agreed to.*

**The President :** As soon as I am ready I will announce the Chairmanship of the Committees. Senator Alhaji Jalo Waziri may now speak.

### **Report of the Rules and Business Committee**

**Senator Alhaji Jalo Waziri :** Mr President, Sir, following the comments made by Senators yesterday, on the Floor of the Senate on paragraph 2 of the Report of the Rules and Business Committee which was brought before the Senate yesterday, I wish the Senate to consider the following Amendments.

For the schedule of sessions of the Senate I propose that long or summer recess be 35 days and Id El-Kabir 24 days. That will include six week-end days to make a total of 30 days. Christmas recess should be 14 days. Then there are two week-end days or four week-end days depending on the beginning of the week which will give us a total of either 16 days for Christmas or 18 days as the case may be. For Easter you have four days plus two week-end days making a total of 6 days and Id El-Fitri 5 days. Mr President, I think this goes in line with most of the suggestions that were made yesterday.

Secondly, I also wish to move an amendment to the time of sitting of the Senate. This is also in line with suggestions made on the Floor of the Senate yesterday. I wish now to propose the time of the sitting of the Committees to be in the mornings till 2 p.m., and sitting of the Senate to start at 2 p.m. and close at 8 p.m. Sir, these suggested amendments are non-controversial, I hope. I wish to propose this amendment as the submission of the Committee and ask that the Senate approve the report of the Committee as Amended.

I beg to move.

**Senator Chief J. S. Tarka (Benue East-Central) :** I beg to Second.

**The President :** The question is that the Business Committee has carried out some amendments as suggested by the Senate yesterday. There is a new addition which is not, of course, contained here and that is the question of stipulating the Committees' working period which is from nine o'clock in the morning till two o'clock in the afternoon.

**Senator Alhaji Jalo Waziri** (Bauchi East) : Mr President Sir, I heard some Senators asking whether they will have no food if they start from ten and work till two in the afternoon. My answer is that periods for breaks will be specified in our Standing Orders which are under preparation now. I am sure the Standing Orders will provide for times for meals, coffee, prayers and all that. I think this is the work of the Rules side of the Committee.

**The President** : What are you proposing now ?

**Senator Alhaji Jalo Waziri** : I am proposing ten o'clock in the morning to two o'clock in the afternoon for the Committee meetings and two o'clock to eight in the evening for the Senate meetings.

**Some Senators** : No breaks ?

**Senator Alhaji Jalo Waziri** : Distinguished Senators, I have just said that breaks will be provided for in our Standing Orders which are under preparation now and will come before the Senate for approval.

**Senator Oyeabo Obi** (Anambra West) : On point of information, Mr President, I am surprised to see this proposal being presented to the Senate because I am a member of the Rules and Business Committee myself and when this matter was referred to the Committee, neither myself nor several Senators around who are also members of this Committee, are aware of any meeting at which these matters were considered. A meeting was called for twelve noon today which was postponed until tomorrow and actually I would move that rather than discuss this matter again from the beginning, it should be referred back to the Committee for reconciliation and a further report be submitted to the Senate. (*Applause*)

**Senator Victor Akan** (Eket) : Mr President, Sir, when yesterday we took a vote and some members pressed for a division the President of the Senate suggested, very wisely, that Senators should hold dialogues on the subject.

While supporting Senator Obi on what he said, I want to suggest, Sir, that we should also do as you suggested yesterday, that is, that Senators should carry out consultations on this matter because if we fix meeting times now, it might be difficult to change them. So apart from the Committee meeting time which has been suggested by the distinguished Senator from Anambra, Senator Obi, I would suggest that we should also hold discussions among ourselves to see what times suit most Senators.

Mr President, Sir, the other thing which I think should be settled is the question of whether it is not possible for us to start earlier for Committee meetings ; say by nine in the morning. I am bearing in mind that members of the National Assembly—

**The President** : You will do one thing or the other. You either withhold your suggestion until you finish consultations and discuss the issue or you do it now.

for Committee meetings is quite feasible considering the fact that quite soon, Senators, like Members of the other House, will move away from Badagry Road to this part of Lagos. Thank you.

**The President** : Order ! Order ! We spent a lot of time yesterday on this issue and we are only to take a decision next. It has been brought to my attention, though, that the present working arrangement is still as contained in the Standing Orders and until this Senate approves new Standing Orders the old one prevails. I was, therefore, wondering if while consultations are going on we just do not suspend this particular issue. Otherwise, it will mean we are suspending some sections of the Standing Orders permanently while at the same time work is still being carried out on the Standing Orders.

This is my view and I do not want to be dogmatic about it.

**Senator Alhaji S. Shitta-Bey** (Lagos) : Mr President, Sir, I am of the view that your view is very sound. It is a very sound view in the sense that we cannot be dealing with rules in pieces. Let us deal with them together. We can still follow the present Standing Orders which we have and there is nothing to hurry or rush us. So I would appeal to Senators to let us be calm. Let us leave this issue and by the time we come to deal with the Standing Orders as a whole, we would have thought about what to do.

**The President** : May we ask the Chairman of the Rules and Business Committee, Senator Waziri Jalo, to enlighten us on the probable time he thinks the work on the new Standing Orders might be considered ready ?

**Senator Alhaji Jalo Waziri** : I can not say exactly, Mr President, because the Committee is sitting on it and there is a lot of thrashing and arguing, and sometimes a little point takes us quite a long time just as we are doing on the proposals I have just submitted. So, it is difficult to say when we would finish but under normal circumstances, we should be finishing by the end of the month.

**Senator Umara Lawan Bama** (Borno East) : Mr President, Sir, it is my observation that this report of the Committee is not signed.

**Senator Alhaji Jalo Waziri** : Mr President, Sir, I would not like the Senate to take this observation to be true because it is only the original that we normally sign. The original of this report has actually been signed.

**The President** : Is it the wish of the Senate that this issue be dealt with along with the total review of the Standing Orders of the Senate ?

*Question put and agreed to.*

**The President** : I was under the impression that the amendment suggested here are very fundamental changes to the Standing Orders. Therefore, since the Standing Orders is undergoing a general review, it should come under that review then, when there would have been enough time for consultations among ourselves. I think that is what we have voted for.

**Senator Chief E. I. O. Akpata** (Bendel Central) :  
Mr President, Sir, I regret that I have to voice my feelings on this matter. We have spent two days absolutely in an exercise of futility.

**The President** : I do not agree with you.

**Senator Chief Akpata** : If we thought that we could not amend the Standing Orders piece meal, we then should not in fact have done what we have tried to do. It looks to me that what we have been doing was to find work because there is really no work to do. It is a very sorry situation that we should put ourselves in this light. After spending two days after twenty-one days recess, we have come back meeting in the guise of Committee meetings. We come to work at three and then the things we have done in any Committees, we end up by tearing them and putting them into the waste paper basket. I find it most unsatisfactory. But I did apologise before I started. That is my feeling on the subject.

**The President** : I feel very hurt and disturbed too that such a hard work should be so brushed aside. My heart really bleeds, but unfortunately my voice would be a minority voice in this circumstance.

I recognise Senator Oke.

**Senator Professor D. O. Oke** (Ondo West) : I think, Sir, that the work of the Committee needs not be in vain. In fact what they have produced which is being referred to a later day discussion is something on the times of meetings. At the same time, they produced other recommendations. One of the amendments brought today had nothing to do with the times of meetings, but with recess. Unless we are just throwing that aside, I think we can take it and give them a sense of fulfilment up to a point. Even if that is controversial, it does not seem to me to be something tied up with the Standing Orders that we have to remit to a later day's discussion. This is the first observation.

The second observation is even if we are remitting it, it is important to give that Committee the following information ; namely, that that part of the report seems to have been a little tidied up because if you add the number of days of recess that they have, it is 82 when in fact they have only 79 days available. I suspect that the mistake came up at the Christmas recess period.

I think what they were considering was a Christmas recess of eleven days which would sometimes have two weekend days and sometimes four weekend days. If it had been eleven days, that would just add up exactly 79 days which they had available to plan for. So, I would suggest that in line with the first part of my contribution, that we take that part of the report so that their work be not in vain.

Secondly, if we are taking it, we should make this amendment subject to agreement by the Chairman of the Committee, that Christmas recess is not intended to be fourteen days but eleven days.

It seems to me that they have in fact adopted a suggestion that I made yesterday after consulting with Senators from all the five parties and eleven days were put there, not fourteen.

Thank you, Mr President.

**The President** : Yes. Senator Abogede.

**Senator Andrew Abogede** (Benue North-Central)  
Since yesterday, Sir, we have been keenly listening to the debate on the timing when to resume and when to adjourn the Senate. When the vote was about to be taken, some Senators said it should be from 2.30 p.m. and at the same time, some Senators began to lobby about to say that if we resume by 2.30 p.m. and close by 7 p.m. the public would say that we have come here to do nothing. The question arises ; what are we doing in the early hours of the day ? If, and I say *if*, the Committee is not part of the work of this Legislature, we should start at ten o'clock and continue as provided for in the Standing Orders. The meeting of the Committees which was purported by some opportunists who want to do their own job in the morning—(*Interruptions*)

**Some Senators** : Fire ! Fire !

**Senator Abogede** : Some Senators have organised to do their business in the morning, to find contracts for their relatives thereby trying to use that time for their benefit.

**The President** : Point of Order.

**Senator Chief J. A. O. Odebiyi** (Egbado North/South) : Point of Order. Standing Order 26 (6) *No Senator shall impute improper motives to any other Senators.*

When we all came here and this matter was being discussed, there was no doubt in anybody's mind that what we all thought was—(*Interruptions*) I think this is a very sad reflection on the sense of duty and sense of devotion of Senators that having remitted a matter to the Committee representing all the parties—(*Interruptions*)

**The President** : Senator Abogede, you should not interrupt the Leader of the UPN.

**Senator Chief Odebiyi** : The point I was making is that all the parties represented in the Senate have representatives on the Committee which dealt with this matter. If they had any strong views to express, they should have expressed them through their representatives. When the Committee, therefore, brought this to us for confirmation, we either confirm or reject, but to cast undue aspersions on the integrity and good sense of Senators is, to my mind, not showing sufficient sense of responsibility.

**The President** : I rule that Order No. 26 cited by Chief Odebiyi is sustained. Senator Abogede, please wind up.

**Senator Abogede** : It is always true that when truth is going to be spoken in this country, many people will go against it under the camouflage of any language that they could adduce. What I am trying to say is that I do not, and I repeat, I do not impute any motive against anybody. Somebody said yesterday that morning is the best time to work.

[SENATOR ABOGEDE]

If the Committee is part and parcel of the work of the Senate, that Committee can sit from 6.00 p.m.

The Committee can not override the Senate itself. What I am trying to say is that they should not insist on 10.00 a.m. to 2.00 p.m. for Committee meetings, but they should insist that the main body (the Senate) meet in the morning and the Committees can meet when the Senate has risen. To bring home a point, Mr President, I feel that we should face reality. Some of us who are now advocating the morning hours for Committees will change their minds when we get to Abuja, they will prefer the Senate to sit in the morning. (*Interruptions*)

**Senator Ayo Fasanmi** (Ondo North) : Point of Order.

**The President** : Order ! Order ! Senator Fasanmi, what is your Order ?

**Senator Ayo Fasanmi** : Mr President, it is point of information, I would like to say that—

**Senator A. Adegoke** (Oyo) : Point of Order ! (*Interruptions*)

**The President** : Order ! Order ! I do not know what the whole heckling is about. We should save a lot of time.

**Senator Adegoke** (Oyo) : I have a point of Order.

**The President** : I have recognised Senator Fasanmi to speak.

**Senator Ayo Fasanmi** : Mr President, Sir, we are in your hands in this Senate and I would like to say that much as we are impressed by the way you have been conducting the affairs of this Senate, what happened this afternoon left much to be desired. It is absolutely improper for the Senator who spoke last to have imputed motive the way he did. After all, the Chairman of the Committee is a respectable Senator of the other Side and the former Speaker of the House of Representatives. For him to have come here to say that some people are interested in doing their own businesses in the morning is an insult to this Senate. I would have thought that he deserved to be walked out of this Senate for behaving in an improper manner.

Secondly, Sir, when you spoke on Monday, the 12th of November, you said that we have come back to do some serious business but I am certainly not impressed by what we are doing now. If we have nothing to do, I think we should go back to sleep at home and let the world know that we have nothing to do ; to behave the way we are doing is certainly a very sad reflection on the work of this Senate. This is my information.

**The President** : We are working and the work of the Senate is done mainly by Committees. In the system we have adopted and the kind of Senate we now have, unless we form the Committees, some of the Motions and Bills that are already coming into my office can not be dealt with as there are no committees to refer them to. They are not meant to be

I do not, therefore, subscribe to the view that we have not been doing anything. We have been doing a lot except Senators think we should work on the old system where Motions were filed and people would speak and no decision would be taken and nothing concrete would be done. In this new system, when we have our way, Senators would have offices and staff and they would prepare their cases very well. For your information, Senators would specialise in subjects and speak on the subjects of their specialisation. We are gradually building up something and I want Senators to have this in mind.

As regards the utterances that the Senators make when they speak, I would once again appeal for restraint. I mean this very seriously and sincerely that there should be a lot of restraint. Unfortunately, we are practising democracy where everybody is free to say whatever he likes but I think this should be said within bounds and with restraint.

With this comments, I think that will take care of Senator Adegoke's point of Order.

I hope Senator Abogede is not going to continue on the same speech.

**Senator Abogede** : I want to conclude my speech.

**The President** : You have less than half a minute.

**Senator Abogede** : Mr President, Sir, I really do very much appreciate the criticisms which some Senators do make when they feel that a speech is not to their taste and that all what we should say should be palatable to them.

Mr President, Sir, I really want to see these Committees working physically and offices allotted to them so that when they are wanted in their offices, we would know where they are but not just that they should be up to seventeen and under the camouflage that a Committee is meeting, we would not see a Senator. Sometimes, when the Committee is meeting in the morning, the rest of us will be rendered useless.

**The President** : Your time is up.

I recognise Senator Rufai.

**Senator Alhaji A. D. Rufai** (Bauchi Central) : Mr President, Sir, quite a number of Senators have told us that the work of the Committee would be in vain if we return the report to them now, but I do not think it would be in vain. I feel that anything worth doing at all must be done very well. So, any number of days we spend on doing this work I think is worth the trouble. It is better we get everything done very well and also very correctly. So, there is no point in rushing it. For this reason, I support the view that the report should be sent back to the Committee in full, not in part, as suggested by Senator Oke, because it appears that Senator Oke is assuming that the other part of the report, that is, the recess has been confirmed or accented. I do not

more time for consultations and explanations of some of our friends to understand the feelings of some of us over some issues which I think they would understand. So for that reason, Mr President, I wholeheartedly support that this should be returned to the Committee and they be given sufficient time for consultation so that when they finally finish I think we would not have a lot to argue over. Thank you, Mr President.

**The President :** Order ! Order ! Senators may sit. I want personally to appreciate the work of the Business and Rules Committee. I do not want the Members of that Committee to feel, and the Chairman in particular, that the number of hour that they have put in has been wasteful. All that I think the Senate is suggesting at this stage is not to return the work but to make use of the work they have already done and incorporate it in a whole package of Standing Orders which they are working on. With the passage of time, the few minutes they would need to make some slight adjustment here they would be without any problem. If this is the wish of the Committee through their Chairman, I would put the question that we do that. Where it is not but it is the wish of the Committee that we should handle the issues in bits then I would similarly put the question. I would call upon the Chairman of the Business and Rules Committee to speak.

**Senator Alhaji I. Jalo Waziri** (Bauchi East) : Mr President, Sir, the argument here is only on the question of time of the sitting of the Senate, I believe the other amendments seem to be acceptable to the generality of the Senate.

**Several Senators :** No!

**Senator Jalo Waziri :** Mr President, it is a difficult situation where a Committee submits its report and then it is returned to the Committee for amendment. The Committee makes some amendments and again the report is thrown back to the Committee. I think in such circumstances it is as well better to handle the matter in another Committee so that fresh ideas can be obtained.

**The President :** Order ! Order ! Distinguished Senators, may I appeal that you do not interrupt any speaker when he is on his feet. Have you finished Senator Waziri ?

**Senator Jalo Waziri :** Mr President, Sir, I am not prepared to withdraw this amendment, I would rather have the vote then we can submit something fresh.

**The President :** There are two points contained in the Committee's suggested amendment, one is regarding the number of days and the other is the question of time. I would put these two different views to the Senate for decision. If the members of the Committee are opposing—(Interruptions) Order ! Order ! Distinguished Senators, I do not see the problem, if the number of people I am seeing and hearing anxious to speak feel the same way it will not be any problem to take a decision on either of the two.

**Senator Chief Ayoola Adeleke** (Oshun II) : Mr President, the amendment was made only by Senator Waziri not by the Committee.

**The President :** So, the matter is very easy if you put the question. I am afraid I am inclined to think that I would not take further speeches on this point because we spoke so much on it yesterday. We want to make progress.

**Senator Dr Jaja Wachuku** (Aba) : Order No. 4 (3), Mr President. *Fifteen minutes before the time appointed for the termination of a sitting the President shall interrupt the business under discussion and, unless the closure is moved, its resumption shall be appointed for such day as the—somebody—who is in charge of such business shall name—* There is a point that before fifteen minutes, it is now after six and it says, *it shall*. Therefore, the business of the Senate should be interrupted now ; it is mandatory. The point is that the people are complaining, the Members of the Committee are revolting because they say they did not meet. I will most respectfully ask the Chairman of that Committee not to be angry about this ; it is one of those things that happen to Chairmen. They said they did not meet, kindly take this thing back and shepherded your sheep. Tell them to come and let us meet and then bring it back to us and there will be peace and tranquillity in the Senate. We are not throwing out the report. Some members said that they did not meet. In fact, the interpretation is that that is not their report.

**Senator I. Jalo Waziri** (Bauchi East) : Mr President, in view of the heated debate and the appeal on the matter I will again, for the second time, withdraw this paper for re-submission to the Senate.

**Several Senators :** Very Wise.

**The President :** Does the Senate wish to accept the withdrawal of the Rules and Business Committee Report?

*Question put and agreed to.*

## ADJOURNMENT

**Senator Dr Sola Saraki** (Ilorin/Asa) : Mr President, Sir, distinguished Senators, I beg to move that the Senate stands adjourned until three o'clock tomorrow.

**Senator Chief Tarka :** I beg to second.

**The President :** The question before the House is that the Senate stand adjourned until three o'clock tomorrow.

I would allow two speakers to speak on Motion for adjournment.

The Senator from Benue West (*Senator Col. A. A. Ali*), may speak.

### Detention of Lt.-Col. Gom

**Senator A. A. Ali** (Benue West) : Thank you, Mr President, Sir, on the Motion for Adjournment, I would like to speak on a matter that is of grave national importance to this country. That is the detention and arrest of Col. Gom in Israel.

Col. Gom is a Nigerian Army Officer on United Nations Forces in Israel and he was carrying out



[SENATOR ALI]

his normal military duties when he was arrested by the Israelis and detained. He has been under detention and under inhuman treatment for several months running now. I would like the Senate to register its annoyance at the Israeli attitude on the detention of Col. Gom, and call on the United Nations Secretary-General, under whose umbrella the Nigerian Army Officer went on exercise to that place to use all the diplomatic avenues in his possession to secure the release of Col. Gom immediately. We also feel that the Senate of the Federal Republic of Nigeria should ask the Ministry—

**The President :** May I interrupt the distinguished Senator. I consider the subject to be very serious.

**Senator A. A. Ali :** Good.

**The President :** It is indeed relevant, but I would expect him to bring a substantive Motion to be listed for full discussion tomorrow.

**Senator Col. Ali :** Thank you very much, Mr President, Sir.

### Restricted Proceedings

**Senator Prince Onyeabo Obi (Anambra West) :** Thank you, Mr President, Sir. I wish to go back to the question of the *Hansard*. It is a pity that we have not yet received the copies of the restricted *Hansard* for October, the 19th but I would like to say that there is no point in having closed hearing meetings when the full or distorted details of those hearings are comprehensively reported in journals all over the country, and Senators are obliged to defend or account for what they said or what they did during such hearings. I would suggest, Sir, that these hearings in future be open to everyone to listen for himself, and that the records be made available so that there would be no distortions, and Senators would not be obliged to break the confidence of the Senate by discussing what transpired in private hearings.

### Attendance Register

The second point, Sir, is that I wish to compliment the Staff of the Senate for the fine work done in producing the attendance register. This register came after the recess, and I assume the staff were not quite ready for the transition to Civil Rule on October 1, but they were ready for the resumption after the recess. Be that as it may, Sir, I would like to say that the question of the register available to Senators for signatures should be regularised so that Senators do not unwittingly or inadvertently omit to sign registers when they are absent, or deliberately or inadvertently pre-sign for the days they intend to be absent from the Senate.

So, I would suggest that a system should be evolved whereby the register is made available at a central or conspicuous location so that Senators

happen to see the book, many Senators might omit signing when they are present. My distinguished colleagues suggest through me that at the end of the day the attendance is ruled off and totalled.

There is a third comment following on that, Sir, and that is the Order in which the names of Senators appear. Mr President, Sir, I would like to say that we should follow in the Senate a consistent order of listing of names, whether in the register of attendance or in the information sheets which are handed out. I would therefore, like to suggest that we follow religiously the order of the Senatorial Districts which are published in the FEDECO delimitation of Senatorial Districts. All the senatorial Districts are numbered from SD. 01 to SD. 95 and, therefore, the order of names should come in the order of the Senatorial Districts for the avoidance of confusion, because we have various lists with various numbers attached to Senators and it is so difficult sometimes to reconcile any changes.

Thirdly, Sir, in the one which has been circularised, Sir, I am very pleased to know from that one that Mr T. Yepwi, otherwise Mr Thomas Yepwi, is a Senator of this great party, the Nigerian Peoples Party but in the records distributed to Senators, No. 17, the Senator for Keffi Senatorial District, Mr Thomas Yepwi, has applied to join the NPP. It may only be that he is trying to return to the NPP the seat which he took from NPP. With that, Sir, I thank the President for the opportunity.

**The President :** Senator Bakin Zuwo may speak.

### National Purse

**Senator Alhaji Sabo Bakin Zuwo (Kano Central) :** Mr President, Sir, on the Motion for Adjournment, I would like to congratulate the former administration for handing over power to civilians peacefully, but they did not specifically tell us what remained in the Treasury.

Mr President, there are many contractors who have rendered their services to the former Administration and they have not been paid. We do not know the position; what remains in the Treasury, and how much property the Army handed over to the present Administration. It is very important, Mr President, to advise our able President, Alhaji Shagari, to tell us what remain in the Treasury because it is very important.

During the Constituent Assembly, the National President of the PRP, Alhaji Aminu Kano raised this matter and there was a lot of criticism from the reactionary forces. I am sure, Mr President, that this is a very important issue.

### President's Mode of Dress

Secondly, I also thank the President of the Senate for the way he is changing or modernising himself by abandoning the tradition or rather the colonial tradition and wearing the native dress and presiding over the meeting in the Senate.

The only fundamental issue is the question of carrying the big stick, with the Sergeant-at-Arms demonstrating going in and out. I think this

**The President :** I am sure that there are so many Committees. Once we start operating it, you will have enough.

**Senator George A. Daniel (Uyo) :** Mr President, I wish those of us who are here in this Senate today realise the important problem which is facing the people of the Cross River State in particular and travellers to Calabar in general. For sometime now the Nigeria Airways has been able to provide only one flight to Calabar daily. We have been having passengers stranded at the Airport either here in Lagos or in Calabar on several occasions. The closure of the Benin/Ore Road has made it so difficult for people in Calabar to travel to Lagos or travel back. Apart from this we do not have anything like the water transport which we can use as alternative. For sometime we have been having the same difficulty in going to Lagos and coming back. During the recess some of us could not go back to our places. Those who went back had difficulty. The Calabar Airport has been improved. It can take on planes of various sizes by day or by night. It is our wish that the Nigeria Airways should be informed that it should take it upon itself to provide additional flights to Calabar in order to ease our transport problem. Thank you, Mr President.

### Committee Work

**Senator Alhaji Haruna Muza (Sokoto West) :** I must say something about the committee allocating time to work. Mr President, I think the importance of the Committee is not yet up to the line of the meeting. In that regard, I think I should advise the Committee to please discuss about the time specifically and amend, as we regulate the Senate meeting, accordingly. In my suggestion, I think that with the knowledge of all my colleagues here, all the committees will work in accordance with the term of reference given to them by the Senate. I think they have to select a specific time on their own discretion and not to interfere with the sitting of the Senate.

The Senate and all the Councils all over the world usually sit in the morning up to the end of the day. Whenever the term of reference given to the Committee is provided, they have to select on their own discretion the time that they should meet and submit their report.

I think the meeting of the Committee will not interfere with the meeting of the Senate. I suggest that the Senate should continue to sit from morning up to any time it may wish. I see no reason why the sitting of the Committee should be more important than that of the Senate.

**The President :** Sir, may I just interrupt you briefly by telling you the reason why the Committee's sitting is more important? It is because of the Presidential system of Government we are now operating. It is different from the Westminster System.

**Senator Haruna :** I quite agree with you, Mr President. I think the aim of the Committee is to ease the discussion in the Senate.

**Senator Haruna Muza :** I will not mind to sit at any time approved by the Committee but I hate to sit in the evenings. We have got much to do. We like to spend a very long time discussing little points, how much more the whole sitting of the day when it comes to the evening. Sir, to my own mind, I think the Senate should set a time for this and arrange time that will suit the majority of the people of this Senate.

**Senator Sola Saraki (Ilorin/Asa) :** Mr President, I would like to comment very briefly.

**The President :** Comment ?

**Senator Saraki :** Yes.

**The President :** On all they have said ?

**Senator Saraki :** Yes.

**The President :** It is not possible. Have you been taking notes? Unless you have a computer brain, it is impossible.

**Senator Saraki :** It seems to me that they do not seem to understand that this system as you said, is quite different from the Parliamentary System. The Committee is the most important part of the Presidential System. Therefore, the Committee is the back-bone of this System. Anyhow, I think there will be enough time to discuss this issue.

I would like to seek permission of the Senate to amend the time that we will meet tomorrow. It should be at 10 o'clock because we have two substantive Motions coming up tomorrow. One is on Israel and the other one is on Zimbabwe and I think it will just be proper that we meet in the morning so that we can have enough time to speak on them very adequately.

**The President :** Order! Order! I think the sum total of what the NPN Leader is saying is that in the light of two important Motions which have just been brought before the Senate, the Senate meets in the morning. One was an earlier one on Zimbabwe which we asked the proposer to bring under a substantive Motion. He has since reminded me about it and there is another one coming from Senator Ali on Israel. These two Motions should be listed for thorough discussion and Resolution tomorrow. Under the circumstances, he is altering his time from three o'clock in the afternoon to ten o'clock in the morning. I think we can accept it. Is it the wish of Senate that we adjourn till ten o'clock tomorrow morning?

**Several Senators :** Yes.

*Question put and agreed to.*

*Resolved :* That the Senate do now adjourn.

*The Senate adjourned accordingly at 6.28 p.m.*

SENATE OF THE FEDERAL  
REPUBLIC OF NIGERIA

Thursday, 15th November, 1979

The Senate met at 11.40 a.m.

PRAYERS

(The President in the Chair)

ANNOUNCEMENT

**The President :** This morning NEPA compelled us to start rather late. We were just about starting when the light went off. So we had to wait until we had the light back because the Chamber became very dark and Senators might not be able to read or see what they were reading.

**Senator Ibrahim Jalo Waziri (Bauchi East) :** Mr President, Sir,—

**The President :** I am not too sure I have recognised you. I saw you standing. I now recognise distinguished Senator Jalo Waziri.

Suspension of Standing Order

**Senator Jalo Waziri :** Mr President, Sir, I beg to move the suspension of the Standing Order that the Senate continues to sit until three o'clock and rise. This is because we have already lost some time. Senators will agree with me that it is worthwhile to make up for lost time by sitting until three o'clock. I beg to move, Sir.

**Senator J. A. O. Odebiyi (Egbado North/South) :** I beg to second.

**The President :** The Question is that Standing Order number four should be suspended and we should carry on sitting till three o'clock. Is that the wish of the Senate ?

**Several Senators :** Yes.

**The President :** I recognise Senator Anah.

**Senator N. N. Anah (Anambra South) :** Mr President, Sir, with due humility to the distinguished Senator who proposed this variation of the Standing Order, I vehemently oppose it in view of the fact that many Committees have fixed their meeting at one o'clock and it will not be quite easy to change those fixtures. For instance, the House Committee which is a Joint Committee meeting with the House of Representatives will have a very important and crucial meeting with the Members of the House of Representatives at one o'clock and this meeting really affects the urgent welfare of the members of the National Assembly.

I am sure also that there are other Committees which will find themselves in this predicament if this variation is effected. So, Mr President, Sir, I am urging this Senate not to vary the Standing Orders. We should meet until one o'clock and rise ; at three o'clock we should resume and stay up to

sibility, I am urging the Senators not to support it. Rather, Mr President, Sir, we have to send a serious warning to whosoever is responsible for light in NEPA to ensure that, at all times, in order not to hamper the business of this most important Legislature in the country, we must get light.

Speaking as the Chairman of the House Committee, it is absolutely necessary not to trust NEPA at all times, that we should be provided with a stand-by plant in order to ensure that our work is not in any way hampered at all. Further, Mr President, Sir, the air conditioner, I have just been tipped, is not functioning properly. We cannot work under this terrible condition. I am not sure we are elected here to suffer or be subjected to untold hardship or to lower our standards. This is not the object of our coming to this place.

I am sure that Senators will support this view because at many times we compromise many issues just because we fear that the Press will say this, the people will say that or that the civil servants will criticise us. If we are subjected to work under intimidation, I am sure we are not going to function here. Therefore, we have to take courage and do what we feel is right and proper in the interest of this nation without compromising standards.

Thank you very much, Mr President.

**The President :** Just before I recognise Senator Akpata I think I have some slight information to give to the distinguished Senator Anah who has just finished speaking. There is a stand-by generator here which I understand has broken down and arrangements are being made to replace it and I am sure once that is done the situation might improve.

**Senator E. I. O. Akpata (Bendel Central) :** Mr President, Sir, we spoke for two days at great length about arrangements for sitting in this Senate, about Committee meetings and about the normal meetings here in this Senate. I would like to say that I do not intend to use my lunch break at anytime in view of the discussions that took place in the last two days for any Committee meeting for whatever reason. In my view Committee meetings should be fixed at appropriate times which would meet with the convenience of all.

I support the Motion that we should meet up till three o'clock because this is an emergency. Had it not been an emergency created by NEPA, I would, in fact, have been opposed to giving up my lunch time. I do not want to end up with ulcer to please people, anybody whatsoever. The facts are plain, NEPA let us down, but if all the truths should be said, NEPA did not start letting us down till about 10.35 a.m. So, if we had started at 10 o'clock, we probably would have put 35 minutes in. This is in no way a criticism of the President because the President is my friend. I support the President but not in late coming.

**Senator J. S. Tarka** (Benue East-Central) : Mr President, Sir, I wish to support the Motion moved by my great colleague, the distinguished Senator Jalo Waziri. The reason is that whilst we have Committee meetings that are very important to the work of this Senate, we also have on the Order Paper for today, two very important Motions duly entered on the Order Paper by your kind permission, Sir. My eyes are dim, I refuse to see the third Motion for obvious reasons. I would like us to take the very first opportunity to express our intentions, our attitude towards our own South African brothers on the way they are being treated, I mean, their future.

There is also the question of a very important Nigerian national involved on the Order Paper. What is in a Committee? A committee does its work behind the scene; no one seems to know what the work is or what work it is doing until it comes before the Senate. I, therefore, suggest seriously that my colleague and distinguished Senator Anah who has expressed a contrary view should be patient with us so that we could carry on with the work enunciated on today's Order Paper to its maximum conclusion. If there are other extraneous issues like the one I refused to see because my eyes are dim, we could get on with the useful work of the Senate.

I, therefore, beg to support the Motion and pray that we should make progress.

**The President** : I recognise distinguished Senator Danbatta.

**Senator Usman Alto Danbatta** (Kano North-Central) : Mr President, I rise to support the counter motion moved by the hon. Senator Anah (Anambra South) who is also the Chairman of the House Committee. He has moved his counter motion because of the important question of accommodation which has been engaging the minds of most Senators here. The question is important because of the inconveniences every one of us is encountering. Mr President, we are about to conclude this issue of housing and we have already fixed after long notice and variations in time, 1 p.m., as the time to conclude this question.

I would like Senators to agree with us that there should be no suspension of any provision of the Standing Orders. I believe that Senator Jalo Waziri (Bauchi East) knows the importance of what I am saying and will agree with our move.

**The President** : I thought I said that I would recognise only the last speaker. I would now put the Question. I see the NPP leader standing. Distinguished Senator Jaja Wachuku, do you have anything to say?

**Senator Jaja Wachuku** (Aba) : Mr President, Sir, while I appreciate the plea of the Chairman of the House Committee, I also appreciate the importance of the work they have to do. I want to point out that that Committee is a Committee; it is not the Senate. The two Houses are not going to have a joint meeting at one o'clock; members of the Committee in both Houses could meet and this Senate would still have a quorum. As long as we have a quorum, we could go on with the other businesses of the day.

So, I most respectfully ask Senator Anah not to press the counter motion and let this Motion suspending the Standing Order stand so that we could clear today's business. When it gets to one o'clock he could withdraw with the other members of the Committee to the Joint Committee. It is a pity that he cannot participate in two places at the same time. In the interest of all concerned, if we adopt that move, everybody would be satisfied, the Senate would be satisfied that Senator Anah who is the number one Senator for Nigeria has done today's job in the interest of the Senate while the Senate itself has done its work.

I support the Motion for the suspension of the Standing Order.

**The President** : I see distinguished Senator Anah standing.

**Senator Anah** : Mr President, Sir, it is said that good reasons will give way to better ones. So that it would not appear that I am very difficult, in view of the opinions expressed from all sides of the Senate and that expressed by Senator Jalo Waziri (Bauchi East), in order not to hamper or appear that I am hampering the work of the Senate, and in view of the recognition which the Leader of the NPP has accorded me, I beg to withdraw my counter motion.

*Motion by leave withdrawn.*

**The President** : It has been proposed that we suspend Standing Order No. 4 and proceed to sit till three o'clock.

*Question put and agreed to.*

#### **German Federal Council Message**

**The President** : Order! Order! This morning, I received the German Ambassador in Nigeria who had booked an appointment to deliver a special message from the President of the Federal Council of Germany which is equivalent to the Senate. I should perhaps first read the German Ambassador's letter dated 12th November, 1979 here in Lagos.

*The President of the Senate of the Federal Republic of Nigeria (Dr Joseph Wayas), Lagos*

*Excellency,*

*I have been directed to forward to you the attached text of a message of congratulations by Herr Dietrich Stobbe, President of the Federal Council of the Federal Republic of Germany on your election as President of the Senate of the Federal Republic of Nigeria.*

*I should also like to seize this opportunity to express to you my sincere congratulations and to wish you success in the fulfilment of the important task ahead.*

*Yours Sincerely*

The message of the German President reads :

*Excellency,*

*Please accept my good wishes on the occasion of your election as President of the Senate of the Federal Republic of Nigeria. You have taken over an office of great importance for the future development of the Second Republic in Nigeria. I should like to wish you and the members of the Senate good luck in accomplishing*

your task for the benefit of Nigeria and in the interest of a continuous good and fruitful development of the German-Nigerian relations.

Yours sincerely,  
Dietrich Stobbe

President of the Bundesrat (Federal Council) of the Federal Republic of Germany.

**The President :** I recognise Senator Dimis.

**Senator Ibrahim Dimis (Bauchi South) :** Mr President, Sir, I rise to say the prayer is that this Senate be graciously opportuned in all respects within the frame of understanding contained in this letter, pass a Resolution thanking the German Senate for its good gesture in recognising and taking a very good step to cement the already existing good relations and friendship existing between Nigeria and Germany; that this Senate resolves that a letter be forwarded to this effect in all good intention. I beg to move, Mr President. Thank you.

**The President :** It is not seconded.

**A Senator :** It has been seconded, Mr President.

**Senator Ayo Fasanmi (Ondo North) :** Mr President, in fact, it is purely an administrative matter, Sir. This is not the first time we would be getting a letter in this Senate and I do not think there is need for a formal Motion to that effect because we had not done it before.

Secondly, I think we should just correct the inadvertent error that you are a Senator, Sir. You are not *His Excellency*.

**The President :** This is an opportunity to make that correction.

**Senator Fasanmi :** Yes, and apart from that, Sir, I do not think there is any necessity to pass a formal Resolution to them. They have got to take that up.

**The President :** I think what you wanted to say—well, before I probably speak for Senators, I recognise Senator Ani who has been standing.

**Senator I. N. Ani (Anambra North) :** Thank you, Mr President. I wish to comment on what the last speaker said. I do not see why the President of the Nigerian Senate should not be addressed as *His Excellency*. I feel that if the Germans did it inadvertently, it is a proof of the regard in which such offices are held all over the world and the President of the Nigerian Senate should, by resolution, be addressed as *His Excellency*.

**The President :** We are back at it this morning again. I recognise Senator J. S. Tarka.

**Senator J. S. Tarka (Benue East-Central) :** Mr President, I do not think, Sir, that we should belabour the issue. What I had expected distinguished Senator Dimis to say is that we take note of the message.

**The President :** Yes, precisely.

representative of Nigeria in the Senate whereby he was accorded the honour of being made the President of the Senate. If a foreign dignitary calls him *His Excellency* that is his own business. We regard him as one of us—a brother Senator. Thank you, Sir.

**The President :** Order ! Order ! We would not belabour this issue. Yes, distinguished Senator Jaja Wachuku.

**Senator Jaja Wachuku (Aba) :** The head of this Senate is Mr President. Diplomatically, he is entitled to *His Excellency* and that is why they addressed him as such. We should not come and quarrel with that being a standard one. So, to begin to change *Mr President* or ask which is more superior, is not necessary. With the greatest respect, this is our own household word : *Mr President* simpliciter. That is all. That is the end of it.

**The President :** Order ! Order ! I see on the Order Paper a number of items this morning, mainly numbers one and two as requiring debate.

Item No. 3 is that of Senator Thomas Yepwi—is he here ?

**Senator T. Yepwi (Keffi) :** Yes.

**The President :** I think you should consult with me.

**Senator Yepwi :** It is all right, Mr President.

## ORDER OF THE DAY

### Joint Remuneration Committee Report

**Mr President :** Item No. 4. I would plead that the Senate should take that item first so that we get it out of the way and then deal with the other two at the top which are the main items for debate.

I recognise the distinguished Senator and Chairman of the Remuneration Committee, Senator Jalo Waziri to speak.

**Senator Alhaji Jalo Waziri (Bauchi East) :** Thank you very much, Mr President. I have the honour to report the deliberations of the Committee on Remuneration which sat on the 12th and 14th of November in order to recommend the Remunerations for State functionaries throughout the country. This is as a result of submissions by the Federal Government of its own proposals which the Senate referred to this very Committee. The Committee has considered the proposals from the Federal Government and after much deliberations, the Committee assumed the posts enumerated to be political and so, made the following recommendations :

	FEDERAL	Per Annum N
President .. .. .	.. .. .	50,000
Vice-President .. .. .	.. .. .	30,000
President of the Senate .. .. .	.. .. .	22,000
Speaker .. .. .	.. .. .	20,000
Ministers .. .. .	.. .. .	16,000
Secretary to the Government .. .. .	.. .. .	16,000
Special Advisers .. .. .	.. .. .	16,000
Head of Service .. .. .	.. .. .	16,000
Deputy President of Senate .. .. .	.. .. .	18,000

Members of the House of Representatives .. .. .	16,000
Chief Personnel Staff to the President	
Grade Level 17 .. .. .	12,966-14,26
Head Personnel Staff to the Vice-President, Grade Level 16 ..	11,568-12,720
Leader of the Senate .. .. .	18,500
Leader of the House of Representative	17,500
Senate Committee Chairman ..	17,000
just as Senators do, plus Allowances as Chairman	
Party Leaders of the Senate ..	18,000
Committee Chairman, House of Representatives .. .. .	16,500
plus Allowance as Chairman	
Party Leaders, House Representatives .. .. .	17,000

3. The Committee could not recommend any remunerations for Special Assistant to the President and the Special Assistant to the Vice-President, as such designations are not provided for in the Constitution. It recommended, therefore, that the Federal Government should first of all seek Senate approval to create these posts before fixing their remunerations.

4. With regard to Members of the National Assembly, it was suggested that the effective date for payment of salaries should be a day after the day of each election. The question of allowances to Members of the National Assembly will be discussed and forwarded in due course.

5. On the question of consideration for the salaries of other functionaries, the Committee recommended that consideration be deferred until recommendation is received from the Executive.

6. Following inquiries received on remunerations from the State Governments, and in order to have uniformity, the Committee recommended the following remunerations for the State functionaries :

**STATES**

	Per Annum N
Governors .. .. .	21-25,000
depending on the State	
Deputy Governors .. .. .	17-19,000
Speaker of the Assembly .. .. .	15-16,000
Commissioners .. .. .	13-15,000
Deputy Speaker .. .. .	13,000
Special Advisers .. .. .	10-13,000
Members of the House of Assembly	12,000
Leader of the House or Majority	
Leader .. .. .	13,500
Party Leaders .. .. .	13,000
Committee Chairman .. .. .	12,000
plus Allowances as Chairman	
Secretary to the Government ..	14-15,000
Head of Service .. .. .	14-15,000

7. On the recommendations on remunerations for the States it was suggested that the States should not be compelled to implement them but these are to serve as guidelines for the purpose of uniformity.

Mr President, Sir, this has been discussed along with the Committee Members of the House of Representatives. It was a Joint Committee and I do hope that this Senate will accept these recommendations in view of the fact that we expect that they will have no difficulties in passing through the House of Representatives.

Mr President, Sir, I beg to move.

**The President :** Is there any seconder ?

**Senator Usman Alto Danbatta** (Kano North-Central) : Mr President, Sir, while seconding the Motion, I would like to say that the Joint Committee has given some exhaustive consideration in carving out these rates and I wish that this Senate will not find it difficult in getting them through. I beg to second.

**The President :** The Motion before the Senate has been seconded. Senators may now speak.

**Senator M. Uba Ahmed** (Bauchi South-East) : I have a correction, Mr President.

**The President :** What type of correction ?

**Senator Uba Ahmed :** Mr President, Sir, I believe Senator Jalo Waziri will accept my correction on page two. For Committee Chairman, House of Representatives I suppose he meant to say ₦16,000 and not ₦16,500.

**The President :** I do not think it is an error. I think the ₦500 difference is between that job and the actual remuneration for Members of the House.

**Several Senators :** Then there will be no allowances attached.

**The President :** I see.

**Senator Jalo Waziri :** Mr President, Sir, I accept that correction.

**Senator J. S. Tarka** (Benue East-Central) : Mr President, Sir, I would like to seek the permission of the Mover of this Motion to insert a small Amendment. First, I do not understand why we should be saddled with the question of the personal emoluments of State Government functionaries. The Constitution of the Federal Republic of Nigeria defines the position of a State Government and the territory of a State within the territorial area of Nigeria as a unit *per se* within Nigeria, with a Government of its own, holding an internal autonomy.

Secondly, and this is the main situation, the Government of a State is recognised by the Federal Government as an autonomous body within the unit of the State. I think we will be infringing on the rights of any State were we to decide even on the personal emolument of the Governor of a State and the Government functionaries within the State. What should happen, Sir, is that the State Governments concerned, and because they do meet often in what they call the Council of States or the Economic Council, should be able to sit with the President of the Federal Republic of Nigeria and exchange views, basing their views on what obtains at the Federal level to find a balance between the personal emoluments of State Governments functionaries and the Federal Government functionaries.

**The President :** Are you saying that Senators have no power to fix these things? I think it is very clear in the Constitution what the Senate should do.

**Senator Jalo Waziri :** Mr President, Sir, on point of information. What the Committee has merely reported is as a result of information received from the States to the Senate. The State Governments have actually asked us to make suggestions to them which we should not fail to do because if each and every one does it on its own, there will be no uniformity and some of the things that may be produced may present difficulties and problems. This is why this report is saying mainly that following their inquiries, we give them a suggestion. It is up to them to accept or reject this suggestion but the question of uniformity is, you will agree with me, the concern of the Senate. The Senate wishes everything to be smooth, square and uniform in the interest of stability. So, distinguished Senators, we are just giving suggestions.

**The President :** Order! Order! I think the distinguished Senator from Benue (*Senator Tarka*) has raised an issue which we have to clarify before we proceed any further as I see this to be a Constitutional issue. The question is, does the Senate have the powers to regulate remunerations as they affect the States functionaries, State Governors and Governments? I think this is the point you were raising.

I refer you to Section 78, page 30 of the Constitution, or rather page 39, Section 116 of the same Constitution.

**Senator E. K. Ogunleye (Ondo East) :** Mr President, Sir, my contribution to this is that—

**The President :** But somebody is already speaking and we want to clarify the position.

**Senator Ogunleye :** I was just going to give a point of information.

**Senator Tarka :** But you said you were contributing to the debate, or are you contributing to the Consolidated Fund?

**Senator Ogunleye :** My point of information, Mr President, Sir, is that I think that the Chairman of the Committee has made this point very clear that their recommendations are mere suggestions and are not binding on the State Governments. What he is saying is that paragraph 6 of their recommendations says and I quote :

*Following the inquiries received on remunerations from the State Governments and in order to have uniformity, the Committee recommended the following remunerations for the State functionaries.*

What he is saying in effect is that these people have made approaches to the Committee to ascertain some facts and the decision of the Committee is not binding on the State Governments. We are not saying

I appreciate the problem of my distinguished colleague, Senator Tarka. He feels that making such recommendations is tantamount to dictating to the States. This is not so. It is just a recommendation under request.

**Senator Tarka :** Mr President, Sir, I have made my point quite clear. No where, Sir, in any of the cited paragraphs of the Nigerian Constitution is there any justification for us even to handle the personal emoluments under the Consolidated Fund of the States for the State functionaries. I understand from the Motion that these were suggestions sought by the various state Governments through the Federal Government.

I wish I were in a position to have sat all along with the Chairman of the Committee on that Committee. Non-theless, Sir,—

**Senator Jalo Waziri :** It will be very discourteous to refuse to suggest to them.

**Senator Tarka :** It is more discourteous to break the Constitution.

**Some Senators :** Who says? Please let us proceed.

**Senator Tarka :** I would like this kind of advice all the time. I am sure that next time when we come here somebody will tell us that the rights of the Lagos State Government are being infringed upon.

Now, Sir, I will go to the third point. I have made my point and I am sure it is on record. Those of you who are weak lawyers will one day get out to make your trade with it.

The other point, Sir, is the point of comparison. An issue has been raised in the Motion that a comparative analysis has been made between the stipends of the various State functionaries *vis-a-vis* the Federal Government functionaries. If you look at page 2 of the submissions under recommendations, both of them are recommendations, you will notice that whereas the stipend or personal emolument of the Federal Ministers with Cabinet rank (which is on page 1) compares favourably with the personal emolument of the Deputy Speaker, the personal emolument of the Deputy Speaker of the House of Representatives is higher than that of the Federal Ministers.

**The President :** No. That is not correct. On page 2 of the report the Deputy Speaker for the States has ₦13,000 *per annum* and for Ministers it is ₦16,000 *per annum*.

**Senator Tarka :** If you would bear with me, Sir, the Deputy Speaker of the House of Representatives is on page 1 and is ₦17,000 *per annum*. The Ministers are on ₦16,000 *per annum*. If you look at the Deputy Speaker of the House of Assembly, page 2—

**A Senator :** What is all this about?

**Senator Tarka :** I am trying to make a comparative analysis. If I say one thing you will say it is not good.

the personal emolument of State Commissioners which is ₦13,000 to ₦15,000 per annum, it does not compare favourably with what is obtained at the Federal level between the Legislature and the Executive.

I would suggest, Sir, that even with the fact that we are just making mere suggestions, and I mean to emphasise *mere suggestions*, to the State Governments to give them some element of guideline, we should be able to give them such suggestions in a way that would assist them in putting down something that is sufficiently meaningful to the status and post of Deputy Speaker of House of Assembly, if you want uniformity which is the criterion for your recommendation.

I think, Sir, that whilst one looks at some aspects of the recommendations with a jaundiced eye, one is also looking at the fact that some savings might be made in the various places where one would have liked to have some additions made to the personal emoluments of certain functionaries of the Senate.

**Senator F. J. Ellah** (Rivers II Ahoada/Ikwerre/Etche) : Thank you, Mr President. I would like to comment on the competence of this Senate in dealing with emoluments of State's functionaries. I think that this is a very risky step to take because the States are most likely to resent it. If it is merely to provide guidelines for State Assemblies, the mere fact that we fix the salaries and emoluments for Federal functionaries would provide those guidelines. They would see what the Federal Ministers get and they would not want to fix the emoluments of their own Ministers higher than that. If they did, then party organs can control this or public reaction from the States can check them. But once we begin to go out of our way to dictate salaries for State Governors and so on, even as ordinary suggestion, are we assuming that these people cannot suggest anything for themselves ?

If we can make suggestions about salaries, what stops us from making suggestions about many other issues that are completely within the competence of the States. This is essentially a public service matter. These are concrete areas within the Constitution.

Thank you, Mr President.

**The President** : Order ! Order ! May I throw light on this issue for the benefit of distinguished Senators, on the pattern I would like to contribute to this report. I would like to welcome contributions and suggestions that deal with the figures so that we can arrive at some conclusion otherwise we may talk here all day and achieve nothing. I would also add that when a Senator is recognised to speak, he should also know that he has had his turn because I would not come back to him again on his particular topic.

**Senator Sabo B. Zuwo** (Kano Central) : Mr President, Sir, after the analysis of these figures by me, I consider that the salary of the President of the Senate is really too small.

President, there is a great gap. The President of the Senate is the number three man in Nigeria. I remember during the crisis it was the Deputy President of the Senate who handed over the administration of the country to Major-General Aguiyi-Ironsi in 1966. Therefore, I would suggest the President of the Senate should earn ₦25,000.00 while his Deputy should earn ₦20,000.00. (*Applause*)

Mr President, Sir, this is my contribution.

**Senator Ameh Ebute** (Benue South-Central) : Mr President, Sir, I was going to say that I had a point of information. The information is that I would like the President to take note of those who are members of the joint Committee that produced this paper, so that they would give other Senators the opportunity to make their own contribution.

**The President** : I agree with you, though I thought I was going to listen to an information.

**Senator Ebute** : That is all I have for the time being.

**The President** : Order ! Order ! I would call upon Senator Jalo Waziri to announce to the Senate the figures that were submitted by the Executive. I would like Senators to mark these figures on the side of the paper. I think this would help us to arrive at some decision. He has given us the figures of what they deliberated on without any information on what was forwarded from the Executive.

**Senator Usman Alto Danbatta** : Point of Order.

**The President** : What is the Order.

**Senator Danbatta** : This was assigned to the Committee.

**The President** : What Committee ?

**Senator Danbatta** : The Remuneration Committee. The purpose of a Committee is to dig into details and that is what the Committee has done. Unless it is in the interest of the Senators, I feel that the question of other details which the Committee was quite satisfied with before coming to this conclusion, and the question of bringing back the former information, in my view, Mr President, are not relevant.

**The President** : My view has been challenged and I think I should put this to the Senate.

**Several Senators** : Yes.

**The President** : The question is that the Senate should have the extra information.

*Question put and negatived.*

**The President** : Senator Yepwi, you may speak.

**Senator Thomas Yepwi** (Keffi) : Mr President, Sir, in contributing to this debate, I would say that I was made to understand that the Secretary to the Government is a higher officer and therefore, his salary should be a little bit higher than that of the Head of Service.

**Some Senators** : No !



**Senator Yepwi :** I am working on the information I received so far that this man should earn more salary than that of Head of Service. I do not know whether this is wrong.

**Some Senators :** Yes, it is wrong.

**The President :** Senator Jalo Waziri has an explanation.

**Senator Jalo Waziri :** Mr President, Sir, the explanation is that I think that the Senator raising this issue very well knows that the two posts had previously been held by one person. So, it is the duty of one person divided into two. In any case, it is expected that when it comes to allowances and other benefits, surely the Secretary will have more provisions.

**The President :** I recognize Senator Kajal to speak.

**Senator Bitrus B. Kajal (Mubi) :** Thank you, Mr President. There is some inconsistency as regards position holders in the Senate. For instance, I regard the Deputy President as the number two person in this Senate ; but based on what, in fact, is before us the Leader of the Senate is apparently being elevated to number two position. The same thing is also happening in the House of Representatives. What is more, Sir, Party Leaders have also been elevated to the same position as the Deputy President. I think this is not a very fair assessment. So, I would suggest that the salary of the Deputy President be either increased to be above that of the Leader of the Senate, namely ₦20,000, or we reduce the amount earmarked for the various office holders, that is, the Leader of the Senate, the Leader of the House of Representatives and the various Party Leaders in both Houses to appropriate level so as to give the Deputy President and the Deputy Speaker their level.

The second point is that we should not approve what has been suggested for the States. Besides the unconstitutional issue of our having the ability to speak on behalf of the States, we also have inconsistencies in the salary structure. For instance, are we saying that, in fact, a State Commissioner is inferior to the Secretary to the Government in the States, whereas in the Federal we are saying that they should be on the same level ? Or, are we saying that, in fact, the Deputy Speaker and other office holders should be inferior to certain office holders in the States ? I think we had better leave this matter out completely and let the States take their own decisions based on the decisions that we may take regarding the Federal set up.

**The President :** I recognise Senator Anah.

**Senator N. N. Anah (Anambra South) :** Thank you, Mr President, Sir, I am coming out with very constructive suggestions, starting with that of the President.

It is my considered view that, but for the fact that the President of this country is a very humble man, the salary of ₦50,000 *per annum* is very inadequate.

I would humbly and respectfully suggest that the President of this great country of ours should be paid ₦60,000 *per annum*. The Vice-President should be paid a salary of ₦40,000 *per annum* because ₦30,000 *per annum* for the office of Vice-President of this great country is certainly inadequate and looks ludicrous.

For the President of the Senate, I cannot understand how the Committee came to this small figure. If you look at the suggestion or the projected salary for the Governors, even though it is advisory, it is stated that the Governors should receive between ₦21,000 and ₦25,000. In other words, the Governors should receive ₦25,000 while the President of the Senate, who in order of precedence in this country is number three, should receive ₦22,000 and this will really give these Governors the impression that they are higher in status than the Senators not to talk of the Deputy President or the President of the Senate. It is most shameful. I am, therefore, suggesting that the salary of the President of the Senate should be ₦30,000 and the Speaker of the House of Representatives should be ₦22,000 or ₦25,000.

Mr President, Sir, we know that things are very hard in this country and I do not think that it is reasonable to pay Ministers, Secretary to the Government, Special Advisers and the Head of Service a salary of ₦16,000 *per annum* because that is really very small. So, I am suggesting ₦18,000 for the Ministers, Secretary to the Government, Special Advisers and the Head of Service.

Sir, a salary of ₦18,000 *per annum* for the Deputy President of the Senate is, to say the least, very degrading to this Senate ; it does not matter who the incumbent is, what actually matters is the office itself. Therefore, I suggest, at least, a salary of ₦22,000 *per annum* for the Deputy President of the Senate.

For the Deputy Speaker, Mr President, Sir—

**The President :** I can see that you have been doing your homework.

**Senator Anah :** That is so, Sir.

The Committee had given the Deputy Speaker ₦17,000 and the same salary for the Senators. I think it is not justifiable at all to equate the Deputy Speaker to the Senators, who certainly, in the order of protocol, are higher. Therefore, I would suggest that the salary of the Deputy Speaker be retained in view of what I would say later about the salary of the Senators.

Ministers without Cabinet rank, the Committee suggested, should be paid ₦14,000. This is rather too small. Therefore, I am suggesting ₦16,000 for them.

I now come to the Senators. As I have said earlier, there must be a difference between the salary of the Senators and that of the Deputy Speaker. I have retained ₦17,000 for Deputy Speaker ; but for the Senators, Mr President, I would suggest ₦19,000 *per annum*.

Members of the House of Representatives, Mr President, Sir, I know as of fact that I came here to

the difference being ₦1,000.00 per annum is most unacceptable and very unreasonable. All the same, the salary of ₦16,000.00 for a Member of the House of Representatives is rather small, I suggest a graduated salary of ₦17,000.00 for Members of the House of Representatives. Then, Mr President, Sir—

**The President :** Do you not find that to be inconsistent with that of the Deputy Speaker when you give them the same salary ?

**Senator Anah :** Mr President, Sir, I accept what you have said and I therefore place their salary at ₦16,500 per annum.

The salary of ₦18,000.00 per annum for the Leader of the Senate is certainly too small in view of the onerous tasks which he undertakes. I, therefore, suggest a salary of ₦20,000.00 for the Leader of the Senate.

For the Leader of the House of Representatives, there is an anomaly. The Leader of the House of Representatives is placed on ₦17,500, that is higher than the salary of a Senator. In other words, one of those people that I brought here, if he happens to become the Leader of the House of Representatives, would receive more salary than myself and when I summon him to a meeting he will expect to preside over the meeting. The thing is anomalous. So, Mr President, Sir, the Leader of the House of Representatives—

**Senator Onyeabo Obi (Anambra West) :** Point of information.

**Senator Anah :** You will be recognised to give your point of information.

Mr President, Sir, I am not yielding to his point of information because I am winding up.

**The President :** Senator Obi, you will give your point of information when you speak.

**Senator Anah :** Thank you very much, I am much obliged. Mr President, Sir, while the salary of Senators is placed on ₦19,000.00 if it is accepted, I can accept the Leader of the House of Representatives receiving ₦17,500.00 as a compromise. I need not speak on Senate Chairmen and so on and so forth.

Then to Party Leaders of the Senate ; ₦18,000.00 certainly is too small for the dignity of the office which they hold, so I suggest ₦20,000.00 for the Party Leader of the Senate.

Now, Mr President, Sir, on the question of State Governors and Assemblymen, it is very, anomalous to equate, to allow a Deputy Governor who has no Constituency, who contested no election, who is only an appendage to the Governor to earn more than a Senator. According to their own advice, Deputy Governors are to receive ₦17,000 to ₦19,000.00. In other words, he can be placed at ₦19,000.00 when a Senator is placed on ₦17,000.00.

So, Mr President, in making a general suggestion on the issue of Governors, Deputy Governors,

speakers and so on and so forth, particularly Governors and Deputy Governors, we do not fix figures or if we must fix figures for them as a guideline we must not allow the salary of a Governor to be higher than that of a Senator. You see, if you go to the American Embassy here and get the order of protocol in their country, you will see that the Governor is under a Senator. Therefore, under no event must we allow Governors salary to be greater than that of a Senator ; but if they the Governor like to place themselves on the same salary as the President of this country, if they can afford it in their own states, it is their own look out ; but if we are going to advise them we must advise them not to place the salary of a Governor above the salary of a Senator.

These are the few suggestions, Mr President, which I would like to make and I urge the Senate to consider these suggestions very seriously. Thank you.

**The President :** I recognize Senator Kolo. Are you a member of the Committee ?

**Senator Ibrahim Kolo (Bida) :** Yes.

**The President :** Then allow others to speak first.

**Senator Kolo :** But let me say good morning.

**The President :** All right just a quick one.

**Senator Kolo :** Mr President, Sir, who has the authority to approve, in the final stage, our proposals for these salaries ? I think it is both the Senate and the House of Representatives. I think both Houses will have to approve the salary structure and then it is finally approved by the President, is that so ?

**The President :** The President does not approve the work of the Senate, whatever we do here is final.

**Senator Kolo :** What about the House of Representatives ?

**The President :** This Bill requires a joint resolution. Whatever conclusions that have been reached on the subject would be communicated to the House of Representatives. If there are differences, their own conclusions will be communicated here, and where there are differences we will try to marry them up.

**Senator Kolo :** I see. I just want to inform the Senate that there is already a marriage between this Senate and the House of Representatives. We worked together and these are the figures we arrived at. Anyway, Mr President, I think everybody in the House of Representatives and the Senate would be happier if we can increase any of them by say a kobo. It is a joint agreement between this Senate and the House of Representatives.

**The President :** I recognise distinguished Senator Odebiyi, Leader of the UPN.

**Senator J. A. O. Odebiyi (Egbado North/South) :** Mr President, Sir, I hope that the Committee on Remuneration has addressed itself quite competently to its task but I would have loved to know exactly how they arrived at the different gradings without a clear idea as to whether they adopted the principle of relativity, that is to say, the relationship between one office and the other. Once that is known, then what is the salary grading for each particular office would be easy to determine.

Secondly, the Remuneration Committee must have met with the Members of the other House and I think any adjustment at this stage which has not been ironed out properly at the level of the Committee is bound to lead to misunderstanding between us here and the other House.

Thirdly, as regards the effective date, I am, and when I say I, I represent this side, we are opposed to July, being used as the effective date and I would tell you why.

**Some Senators :** It is not there.

**Senator Odebiyi :** I am sorry. I am opposed to a date after the election being used I would tell you why. We all had election—

**Some Senators :** Politics !

**Senator Odebiyi :** It is not politics. We all had the elections at various dates. Not only that—

**A Senator :** On point of Order.

**The President :** What is your Order number ?

**A Senator :** Mr President, the question of effective date does not come within the paper we are discussing.

**The President :** I think you have stipulated a time here for implementation.

**Senator Odebiyi :** We, for instance, in Ogun State, had addressed our minds to this at our State level. The argument I then advanced, was that the Constitution which we are operating did not start until the 1st of October. Before 1st October there was still a government represented by the Army. They were exercising rights as both the Legislature and the Executive and they were earning salaries. Now what must have guided the minds of most of the Members of the National Assembly was the guideline which some of the officials who went abroad brought back to them and which was given to us as guideline. I think, Sir, that we cannot justify this position. Everybody wants some money in his pockets. It is nice to have plenty of money in ones pocket but for our present purpose, it is not right since we only started on the 1st of October.

**Senator N. N. Anah (Anambra South) :** On point of legal information.

**The President :** Senator Anah may speak.

**Senator Anah :** Mr President, Sir, I would like to give a legal information to my honourable friend the distinguished Senator from Egbado North/South (*Senator Odebiyi*). Mr President, Sir, as a matter of law, what actually matters, and all the lawyers here who are reading reports of the Supreme Court will bear me out, is not the date of swearing-in, but the effective date is the date of appointment. For instance, there was a recent case where a judge of the High Court was appointed a Judge of the Federal Courts

Rotimi Williams at Oyo for that matter, whether he was a Judge of the Federal Court of Appeal on the date he was sworn in or on the date he was appointed. It was decided and upheld by the Federal Court of Appeal that as soon as he was appointed, he automatically became a Judge of the Federal Court of Appeal and had lost his jurisdiction to do cases as a Judge of the High Court. If we relate this legal information to the present problem before us, the question then is, what is the effective date. When were we appointed by the electorates? We were appointed by the people, by the electorates, on the day we were voted into power and not on the date we were sworn in. Therefore, we are backed by the law. (*Applause*)

**Senator S. M. Ojukwu (Umuahia) :** On Point of constitutional information.

**The President :** Senator Ojukwu may speak.

**Senator Ojukwu :** Mr President, Sir, the Constitution itself has made it clear in Section 271. It says :

(1) *The electoral commission established for the Federation under any law in force immediately before the date when this section comes into force shall be responsible for performing the functions conferred on the Federal Electoral Commission established by the provisions of this Constitution.*

(2) *Any person who before the coming into force of this Constitution was elected to any elective office mentioned in this Constitution in accordance with the provisions of any law in force immediately before the coming into force of this Constitution shall be deemed to have been duly elected to that Office under this Constitution.* (*Applause*)

**Senator Adebayo Adegoke (Oyo) :** Another legal information, Sir.

**The President :** Senator Adegoke to speak.

**Senator Adegoke :** Mr President, Sir, for the purpose of records and in order not to miseducate our people, I would like to express the fact that there is nothing wrong for Parliamentarians being paid a day after they were elected. There is nothing wrong at all with it. It is being practised in some other places where we copied this system from. For the purpose of record, I would like to say again that there is nothing wrong at all paying them; even on point of our Constitution, most of these Parliamentarians had been asked to relinquish their former posts six months to the time of election. They were not paid anything. Therefore, I am in support, according to what is in the report of the Committee, that we should be paid a day after each person was elected. (*Applause*)

**The President :** Distinguished Senator Odebiyi, do you still welcome further information ?

**Senator Odebiyi :** I want to finish, Mr President.

**The President :** You may continue.

**Senator Odebiyi :** Mr President, Sir, I was not aware of the relevant section which has been cited here. I think the normal practice when you employ somebody you always say the effective date of appointment is so and so. Now, is what we are

collect it. What I am saying is this. It concerns the principle of the matter. Some people were getting money at that time for the same job we are asked to do now. (*Interruptions*)

**The President :** Order ! Order ! What we all did as Senators was that we took an oath of allegiance, we took an oath to uphold the Constitution. If that is the Constitution, I am afraid, whatever the feelings are, it is too bad. The Constitution must prevail at all times.

Order ! Order ! If this is an aspect of the Constitution in which we feel that there are some lapses, we will welcome an amendment to alter it. What I am saying is that not until it is altered, we cannot start messing around with it, not only on this issue but on every other issue of the Constitution.

**Senator Onyeabo Obi (Anambra West) :** Mr President, Sir, continuing on the pattern of legal information from this Side of the Senate, I think that all Lawyers on all Sides of the Senate, except those referred to by the distinguished Senator Tarka, will agree that on the legal principle of the Walsh and Longs Bill, Equity looks on that which ought to be done as having been done and, therefore, if on election you were expected in due course—

**The President :** Are you making a constitutional issue ?

**Senator Obi :** Yes.

**The President :** You are now pronouncing the concept of rule of equity which I consider as basically illegal and unconstitutional. You may continue.

**Senator Obi :** Mr President, Sir, I recognise your competence in this field holding a doctorate of Laws. I would like to assure you that our Leader (Senator Wachuku) on this Side holds a longer Doctorate. (*Laughter*) I have a cover for the point I am making, Sir.

**The President :** Are you suggesting that he is holding the same Doctorate with me ? How is one Doctorate longer or shorter than the other ? I think Senator Jaja Wachuku may give an answer to that.

**Senator Jaja Wachuku (Aba) :** There is no known constitutional answer to that, Sir.

**The President :** Senator Obi may continue.

**Senator Obi :** Mr President, Sir, it is not my fault that the Senate presided over by you yesterday decided not to recognise Doctorates in the Senate. I would like to say Sir, that—

**The President :** We did not say that we did not recognise Doctorate in the Senate. What we said was that we would always stick to our constitutional titles in the Senate.

**Senator Obi :** On the point I made, Sir, I said that the question of taking the Oaths is a procedural matter. In fact, there are provisions in the Constitution and in the rules of the Standing Orders, and they have insisted that in fact you can be a Senator without coming here to take the Oaths. Once you are elected, you are a Senator. But, you cannot take part in the proceedings until you have actually taken the Oaths. So, your being a Senator does not

make a return that you have been duly elected or returned, you have been returned a Senator, unless that decision is set aside by a Tribunal duly established or by other competent authority. I give this point without any prejudice to the views of the members on the point.

**The President :** Senator Adebayo, you may speak.

**Senator C. O. Adebayo (Kwara Central) :** Mr President, Sir, not minding the fact that I am not a Prince of, Chief or Lawyer, my information is a simple Senatorial one and it is this, Sir, that I am aware and I am sure most Senators know that in spite of the logic in the argument of Senator Anah, in the United States Members of the House and of the Senate are paid the same salary. The difference occurs only in the area of allowances and the staff that are allowed to the different functionaries. Why the Senator have a lot more allowed him is because he has vaster area and graver responsibilities while the Members have far less. That aspect, Sir, has not been considered by the Committee and will be so reflected when it is considered. I would not want us to have it both ways. The salaries can be even or as close as possible while making the difference in the area where it is obvious.

**The President :** There is another constitutional information.

**Senator Muhammadu Agwai Musa (Lafia/Akwanga/Awe) :** Mr President, Sir, my name is Agwai Musa. In supporting the other Senator, Senator Odebiyi, and in order to buttress the argument which he has put forward, I refer this Senate to Section 274 Subsection (1) of the Constitution. It reads :

*Subject to the provisions of this Constitution, an existing law shall have effect with such modifications as may be necessary to bring it into conformity with the provisions of this Constitution and shall be deemed to be—*

When you read further—I will go to to Section 279 of the Constitution. It says :

*The provisions of this Constitution, except Section 262 thereof, shall come into force on 1st day of October 1979. In effect, the earlier law referred to by one of the Senators in Section 271 said that it will come into effect as from the 1st day of October 1979. Any law made and which is accepted under this Section 271 Subsection (1) has to be operated as provided in Section 279 Subsection (1) which says this Constitution will come into effect on the 1st day of October 1979. Therefore, our salaries should be drawn only as from on the 1st day of October 1979.*

**Senator George B. Hoomkwap (Shendam) :** Thank you, Mr President, for recognising me for the first time. I know others have spoken more than twenty times.

**The President :** That is not correct. I recognised you yesterday.

**Senator Hoomkwap :** It is on record.

**President :** That you stood twenty times ?

**Senator Hoomkwap :** Mr President, Sir, it is most unfortunate that the people that handed power to us had saddled us with this sensitive and explosive issue. I would have loved them if they have done us a good job, so that when we come here we do not saddle ourselves with the question of salaries.

Now, having seen the mood of the Senate, I would say that the job already done leaves much to be desired, because I find that most of the salaries that have been recommended are lopsided. I would have loved the Senate or the Committee to have first of all drawn up a table of precedence after which we would know how the structure of the country is and recommend salaries accordingly, because going through the papers before us, you will find that the Deputy President of the Senate who is the fifth person in the country will receive even less pay than the Leader of the Senate. This is wrong. If the table of precedence is drawn up and then salaries are allocated you will find that these anomalies will be removed.

Secondly, in drawing up of salaries for the State, I would not like salaries to be drawn up in a way that some Governors are more important than the others.

All Governors are equal and as such, they should earn consolidated salaries. So, the idea of having 21,000 to 25,000 should not be the yardstick.

I would also in the same vein say that if they are to equate Members of the House of Representatives with Ministers, I think it is also just proper that Members of the States' Houses of Assembly should be equated with Commissioners because if we are doing things and we only look at our interests rather than the general interests, I think that is wrong.

As a Senator has already pointed out, it is really wrong for Senators to earn more than Members of the House of Representatives if we are saying that we are copying the American system. If we are not copying the American system *in toto* then slight changes could be made. I also have noticed that salaries of Ambassadors and High Commissioners have been completely omitted, and this is another one which will come before us. I feel that this job which has already been done should be thrown back to the Committee with the suggestions and observations already made. If the table of precedence is drawn up I am sure when they present the next report to us, we shall save more time.

Thank you Mr President.

**The President :** May Senators sit down please. I would like to draw your attention to the Constitution Section 78 subsection (4). If we take a look at that subsection, the Constitution is very clear as regards the offices which this August Senate has powers to regulate its remunerations. It is my view that the paper gives the impression that we are looking after

In the circumstances, I would advise Committee- to perhaps do some more work and bring a comprehensive recommendation on remunerations so that we would in fact take into account remunerations for offices of the Federation like, the Chief Justice, Justices of the Supreme Court and all others that are listed ; Federal Electoral Commissioners, the Civil Service Commissioners and what have you that are listed in that subsection of the Constitution.

**Senator A. Durosimi (Badagry) :** Point of information.

**The President :** What is the information ?

**Senator Durosimi :** There are two pieces of information which I would like to give. The first is that in our recommendation, see number 5, page 2, we have recommended that we cannot take any action on the remunerations for other functionaries until we receive recommendation from the Executive.

**A Senator :** Why ?

**Senator Durosimi :** If they send anything to us we shall have something to work on.

The other information is that what we have presented today is the joint work of the Committee comprising both Houses of the National Assembly and any decision we are to take here we should consider that our decision must be acceptable to the other House. If not, we would not be able to agree on any thing. This is my information, Mr President.

**Senator Umaru Lawan Bama (Borno East) :** Point of information.

**The President :** Yes, what is your information ?

**Senator Umaru Lawan Bama :** Mr President, Sir, I think we may be confusing two issues, the question of offices and the question of use of consolidated fund for the payment of salaries. I think what is referred to here is the office that can be charged directly to the Consolidated Revenue Fund rather than structure of salaries for people.

**Senator C. Nunieh (Bonny/Bori) :** He is completely out of order.

**The President :** What is completely out of order ? What point of Order ?

**Senator Nunieh :** We are now considering the Order Paper of today, the remuneration as recommended by the Committee and now we are going to the Judiciary and the men mentioned in Section 78. I think it is very mixed up.

**The President :** Maybe I need to be reminded. What is the term of reference of the Committee ?

**Senator Jalo Waziri :** The term of reference is to consider Government submission of scale of salaries for the categories we have enumerated except the States.

**The President :** I see, so this was in compliance with the request and the request stipulated exactly the offices you dealt with.

**Senator Jalo Waziri** : Except suggestions to the State Governments.

**Senator Nunieh** : In considering this Paper, Mr President, I am aware that we have not got a lot of money in this country but we are living in this country and we must live and do our job. I consider the amount of ₦50,000 for the Head of State as, even though it is polite, hypocritically not sufficient and I would suggest ₦75,000.

**The President** : May I call distinguished Senator Nunieh to Order. I want some moment.

I think that what we have to do this afternoon, if we must make progress because there are two important issues to debate, is to know whether we think that this whole recommendation is adequate or inadequate. If it is inadequate then we would suggest that the Committee should resit and anybody who has suggestions to make should submit those suggestions to the Committee. The Committee would, therefore, be in a position to harmonise the suggestions.

**Senator Nunieh** : Mr President, Sir, I may leave the issue of figures and be allowed to express my views which others after me may do, because I have not been allowed to talk at all. To say that somebody will be recognised—

**The President** : You may sit Senator Nunieh. We have heard Senator Anah (Anambra South) dishing out figures and you are also dishing out figures, but we are not going to continue with listening to figures.

**Senator Nunieh** : I would sit down but I think that I have been hushed down a lot. I have more than figures to give, Mr President, but you can order me that figures are out of order.

**A Senator** : I think that Senator Nunich should be heard in silence.

**The President** : Thank you very much. I am now being protected from the Floor. I now call upon distinguished Senator Jalo Waziri.

**Senator Jalo Waziri (Bauchi East)** : Mr President, on a point of information, I think that the question of whether the Committee has adequately dealt with it or not does not come in. The term of reference was given to us and we have done the work.

**The President** : We accept that, but the question is whether or not we are accepting the figure as all right, but if we are suggesting higher figures they should come back to you.

**Senator Jalo Waziri** : Those suggestions should come in the form of amendments in this Senate.

**The President** : Do you want the figures amended here ?

**Senator Jalo Waziri** : Yes.

**The President** : Is it the wish of the Senate that the figures should be amended here ?

**Several Senators** : Yes.

*Question put and agreed to*

**Senator E. I. O. Akpata (Bendel Central)** : Mr President, Sir, having recognised me, I intend to use that advantage. First, I would like to say that we are going to make it very difficult to use the Committee system in this Senate. On every occasion, we have had to remit back every decision taken by a Committee. It looks as if we want to work as a committee of the Whole Senate. I myself think that that would be a dangerous thing. The fact is that this playing about with figures is to forget that if you disturb some figures at the top, you must go down the line and therefore, there is a minimum to which such figures should be disturbed. I think myself that on balance, this Committee must have borne that in mind. Some of the figures I hear of are frightening that I myself would hesitate if we continue this way to leave this place at night.

The second point touches on some important matter already mentioned before. In government circles, it is not unusual to pay two people for apparently the same job at the same time. For example, when an officer is on leave and somebody is acting for him, the officer on leave receives his full emoluments, and the fellow acting also gets paid.

Also, if an officer is on retirement leave and somebody is promoted substantively to that post, the new officer also gets his pay. It has not always been so, but it has been so now since about 1945. Before Sir Authur Richards later Lord Milverton took over as Governor here, until a person actually retired, his position was not substantively filled but he thought that if a person carried the burden of the day he should get his promotion dated from what time he started carrying that burden.

I make this point because, although we were not allowed to be sworn-in until the 9th of November, 1979, even though it was for very special reasons, we in fact had become Senators whether Senators-elect or elected Senators, call it whatever name from the day the Federal Electoral Commission took a decision. I like to say clearly that on a point of principle upon which the Constitution is very clear, and in addition to that, that no one in this Senate brought anybody here or brought anybody under him. The Members of the other House were elected by our people in their own rights to perform a specific job. To think that if you brought two people along their salary must be 2x and that those who brought five people along their own salary must be 5x would be completely intolerable.

What I would suggest is that we seem to have reached some agreement with the other House and I believe that they might also want to make some amendments. Judging by the tone of our discussions here, our own Members in the Joint Committee could go back and even out whatever differences there might be. I feel very strongly, indeed very strongly, that Senators and Members of the other House—I hear that they are the only people considered to be in the House and we are in the citadel and should earn the same basic pay, but that the difference should be reflected in allowances. Because

we are fewer here, we have to get involved in more committees ; we have to carry out certain jobs like the one that delays us here which we have not been allowed to do, not because we do not want to do it, but because certain people are not quite ready yet but we have to spend time discussing it. The other House does not do such jobs and when Ambassadors come to be employed we make sure that my son is not employed but all the same, we have to decide such issues.

So, Mr President, because we represent and speak for our people is no justification that we should deep our hands too deeply into the kitty before other people. Thank you.

**Senator A. D. Rufai** (Bauchi Central) : Mr President, I would like to associate myself with the views expressed by quite a number of Senators over the question of relativity. I am not making any quarrel over what salary this should earn or what salary that should earn but I am more concerned about relating the salary of one post to another. With due respect, first, I do not seem to support a salary of only ₦22,000.00 to be paid to the President of the Senate considering his position in the country. I am not relating his salary to that of Vice-President as previous speakers mentioned but I am relating his salary to the salaries recommended for the Governors. I do not see the justification of a Governor being paid a salary of up to ₦25,000.00 whereas our President here in the Senate is to be paid only ₦22,000.00. I think this is very indignant to the status of the Senators. Do you not agree with me ? (*Interruptions*)

**Several Senators** : Are you asking that question from the President ?

**Senator Rufai** : I am asking Senators.

**Several Senators** : Are you asking us to vote whether we agree with you or not.

**Senator Rufai** : I suggest that the President should be paid a salary a little bit higher than that of the Governors no matter what would be their salaries. If a Governor is going to earn ₦1,000.00 per annum, let our President be paid ₦1,200.00 per annum. If the Governor is going to earn ₦25,000.00, then our President should be paid ₦27,000.00 per annum.

Similarly, the Deputy President—his own salary too should be elevated proportionately. The same goes for the Speaker and the Deputy Speaker.

The other question which I would like to ask, maybe, the President to answer is this and it is on the Special Advisers. Are they of Cabinet Rank ? Will they go to Cabinet meetings ? Do they have any portfolio ?

**The President** : I think only the President of the Republic is competent to answer that question.

**Senator Rufai** : With due respect, I do not think there is any reason why the Special Advisers should have the same salary as the Ministers. They should

paid ₦26,000.00 per annum. Here, I feel that the salaries attached to the Members of the Houses of Assembly is comparatively low. I think it should be increased to about ₦13,000.00.

**The President** : May I call on the distinguished Senator to wind up ?

**Senator Rufai** : If we are recommending the Members of the House of Representatives here to earn a salary of ₦16,000.00 the same as Ministers, we should also recommend the salaries of the Members of the Houses of Assembly to earn the same salaries as Commissioners in the States.

The other point is that I do not seem to agree with those of us who are suggesting that salaries of Senators should be much higher than those of the Members of the House of Representatives.—I think it should be left as it is. The difference should not be more than what is stated here and especially when they have already agreed to this. I think we should leave this as it is. Thank you, Mr President.

**The President** : I would recognise two more Speakers only and we would go down to decide on item basis. Any suggestions you would have to make would be made on those lines. The last Speakers would be distinguished Senator Nunieh and Senator Jalo Waziri.

Senator Nunieh may speak.

**Senator Adeyiga Ajayi** (Ikeja) : Point of information Mr President, (*Interruptions*). Point of information takes precedence over other matters. I will insist on my right, Sir.

**The President** : Will you insist on the President recognising you ?

**Senator Ajayi** : On point of information which takes precedence over—

**The President** : I am not too sure you are correct distinguished Senator. If you are raising a point of Order I can understand but I am disposed to take your information or not at an appropriate time. If you insist to speak then, you would only speak when I recognise you. You said point of information when I have just recognised a Senator who is on his feet. He has not said a word yet. I would later come back to you Senator Ajayi. Senator Nunieh you may continue.

**Senator C. Nunieh** (Rivers IV Bonny/Bori) : Mr President, since the idea is that we are going to transfer the matter to the Committee to go into, I am going to make a suggestion. My view is that the rate here should be increased.

**The President** : Good, let me have your figures.

**Senator Nunieh** : I am sorry that previously the figure I suggested was the one for another thing. For the President, my figure should have been ₦65,000.00 and not ₦75,000.00

paper. It should be ₦65,000.00 and then the Vice-President should be ₦45,000.00. The President of the Senate should be ₦30,000.00 and the Speaker ₦22,000.00, Ministers ₦20,000.00, Secretary to the Government ₦20,900.00, Special Advisers ₦20,000.00.

	₦
Head of Service .. .. .	20,000
Deputy President .. .. .	22,000
Deputy Speaker .. .. .	20,000
Minister without Cabinet Rank .. .. .	16,000
Senators .. .. .	22,000

(Interruptions)

Senators, I am sorry that I did not look at page two of the report. Under that page some allowances are given and in view of that I would suggest that Senators could be on ₦18,000, and Head of Personnel to be ₦15-16,000.

Now, I would say that what is happening in this place is that we have not been able to know from this paper the relative position of the different officers and it has not, therefore, been possible for us to see the relationship between the different officers. I will like to say also—

**Senator Garba Matta** (Pankshin/Mangu/Kanam) : Point of Order, Mr President.

**The President** : What is the Order, Senator Garba Matta ?

**Senator Garba Matta** : Mr President, Sir, I refer to Section 116 of the Constitution and also Section 78. I think, Mr President, we will be wasting our time here if we go on suggesting figures infinitely. As already pointed out by Senator Hoomkwap, Section 78 of the Constitution enumerates the types of offices we have to decide salaries for.

**The President** : Order ! order ! We have looked at that problem before and there was information given that we are only dealing with request that was submitted by the Executive. Please let us make some progress. I thought you raised an order on the points raised by Senator Nunieh. We want to hear Senator Nunieh finished.

**Senator Nunieh** : Mr President, Sir, I submit that in giving suggestions on this matter, we should not just try to play to the gallery in order to give the impression that some people want more than others. We have got to look at the reality—

**The President** : Please make concrete suggestions in figures.

**Senator Nunieh** : Mr President, Sir, I have given the suggestions in figures. Thank you.

**The President** : Senator Ajayi, you said you have an information.

**Senator Adeyiga Ajayi** : Yes, Sir. The information I have is this. Even though the Constitution empowers the Senate and the National Assembly to determine salaries of Members and other employees of the National Assembly, section 78 (2) says—

*The salaries and allowances payable to the holders of the offices so mentioned shall be a charge upon the*

*Consolidated Revenue Fund of the Federation. The salaries payable to the holders of the said offices and their conditions of service other than allowances shall not be altered to their disadvantage after their appointment.*

The information is this, Mr President. I know it is very difficult for Senators to determine the salaries to be paid to them, but we have a precedent to go by. We had several Commissioners during the Army regime. There were salaries paid to them, it was ₦14,000 or ₦15,000 and at the State Level the Commissioners were paid certain salaries. In the Estimates for the Year 1979-80, there are suggestions for salaries to be paid to members of the National Assembly. We could go by that in the mean time.

A Federal Minister can be paid salaries that were earned by Commissioners under the Army Regime. The Commissioners in the State Assembly can earn the same salaries that were earned by Commissioners in the State Government at that time. The Members of the National Assembly could be paid ₦12,000 as suggested in the Estimates until such a time when this Senate can decide. When we say we are going to fix salaries, it does not mean that Members of the National Assembly should meet and just give suggestions.

We have been hearing so many suggestions today. For the President, some said ₦80,000 and some said ₦40,000. How do we then vote on these suggestions, Mr President ? I would say that to determine these salaries we need Technical Advice. I would suggest we pay the amount suggested in the Estimates and when the Technical Advisers give us their advice we can take a decision on the advice given to us as Members of the National Assembly. But to listen to Members with some suggesting ₦50,000, ₦40,000 for the President and ₦20,000, ₦30,000, ₦25,000 for the President of the Senate, how do we reconcile our position ?

**The President** : You have said more than giving information. Thank you very much. I recognize Senator Mahmud Waziri.

**Senator E. P. Echeruo** (Okigwe) : Point of order, Mr President.

**The President** : Yes, what order ?

**Senator Echeruo** : Mr President, Sir, it is order 31 (5) and it relates to the closure of debate. Occasionally some of us may have a point or two or something to contribute to a debate before the question is put. I would therefore suggest, except it is the will of the Senate as it is stated in that order, that you allow a few more speakers because there are certain pertinent questions which may be asked. I think if any Motion requiring appropriation or Expenditure comes here it should be allowed to lie over for a night before we take a decision on it so that we can study it because we cannot easily revert that decision. So, I would sincerely suggest that you kindly allow more speakers or put the question whether we want the debate to be closed. Thank you.



**The President :** That is a very valuable contribution. I recognize distinguished Senator Sola Saraki, Leader of the NPN.

**Senator Sola Saraki (Ilorin/Asa) :** Mr President, Senators, I would like to appeal to the Senate because we have been debating this paper for over two hours now. I would like to appeal to Senators that before we leave here this afternoon, we should approve some salaries for the Members of the National Assembly. When we went on recess and came back on Monday, quite a few of the Members in the House of Representatives and the Senate could not come back because they had no transport fare. Those you mentioned in Section 78 (4) of the Constitution at the moment are receiving salaries.

Honourable Members of the National Assembly, apart from the loans of ₦500, we have not received any salary. In fact, if we are to do our work properly, I would like to suggest that the Committee should produce a comprehensive list showing salaries for the Clerk of the Senate, the Serjeant-at-Arms and so many officers that are members of staff of the Senate. But unfortunately they are already receiving salaries and members of the National Assembly are not receiving any salaries. Therefore, Mr President, distinguished Senators, if you begin to talk from now till tomorrow, we cannot get a single figure. But we can get a minimum that we can work with. I would rather appeal to distinguished Senators that there are some of us who have not received a kobo as salary from this National Assembly. Therefore, in order to alleviate the sufferings of other Senators who are not fortunate enough to have businesses or other means of getting money, I would appeal to Senators that before we adjourn this afternoon we, should agree with the figures quoted as salaries for Senators.

Secondly, Mr President, I would like to remind the Senate that the allowances attached to the post should also be considered. Do not let us be worried or disturbed by the figures on these papers. Some of you are entitled to an office, you are entitled to Secretaries and other amenities. Therefore, do not be disturbed by this figure of ₦50,000 for the President or the figure of ₦17,000 for Senators. I am sure you did not become Senators because of the big salaries you are going to be paid. We are here to work for the progress of this nation, but it is true we cannot do that at the expense of our stomachs.

However, I think we can make some sacrifice and I would appeal to Senators to let us fix something now so that we can make progress and do other business of the day. Thank you.

**Senator Mahmud Waziri (Adamawa) :** I thank you, Mr President, for giving me the floor but before I start my remarks, I would like to appeal to the President that when a distinguished Senator has been given recognition in accordance with the Stand-

Now, Mr President, coming to the topic before the Senate, what I have read in this paper is only figures and nothing more. I believe there must be a full report of the Committee, that is the joint special Committee. If that special report exists, I appeal that it be circulated to Senators.

Otherwise one can not make a head or a tail as to how these figures were arrived at. It is very easy for anybody to sit down and fix the salary of the President at ₦60,000 p.a. and then in a descending order jumble the figures and give everybody whatever he feels like giving. So, I would like to see the basis for these figures. I would like to be convinced that when I vote for these figures, there are reasons and criteria for me to do so. Otherwise I can not see myself voting for these figures without being convinced about how they came about. I was expecting that the Chairman of the Committee, Senator Jalo Waziri, would convince the Senate to vote for these figures by giving us reasons and how they came to the figures. Unfortunately, that has not been done.

Secondly, Sir, when we talk about remunerations, we have to bear in mind things like allowances, gratuities, pensions, fringe benefits and all that. We have to take the whole thing in one lot in order to determine whether the figures we have quoted as basic salaries are adequate or not. So, except we know what these fringe benefits and allowances are, it is very difficult for us to make meaningful deliberations on just mere figures.

Again, Mr President, we have seen in the code of conduct paragraph 1B whereby it is stated and I quote :

*Without prejudice to the generality of the foregoing paragraph, a public officer shall not engage or participate in the management or running of any private business, profession or trade but nothing in this sub-paragraph shall apply to any public officer who is not employed on full-time basis.*

Perhaps the President would be kind enough to write to the Attorney-general of the Federation tell us whether we are, as Senators, on full-time job or not. If we are not on full-time job, we need to know in order to decide whether or not to vote for these figures as basic salaries.

Finally, Mr President, Sir, on looking at these figures at a glance I would say that Ministers are now Chief Executives of their various Ministries unlike the Commissioners who served in the last Military Government. So, that being the case, they have heavier responsibilities and the salary given to them should not be equated to the salaries of Senators and Legislators. We should give them adequate remunerations.

Besides, we are always talking about eradicating corruption and bribery in this country. We should do everything within our power to see that Ministers are adequately remunerated in order to remove temptations.

Mr President, Sir, I beg to oppose the recommendations of the special committee.

I think the President of the Senate has the right to recognise anybody he likes and secondly we, in this Senate, should learn to speak with some decorum. I think it is too much for a Senator to address the Chair—

**Senator D. O. Oke** (Ondo West) : On a Point of Order, Mr President. Order 26 (11) says : *Except when the Senate be in Committee no Senator shall speak more than once on any proposition before the Senate except in explanation, if the Senator then addressing the Senate chooses to give way or to a point of Order or in the case of the mover of substantive Motion or of an Order of the day in reply, but any Senator may second a Motion or amendment without prejudice to his right to speak at a later period.*

When the Leader of the NPN, Senator Sola Saraki, was recognised I thought that it was in order to introduce something else. He has had his say on this particular Motion before and some of us have not spoken at all. I therefore plead, Mr President, Sir, that he be ruled out of order.

**The President** : I am afraid I cannot sustain your Order because he is a party Leader in the Senate. (Laughter)

**Senator Sola Saraki** : Mr President, Sir, I have asked you several times to protect me from my Friends on that Side of the Senate.

**The President** : I thought there was a marriage going on there.

**Senator Oke** : He has thrown me out. (Laughter)

**Senator Sola Saraki** : If Senator Oke had spared me the time and listened to me, he would have known what I wanted to talk about. I want to speak about the way we address ourselves in this Senate.

**Senator Mahmud Waziri** : On a Point of Order, Sir. Order 26 (2) *A Senator must confine his observations to the subject under discussion and may not introduce matter irrelevant thereto.* That is what is happening now.

**The President** : I am afraid, I have not considered what he is saying as irrelevant because I probably want to comment on it myself. Your Order is not sustained.

**Senator Sola Saraki** : Thank you for your protection. What I am trying to emphasise, Mr President, is that when we address the President, we should try to do so with some respect and decorum. For the Senator to say that the President did not show any courtesy, I think, is too much and I would like him to withdraw that part of his speech.

**Senator Obi Wali** (Rivers I, (Phalga) : Thank you very much, Mr President. I would like to comment on what a Senator said about the work of the Committee. I think the chief problem is that there is no sufficient consultation. Frankly, I do not see how we can fix the salary of the President if we do not ask him how he is working. I think that the essence of this kind of Committee is for Members of that Committee to be able to consult their party men on the way they

are thinking about. It is very, fanciful some may think it is imaginative, and some may think it is real. But I think that if we do not hear what party members think about it then we might be able to conclude on the subject including all the legal things, about people being full-time or not.

The other point I want to make, Mr President, is that this small section on States should now be completely expunged. We are tired of making this country a unitary State. My State for instance is much richer than most of the poorer States and we should be allowed in the Rivers State to exercise what ever oil money that has been plundered, the residual aspect that has been given to us, to be spent in what ever way we like.

I think that the Senate should not go against the Constitution because the Constitution entitles the various States to fix their own salaries and manage their own affairs. To pretend here that we are another Head of Army and Commander-in-Chief is just deceiving ourselves. There is nothing like that. I think that this Committee wasted its time and the time of the Senate by going into matters that do not concern it.

**Senator Jalo Waziri** : Point of Order. You should not allow these people, Mr President, to continue to condemn the work of the Committee. Their representatives have already approved it.

**Senator Obi Wali** : Mr President, Sir, apart from referring this work back to the Committee, if we do not work out these allowances, we can never see this total thing in its true perspective and in its totality. Because of the real needs of the Senators and Members of the National Assembly as a whole, who have not been paid since they came here and in the plea (I can understand the plea of the NPN Leader for this less fortunate persons), I would suggest that we should be given—(Laughter)

**The President** : Order ! Order ! you are talking to Senators. I would like the distinguished Senators to refer to Colleagues with some respect. They are not less fortunate.

**Senator Obi Wali** : That is completely withdrawn, Mr President. I would suggest that we should approve a temporary allowance of ₦1,000 a month in as much as it comes to fairly ₦12,000 a year and that is well below all the figures we have seen, in order to alleviate the sufferings of our Members, and in order to allow this Committee to sit down and do a more comprehensive work so that we can go on properly and come to a decision and have all the consultations necessary.

Finally, Mr President, I think that in this kind of paper too, we should separate the work, the salaries and allowances of those who occupy elective offices as opposed to those who occupy offices to which they are appointed by the President or other authorities. I think that I do not want to see grade levels here on this paper. Frankly, I do not see any Senators who have been involved in grade levels. I think this should be completely expunged in the paper that is coming to this Senate.

Ministers, Secretaries to Government, Special Advisers, Heads of Service, Chief Personnel Staff to the President, Head of Personnel Staff to the Vice-President and all categories of such persons should themselves form the subject of a separate Act by the National Assembly in terms of their pay and remuneration.

Mr President, thank you very much for giving me this opportunity.

**The President :** Order! Order! May I pass an information on to help Senators. The information is that the House of Representatives has already given approval to this paper. This would guide the Senate.

**Senator S. A. Akintoye (Ondo Central) :** Thank you, Mr President. I think we have to be careful in this Senate about what we do when we set up Committees to work on specific subjects, and we give them specific terms of reference when they come before us with their report. I think we have to recognise that the constitutional system we have adopted relies very heavily upon Committee works. Most of what we shall be deciding upon and most of the transaction before this Senate shall be put before us by the Committee which has worked upon them before. I think there is a dangerous tendency to frustrate these Committees and we might arrive at a situation in which the Committee will be so lacking in confidence about the decisions before the Senate and we might be doing a lot of violence to the system.

**The President :** I agree with you.

**Senator Akintoye :** Mr President we set up a Committee first to recommend the salary and remunerations of Advisers. At that point, some of us thought that we should have made it general to include the President, the Vice-President, the Senators and so on. But it was not felt by the collective wisdom of the Senate at that time that it was necessary. Later we reopened the issue at the point at which we wanted a Committee to recommend the salaries of the President and Senators and so on. We gave them specific mandate that they were to come before us with the salaries and allowances of the officers now set out before us.

We are now saying the third time that they have not attended to some things and that we should refer the report back to them to set some temporary allowances for ourselves and other people.

Mr President, I would suggest that we take this report as it is. If there are other officers whose salaries and emoluments come under our province to decide upon, we should ask the Committee to go and decide upon them as an additional report to this report. I think we should take this report as it is and consider it.

My second remark concerns the time that the salaries of Senators should commence. It is true that Section 271 (2) is very clear on the matter, we are deemed to have been elected on the 7th of July and I think it is correct that we are entitled to payment from that date. However, the Constitution says we

are now appealing to the Senate to recognise is the mood and the realities of this nation. I believe it will be rather dangerous if we as Senators or Members of the National Assembly were to demand that we should be paid about a half a year's salary of the amount that we are now demanding here.

Nobody is playing to the gallery here. We have been elected to come and consider very important matters relating to the nature and the destiny of our country. I am very respectfully, (I am deliberately using the word respectfully) appealing to some of the older Senators—some of the persons who guided the destiny of this nation for many years—to please give us the younger Senators a chance to appeal to their sense of patriotism and the sense of realism to let us take our pay from the 1st of October—the time when this Constitution came into being. We are entitled by this Constitution to take our pay from the 8th of July but we are not compelled to do so, and what we are doing now is to appeal to Senators to let us take our pay from the 1st of October.

Finally, may I say something about the remuneration for Advisers. I do not frankly know what we are doing about this and I am beginning to get worried. The Constitution empowers this Senate to approve the number and remuneration of Advisers to the President. Under that Constitution, the President of the Federal Republic of Nigeria came before us with a request for ten Advisers and after a very careful consideration of the matter we granted that request. We set up Committee to advise us on the remuneration for these Advisers, but the Committee had come with a surprising recommendation that it could not in fact recommend and that its recommendation is a non-recommendation of salaries for the Advisers. I think this is a very strange thing as it can be misinterpreted in my view that we are in fact not ready to co-operate with the President in this sole matter of Advisers. I think we should—

**Some Senators :** Special Assistants.

**Senator Akintoye :** I am ready to accept the correction on that point.

Finally, may I associate myself very strongly with what the Leader of the NPN said about the mode of address by Senators on the Floor of the Senate. He was referring in particular to a Senator. You may agree or not agree with him about the particular remarks made by that Senator, but may I say generally that I am surprised that the Leader of the NPN could readily see the weaknesses in what the Senator might have said today, whereas he did not see anything in the whole onslaught by a Senator of the NPN yesterday to those on the other Side of this Senate. I am again saying this very respectfully that the time has come when it may be a nice thing to joke and jest but when the whole primitive attack is being made upon the integrity of Senators, I think it is important that we should warn him very seriously.

**The President :** It is time to take a decision. We have in front of us the recommendations made by

know this. The President is nothing that has been put to the Senate whereas suggestions have been made, but they were not allowed to be put as amendments. So, I beg to move that the Committee should consider making provisions for allowances for the Senatorial Offices which were omitted in the report.

**The President :** The question is that the Committee should also look into the allowances for the National Assembly.

*Question put and agreed to.*

**Senator Jalo Waziri** (Bauchi East) : Point of Order!

**The President :** I recognise the distinguished Senator from Aba (*Senator Jaja Wachuku*) to continue speaking.

**Senator Jaja Wachuku :** I want to move the second Motion that since the Committee had inadvertently omitted to prepare the list of Protocol that would have guided its members in the fixing of salaries, this particular aspect of the report should also be looked into.

**The President :** I would advise that Senator Jaja Wachuku should bring a substantive Motion to deal with Protocol grading in the country generally. I think this will help us.

I recognise Senator Echeruo to speak provided that he is only going to move a Motion and not to make a speech.

**Senator E. P. Echeruo** (Okigwe) : Mr President, it is not going to be a speech. I was trying to introduce an amendment to say that until the allowances are determined, this Senate approves the provision for salary advances of not more than ₦1,000 a month for each Senator.

**Some Senators :** No! No!

**Senator Echeruo :** You will have an opportunity to reject this when it is put to vote. Salaries are not things that you can determine in a hurry, because once you have fixed a salary, it is a sticky thing that you can neither reduce nor increase. So, I am moving it as a Motion and if it has a support, we will consider it as this paper needs to be studied.

**The President :** A Motion has been proposed and seconded but I want it in writing. I have three Senators standing, one is talking but I have not recognised any yet. Is the Motion coming in writing?

**Senator Echeruo :** Yes.

**The President :** All right.

**Senator J. S. Tarka** (Benue East-Central) : Point of Order.

**The President :** What is your Point of Order?

**Senator Tarka :** Mr President, Sir, I think we are getting out of gear. We are moving a Motion in belated manner on a paper which has taken all day.

these amendments should have been indicated when we were discussing the various items but to move a Motion at this stage really calls for fresh debates and those of us who have intermittently left the Chamber ought to be given notice of these amendments as of right.

**The President :** I assure the distinguished Senator that I would consider the Motion whether it would be taken right away or at another appropriate time.

**Senator C. O. Ilori** (Ife/Ilesha) : Mr President if you look at page three of the Report—

**The President :** All you are doing is continuing with the debate which I said is over.

**Senator Ilori :** It is about the salary of Committee Chairmen plus allowances. One would have thought that the Committee would have suggested a consolidated salary as it was done to other categories of Senators in this Senate instead of saying that so much plus allowances. I think to say plus allowances would mean a lot of things. I am suggesting that to make this thing neater since allowances are not considered in this paper, I suggest a consolidated salary for Committee Chairmen rather than to say ₦17,000.00 plus allowances.

**Senator Isa Obaro** (Kwara South) : It is a belated suggestion.

**Senator Ilori :** It is not a belated suggestion. I had wanted to make this suggestion but I was not allowed to. You omitted several things here, so since you have not specified the allowances you are going to attach the salary of Chairmen—

**The President :** The Senator may sit please. For your information, you have just passed a Motion to deal with allowances. That means automatically that whatever is contained at the back would be expunged. So, your belated information is not required. There is a Motion that has been proposed and seconded to determine allowances for Senators and some suggestions have been made in the same direction. I think once again that there is not much difference between this Motion and the Motion that has just been passed but if the Senator insists that he wants to debate the Motion I may have to lift it and bring it for debate. For the moment we must make progress. I would put the question on paragraph 2 of the paper.

**Senator Bitrus B. Kajal** (Mubi) : Point of Order.

**The President :** What is your Order number ? Well, I am afraid you are not quoting an Order number. May I make a special appeal, Senator Echeruo if you want us to consider your Motion please listen to my advice. May we take paragraph 2 of the recommendation. The question before the Senate is that the Senate should approve paragraph 2 as contained in the Committee's Report as amended because allowances should be dealt with separately.

*Question put and agreed to.*

**The President :** I will now put the question on paragraph 3. Is it the wish of the Senate that paragraph 3 of the Committee's Report should be accepted ?

*Question put and agreed to.*

**The President :** Paragraph 4. There has been some suggested amendments and I would put the question in two forms. The amendment is that the effective date should be 1st October, 1979 and I would personally appeal to the Senators that we uphold that date. I am not intimidating your voting right but I would appeal personally that we accept 1st October.

**Several Senators :** No, put the question.

**The President :** The question is that the remuneration of Senators take effect from 1st October.

*Question put and agreed to.*

**Several Senators :** No ! The Noes have it.

**The President :** I shall put the question again, may-be I was not hearing you properly. So we take the vote a second time, I would like to hear all voices.

*Question put and agreed to.*

**Senator D. O. Oke (Ondo West) :** I call for a division, Mr President.

**The President :** I think the result is obvious. I am putting the question on the second part. The question is that the Senate accepts the Committee Report as contained in paragraph 4.

*Question put and agreed to.*

**The President :** Order ! Order ! I think it is undisputed that the result of the decision was as seen by me. Obviously, the members of the public know that whenever a decision is taken in the Senate, it is not taken unanimously ; but some may have objection to it and I recognize that a lot here have objection. But those who wanted it here were more than those who have objection. I do not think, therefore, that we should press for a division when it is not necessary. I am only making an appeal to Senator Oke and Senator Fasanmi in particular that they should save the time of the Senate. (*Interruptions*)

**Senator Oke :** Mr President, Sir, when I press for a division I am doing it with all sense of responsibility. The reason why I am calling for a division is that on this issue—(*Interruptions*)

**The President :** Order ! Order ! May I have some silence. You are raising a point of order. What is the order number ?

**Senator A. Adegoke (Oyo) :** The point of order is Order number 26 (4) which says : *It shall be out of order to attempt to reconsider any specific question upon which this Senate has come to a conclusion.*

(*Interruptions*)

**The President :** Order ! Order. Item No. 5. (*Interruption*)

**Senator Oke :** Pressing for division is a point of order in itself, Sir.

**The President :** Item No. 5.

**Senator Oke :** I would like to take it, Mr President, that I am being unfairly over-ruled on this. Pressing for a division is in itself a point of Order. (*Interruptions*)

I am sorry, Sir, and with all humility and due respect the Presidency has no discretion on that matter because the Standing Order makes it very clear that when a Member presses for a division, division shall be granted. We have a right and since I was not allowed to speak on this, I want to record my voice on this for all time by voting the way I want to vote. I do not want to be swallowed up by the Noes and Ayes. I want to record my vote.

**The President :** What is the Order you are referring to ?

**Senator Oke :** Order 38 (1).

**The President :** Read it.

**Senator Oke :** *A division shall be taken by the Clerk calling each Senator's name and asking each Senator separately how he desires to vote and recording the vote accordingly.*

Sorry, even before that, Order 37 (3), after voting—

*The result shall be declared by the President or Chairman stating "I think the Ayes have it" or "I think the Noes have it" as the case may be, but any Senator may challenge the opinion of the Chair by claiming a division.*

I would like to submit, Sir, that in this case a Senator has risen to challenge—

**The President :** Any Senator may challenge the Chair by claiming a division but the same order number has not told you that the Chair is compelled to—

**Senator Oke :** No, Sir, I think I want to hear what fathers in the legislature like Senator Jalo, Senator Odebiyi, Senator Jaja Wachuku may—

(*Interruptions*)

**The President :** Order ! Order ! Yes, continue Senator Oke.

**Senator Oke :** I wanted to say that in this case 37 (3) followed immediately by 38 (1) would suggest to me that here the President, with due respect, Sir, has no discretion on this matter. It is the right of any Senator to press for a division and have it.

**Senator Victor Akan (Eket) :** On point of Order.

**The President :** Senator Akan may speak.

**Senator V. Akan :** Mr President, Sir, Order number 35 says :

*The President in the Senate shall have the right to...*

*... respectively, and their decision upon any point of Order shall not be open to appeal and shall not be reviewed by the Senate except upon a substantive Motion made after notice.*

May I therefore, Mr President, call—(Interruptions)

**The President :** Order ! Order ! I have received some expert advice on the subject which I thought we should know. Nobody will object to a division on this matter if he wants a division but it must have to be on a substantive Motion which would have to be on notice.

**Senator Akan :** Thank you very much Mr President. (Interruptions)

**The President :** I recognize the fact that I made the amendment to introduce October 1 and even made a special appeal but there again my views were singular and they were defeated. What I am saying, therefore, is that there is nothing stopping this issue. Anybody who feels strongly that there ought be a division may bring a substantive Motion in his name.

Senator Odebiyi may speak.

**Senator J. A. O. Odebiyi (Egbado North/South) :** Mr President, Sir, we are setting a very dangerous precedent. If somebody challenges the decision of the Senate by stating that he wants a division, he will have it. He must have it under this section. If, Sir, you are suggesting that anybody who want to do that must do so on notice by way of a Motion, then every time we come here and we want to press for a division we have to go back and file a Motion, what are we here for ? It is a very very dangerous precedent.

**The President :** Senator Jaja Wachukwu may speak.

**Senator Jaja Wachukwu (Aba) :** Mr President, with the greatest respect, not minding how one may feel about it, Order 37 is very clear on the point, that is, voting. I will read 37 (1) : *No Senator may speak to any question after the same has been fully put by the President or the Chairman.*

(2) *A question is fully put when the President or the Chairman has collected the voices of both Ayes and Noes.*

(3) *The result shall be declared by the President or the Chairman stating I think the Ayes have it or I think the Noes have it as the case may be ; but any Senator may challenge the opinion of the Chairman by claiming a division. (Interruptions)*

**The President :** Order ! Order !

**Senator Wachukwu :** With the greatest respect, the President said I think and so on. It was no ruling, consequently a Senator claimed a division. It is automatic and it is a privilege. I do not care how I feel about it in any way. I do not agree with them on this point. It may be October or something like that, but in order to keep the dignity of this Senate and in fact the integrity of the country, if a Senator claims a division let us have a division.

You can refer to Order 35 which deals with ruling and not with voting. This is a substantive decision, but voting is a different thing altogether.

**The President :** Order ! Order ! This is not going to turn into another prolonged debate. If you want to have a division you can have it. I must announce to the Senate that whatever the result of the division may be the House of Representatives has already taken a decision on this matter ; and therefore it would mean that unless the two Houses are able to come to the same decision, you cannot implement that aspect. The division will now take place. Senators should please go to the lobby and the Clerk should get the Tellers ready. You may abstain if you do not want to vote. (Interruption)

Order ! Order ! There are two forms of division you can have. One will be when your name is called you say what you want or you may go into the lobby. Which one do you prefer ? Is it the wish of the Senate that we vote by show of hands ?

*Senator Oke rose—*

**Senator Oke :** Let us make some progress. Anybody can stand up and suspend that order and suggest a formula and we would adopt it. What do you want ? Do you want to go to the lobby ?

**Several Senators :** Yes.

**The President :** Go to the lobby and that is simple. Go to the lobby, for I am getting tired of you. You do not want to co-operate. What do you get from all this ? Nothing. (Interruptions)

Order ! Order ! We would go to the lobby. The Ayes go to the right of the lobby, and the Noes to the left of the lobby.

The motion is that the recommendation to be adopted in paragraph 4—that those in favour of paragraph 4 should move to the lobby on the right and those against move to the lobby on the left.

*Question put and the Senate divided.*

**The President :** I now call upon Senator Oke and Senator Zuofa who I believe were the two Tellers to announce their results.

**Senator Oke (Ondo West) :** Noes, 13 votes.—

**Mr President :** May I know from the Clerk of the Senate the total number of votes. Were there abstentions ; if so, how many of them ?

**Several Senators :** Yes.

Ayes : 63                      Noes : 13                      Abstentions : 7

*Question accordingly agreed to.*

AYES 63

Senator Abdulkarim, Muhtari  
Senator Abiru, Mubashir Akanbi Olatunji.  
Senator Abogede, Andrew.  
Senator Obaro, Isa.  
Senator Adebayo, C. O.  
Senator Adegoke, A.  
Senator Agwai, Mohammed Musa.

Senator Akan, Victor.  
 Senator Akpata, E. I. O.  
 Senator Ali, Abba.  
 Senator Ali, Dr A. A.  
 Senator Anah, N. N.  
 Senator Ani, I. N.  
 Senator Ansa, Joseph O.  
 Senator Audu, Iliya Galiya.  
 Senator Bakori, Bello.  
 Senator Dada, Garba Musa.  
 Senator Danbatta, Usman Alto.  
 Senator Daniel, George A.  
 Senator Daura, Yusuf Aliyu.  
 Senator Dimis, Ibrahim.  
 Senator Durosimi, A. A.  
 Senator Ebute, A.  
 Senator Echeruo, E. P.  
 Senator Emezie, E. E.  
 Senator Etiebet, D. D.  
 Senator Gada, Garba.  
 Senator Gaya, Adamu.  
 Senator Gilama, Gayus.  
 Senator Ikpo, Nosike.  
 Senator Ilori, C. O.  
 Senator Kadi, Idrisa.  
 Senator Kajal, Bitrus B.  
 Senator Kolo, Ibrahim.  
 Senator Kware, Garba.  
 Senator Lawan, M. G.  
 Senator Madaki, Jacob Kure.  
 Senator Magaji, Abubakar.  
 Senator Matta, Garba.  
 Senator Gani, Aliyu Mohammed.  
 Senator Mu'azu, A.  
 Senator Musa, Hamisu.  
 Senator Nunieh, C. N.  
 Senator Nwali, Offia.  
 Senator Ogunleye, E. K.  
 Senator Ojukwu, S. M.  
 Senator Okwu, B. C.  
 Senator Onunkun, M. A. E.  
 Senator Pam, John Wash  
 Senator Rufai, A. D.  
 Senator Salihu, Jibrin.  
 Senator Sanda, Bukar.  
 Senator Saraki, Abubakar Sola.  
 Senator Tarka, J. S.  
 Senator Umolu, J. O.  
 Senator Wachuku, Jaja A.  
 Senator Wali, Obi.  
 Senator Waziri, I. Jalo.  
 Senator Yepwi, Thomas.  
 Senator Zakari, Ahmed.  
 Senator Zuofa, A.  
 Senator Zuru, Hassan.  
 Senator Zuwo, Sabo B.

NOES : 13

Senator Adegoke, A.  
 Senator Adeoye, C. L.  
 Senator Adesanya, A. A.  
 Senator Ajayi, Adeyiga Omopenu  
 Senator Abintoye, S. A.

Senator Hoomkwap, George B.  
 Senator Odebiyi, J. A. O.  
 Senator Oke, D. O.  
 Senator Sogbein, S. O.  
 Senator Waziri, Mahmud.

ABSTENTIONS : 7

Senator Atake, F. O. M.  
 Senator Adeleke, A.  
 Senator Suemo-Chia,  
 Senator Ellah, F. J.  
 Senator Mangga, Ja'afar  
 Senator Obi, Onyeabo  
 Senator Luka Zanya Zing

*Teller for the Ayes :*

**Senator A. Zuofa** (Rivers III (Brass/Sagbama/Yenogoa).

*Teller for the Noes :*

**Senator D. O. Oke** (Ondo West).

**The President :** So, my decision has therefore been confirmed. Distinguished colleagues, let us move on. The question is that item No. 5 of the Report be now put before the Senate.

*Question put and agreed to.*

**The President :** The question would now be put on item No. 6 of the Report.

*Question put and negatived*

**The President :** No. 7 of the Report is part of the question put on No. 6 but I still have to put the question.

**Senator J. Wachuku** (Aba) : It is consequential.

**The President :** I accept the NPP Leader's view that it is consequential. The entire report has now been disposed of by the Senate and we are now making progress.

Order! Order! I am told by the mover of item 2 on the Order Paper that it is necessary we take it today because of what is happening in both the British Houses of Lords and Commons. So, may I plead with the Senate that we should at least take that item today and defer the first item till tomorrow. I now call upon Senator Victor Akan from Eket, Cross River State to move his Motions.

## MOTIONS

### London Conference on Zimbabwe

**Senator V. Akan** (Eket) : Thank you, Mr President. Before I table the Motion on Zimbabwe standing in my name on today's Order Paper, I think that it is appropriate that I draw the attention of distinguished Senators to the factors that have consistently worked against reaching an accord for majority rule in that African country.

Succeeding British governments have always worked with the governments in Salisbury with a

would and could have on its apartheid policies, has consistently sought to promote the white racist government in Salisbury. The white minority settlers in that country have on their part, refused to accept any constitutional proposals which tended to wreck their political, social and economic domination of that country.

I want to say before I proceed that I do not agree with the Leader of the NPP that the white minority in Zimbabwe are not settlers. Mr President, Sir, may I beg for your protection from Nigeria's former Foreign Minister. Small wonder, Sir, that the Patriotic Front cannot claim the total support of some leaders in Africa. Mr President, Sir, I still need your protection.

**The President :** I am not too sure that you are not protected. I think that instead of addressing the President, you are concentrating somewhere else. You should deliver your speech.

**Senator Akan:** The Patriotic Front, which is the truly Nationalist Movement in Zimbabwe has up till now been resisting attempts by the British Government to impose a two-month transitional period in that country. Sir, I want to say that the reason why I requested that this motion, and for which I thank you, be tabled today, is because today is the 15th of November, 1979. The order for the renewal of sanctions comes up today in the British House of Commons and we have evidence that the British Government does not intend to renew sanctions against the government in Salisbury.

Therefore, Mr President, I want Senators to note that the British Government did undertake to ensure that sanctions would be kept until they appoint a Governor in Salisbury. Mr President, distinguished Senators, I am sure, are aware of the posture taken by Nigeria in respect of Zimbabwe and with your permission Mr President, I would like to quote what the President of this Federation said when he addressed a joint session of the National Assembly and I quote:

*In foreign policy, Africa still remains our primary interest. We renew our pledge of support to ECOWAS, the O.A.U. and the Liberation Movements in Africa. Let it be known that our commitment to the total liberation of our brothers in Zimbabwe, Namibia and South Africa remains unshaken. We also desire to maintain peace and close ties with our immediate neighbours. And we shall work relentlessly to uphold the dignity of the black race.*

In view of that undertaking, Mr President, I think that it is important that the Senate should take note that because of our nearness and because of our size in the continent of Africa that we be involved in what is happening in London today.

Mr President, the British are insisting on a period of two months for arrangements to be completed and for a government to be installed in Salisbury. Every Senator here, Mr President, has recently contested an election and every Senator here knows that it is not possible for one to mount a campaign, it is not possible for one to run for an election, it is not possible for one to present one's programmes fully and then contest an election with a view to forming a government.

The position of Nigeria is that this period should be extended to a minimum of four months. Senators, I am sure, are aware that Alhaji Maitama Sule has been sent by our President to put this forward as Nigeria's view to Mrs Thatcher's government.

Sir, before I proceed further, I want to say that it is important for us in this Senate to show our support for the Patriotic Front. These are Africans who look forward to our support ; if we do not support them being as we are the biggest country on this continent, I am sure that there would be little hope for the entire Southern part of this continent to be liberated.

It is against this background, Mr President, that I have the honour and the privilege to move the Motion standing in my name on today's Order Paper.

That the Senate of the Federal Republic of Nigeria expresses great concern over the delay by the British Government in reaching agreement with the Patriotic Front on the transitional arrangements towards formal independence for Zimbabwe. The Senate urges the Federal Government of Nigeria to render every possible assistance to all the parties participating in the London talks to ensure speedy progress towards majority rule in that country and declares its total support for the Patriotic Front in its just struggle for the independence of that country.

In addition to that Mr President, the Senate condemns the British government's arm twisting posture in the transitional arrangements for independence for Zimbabwe and agrees that the period be extended to a minimum of four months.

Mr President, I beg to move

**Senator S. A. Akintoye :** (Ondo Central) I beg to second.

**The President :** This is a substantive Motion moved by the distinguished Senator V. Akan from Cross River State and it has been seconded by the distinguished Senator Akintoye from Ondo Central. Distinguished Senators may choose to speak and I recognise the distinguished Senator Ameh Ebute from Benue South-Central.

Senator Akintoye, you were saying you second the Motion on what ?

**Senator Akintoye :** Yes, in support of the seconding of the Motion, I wish to make a few remarks.

**The President :** Please do.

**Senator Akintoye :** Mr President, I shall be very brief. It is my opinion that the Senator who moved the Motion has said a lot that are very useful and eye opening on the Motion. I think it is only useful for us as Nigerians and as a Senate of the Federal Republic of Nigeria, to ask ourselves what is the position of Nigeria in all this matter of independence for our people in Southern Africa ? Every country has her own interests but also every country has her own duties. I think I am of the opinion, Mr President, that it seems to be the manifest destiny of the present generation in Nigeria to act as the defenders of black people on this continent and also as a beacon of life for the people of this continent.



[SENATOR AKINTOYE]

It would be a pity if momentous issues were happening in Southern Africa and we in Nigeria do not express a very decisive opinion on the matter. It is true that the President of Nigeria has taken these steps already mentioned by the Mover of this Motion, and I think it is important that the Senate of Nigeria should express very strong support for the President of Nigeria on the matter.

Mr President, it is not a question of supporting one partisan group or another in South Africa. It is a question of looking at the whole question of Zimbabwe and asking yourself which of the groups there seems to represent what ought to be the correct aspirations of the people of that country, and the persons who make themselves stooges and friends of the Oppressors of the White Minority Government in Southern Africa, and in Zimbabwe have no right to the support of Nigeria. Nigeria herself in the past few years had deliberately been supporting the Patriotic Front in Zimbabwe because that is the right thing to do in the circumstances. These are the people who have set themselves out deliberately uncompromisingly to reject any compromise with the oppressive and minority dictatorship in their country.

Some of us may say that these white people in Zimbabwe are not settlers. Others will say that they are settlers. I do not think it is necessary for us to argue on the latter. What is true, Mr President, is that small a minority of about a quarter of a million people are lording it over more than four million people and that, I think, is the important thing and we in Nigeria ought to make our point very clear, that this is a position quite unacceptable to the feelings, self respect and dignity of Nigeria as a nation on this continent, and that we support the aspirations of the Patriotic Front which is attempting, in our view, very consistently to defend the dignity of man in Zimbabwe without compromising with oppression.

Mr President, I think at this point, I would like to rest and to say that the Mover of the Motion, I repeat that the Mover of the Motion had said all that need be said, but that it is important for us as a Senate of the Federal Republic of Nigeria to make our views known very quickly and very clearly on this matter and to support the actions reportedly being taken by the President of Nigeria to give his support for the right action in the movement towards independence in Zimbabwe.

Thank you Mr President.

**Senator Ameh Ebute** (Benue South-Central) : Thank you so much, Mr President. Before I move my Amendment to the all important Motion, I have to comment that this matter is of a very, very serious nature. Under Section 19 of the Constitution, Nigeria as a State owes it as a constitutional duty to ensure that Africa as a whole is liberated from any form of slavery. Referring Senators to Section 19 of the Constitution, Nigeria owes it as a duty to combat any racial discrimination in all its manifestations.

That this august Senate humbly ask the President of the Federal Republic of Nigeria to send a high powered delegation to London conveying to the current negotiators his feelings and stand of this great nation, Nigeria in this matter.

**The President** : Order ! Order !

**A Distinguished Senator** : The President of the Republic has done that, Mr President.

**Senator D. O. Oke** (Ondo West) : We are not aware of that, that anybody has been sent. The Senate has no information.

**The President** : Order ! Order ! Will the Senator repeat his Amendment carefully or is it an addition to the resolution to be adopted ?

**Senator Ebute** : In fact, it is an addition.

**The President** : What is it—an addition or an Amendment ?

**Senator Ebute** : An addition is an Amendment. It is both addition and Amendment to the Motion.

**The President** : All right. Before I get involved in the technicalities—

**Senator Ebute** : And it runs thus. Mr President, Sir : That this august Senate humbly ask the President of the Federal Republic of Nigeria to send a high powered delegation—

**Senator S. M. Ojukwu** (Umuahia) : On point of Order.

**Senator Ebute** : Which Order ? *Laughter* !

**The President** : What is your Order, Senator Ojukwu ?

**Senator Ojukwu** : My point of Order is Order No. 19. No notice has been given of this Amendment. Order 19 reads :

*Unless a Standing Order otherwise directs, notice shall be given of any Motion on an Amendment which is proposed to move with the exception of the following.*

Then, it lists out the exceptions. His Amendment does not fall within this and, therefore, it cannot be entertained.

**Senator Ebute** : Mr President, under (f) of Order 19—that is—*A Motion arising out of the business of the day made immediately after the business is disposed of and before any fresh matter is entered upon.* This particular business is about to be disposed of.

**The President** : I think I am inclined to uphold your order, Senator Ebute.

**Senator Ebute** : Thank you, Mr President. As I was saying, Mr President, I think I have to go back. *Interruptions.* As I was saying Mr President, that this August Senate humbly ask the President of the Federal Republic of Nigeria to send a high powered delegation to London conveying to the current negotiators the feelings and stand of this great nation in this matter in compliance with

[SENATOR EBUTE]

Thank you so much, Mr President, that is the addition and Amendment.

**The President :** Is anybody seconding the Amendment ?

**Senator Jalo Waziri (Bauchi East) :** Yes, I beg to second the Amendment.

**The President :** Yes, the Amendment has been seconded. I recognise the distinguished Senator Akpata.

**Senator E. I. O. Akpata (Bendel Central) :** Mr President, Sir, this is a far more serious matter than we probably realise. During the American civil war, Abraham Lincoln in one of his speeches did say that in giving freedom to the slave, we assure freedom to the free. The position really is this, that in assisting Zimbabwe, we are assisting ourselves. We will remember that when we did our duty to Africa, when we told the world about the perfidy of the British in trying to sell our oil to South Africa with its nefarious practices, Lord Carrington threatened and virtually insulted our Foreign Secretary in what used to be known as Northern Rhodesia now called Zambia. Whom do you think frightens South Africa ? Why do you think that South Africa tried to explode a nuclear bomb. Surely, it cannot be Zambia. It is quite clear that if anybody is to be threatened, if they want to succeed in their evil practices, Nigeria must first be intimidated and subdued. Therefore, we must see in what is happening down in South Africa, attempt to intimidate us, to frighten us and make us lose our name. This we must not do, this we shall not do.

Now, what do you think is the interest of the West ? The interest of the West, of America, of France, of Britain, is to assure its capitalists the continued domination of the economy of this continent. And, if it cannot dominate the economy of all of this continent, it at least wants a zone in Southern Africa which it must dominate. Kissinger and people of his like are still unhappy about Angola ; they are unhappy about Mozambique and, therefore, what they are trying to do to force an election on the Patriotic Front in two months is to brow-beat them to attack Zambia, to attack Mozambique. To very soon attack Tanzania is only to make sure that they will continue as Rhodes did, to cheat, to steal the property, the mineral of the people of Zimbabwe and all the countries around. We must tell the world and leave the world in no doubt where we stand. We must let it be known and let our people know that collecting funds will not be enough ; that the time will come that we may have to do much more than talking and much more than passing resolution. The days of going to London to talk to impertinent Lords and Dutchesses are gone for ever in this country. We can only now march strength by strength, resolve by resolve. Now, there is much more than physical strength. Moral strength is greater than physical strength. Indeed if it were physical strength alone, Britain will not speak or dare breath where say Russia speaks. Therefore, when I talk of strength, I talk of our resolution, our determination to say that enough is enough.

Let us in this Senate let the British know and their friends that the time must come that they must have to decide whether they will keep their trade with South Africa or keep their trade with us. For, in the final analysis, what the Western World thinks of is feeding its machinery, sustaining its industries. If the industries are now sustained, if its economy runs down, then of course, there is no Britain not to talk of Great Britain.

Therefore, we must not end with passing resolution here. We must go to our own people to tell them what is happening. But I must warn, let us not in our own country do what we feel is wrong in other places. We must not whip our Drivers and show pictures of South Africans whipping black people. Any whip, whether by Black or white can be painful. In order to have moral strength, we ourselves must live here, particularly in this Senate, like brothers. It is only then that we can withstand fools ; it is only then that we have the moral right to speak to Israel or speak to South Africa or Speak to Great Britain.

Mr President, Sir, the time has now come that we must put our own house in order. We must make sure that a Black man is respected wherever he goes. We must in this Senate, today let the world know that we have had enough, that we are prepared to put our own house and our own rooms in order and that we are ready should it come, to make the ultimate sacrifice, for how can man die better than facing fearful odds for the ashes of his father and the temples of his gods! (*Applause*)

**The President :** I recognise the distinguished Senator from Kwara Central, Senator Adebayo.

**Senator C. O. Adebayo (Kwara Central) :** Thank you very much, Mr President. One can hardly expect to march the previous submissions either in terms of content or beauty of expression and yet I have the urge to add a few words and particularly, Sir, to further amend the earlier amendment which was made.

Mr President, Sir, earlier today, I was going through one of the daily newspapers of this country, the *Nigerian Herald* and the subject of Zimbabwe is a prominent feature on the centre pages. If I have your permission Sir, I would want to read it as prelude to my submission.

**The President :** How long will it take ?

**Senator Adebayo :** It is quite short.

**The President :** You may read it.

**Senator Adebayo :** For once, Sir, the British Government has decided to rush through legislation, and when it has to do with independence, that kind of action cannot but be held with suspicion. We are told in the *Herald* at page 8 under the bold banner *Britain approves Zimbabwe's Bill for Independence* that and I quote :

*The government pushed the legislation through both houses of parliament in less than a week in the hope that an agreement will be reached soon at peace talks in London on the 14-year-old independence dispute.*

[SENATOR ADEBAYO]

*Foreign Secretary Lord Carrington told the House of Lords, which approved the bill on Tuesday that the Patriotic Front nationalists would gain no more concession at the talks, and they must now decide whether or not to accept his peace plan.*

We know further that this was criticised by the Labour Party and there is the possibility that British troops would be sent to Zimbabwe to supervise the elections. We know, Mr President, the fears of the Patriotic Front over the possibility of a carefully organised election which will place the puppets of the whiteman in power in that country under the guise of black rule.

It is for this reason, Sir, that I believe, particularly considering the fact that the Military Government which we have the onerous responsibility of taking over from and whose standard we have a job to excel and which government, if one can praise for anything, certainly must be praised for its foreign policy, had done a lot in the past largely talking. But, in fact, every one in the world was conscious of the impact of the decision made by the previous Military Head of State over the Zimbabwe issue.

I believe, Sir, that this, probably would be the first major action that this Senate and possibly this Government would be taking on a matter of an international issue, and it is extremely important, in view of the importance that the President of the Federal Republic of Nigeria attaches to Africa in the scheme of international relations. I am, therefore, proposing that a delegation, indeed might be necessary, whether it should be to London is a different matter. I think it is important to ascertain what the feelings are within Zimbabwe itself, if Nigeria is to be committed to any assistance and it is my belief that there may be need for a measure of assistance.

We know, Sir, that the Leaders of the Patriotic Front look very much towards Nigeria for help in this direction. The other country which has been in the fore front of assistance is Tanzania and we know that the forces and finances of that country have been very much depleted over assisting in getting democracy reinstalled in Uganda. Therefore it seems to my mind that responsibility lies on us as Leaders on this Continent to come to the aid of the black man in Zimbabwe. So, my suggestion, Sir, as an amendment to the previous one, is that a delegation would need to be sent to Zimbabwe to find out what the situation is politically; what the wishes of the people are so that when we are backing black nationalists we are sure that we are backing the right people and further to determine what is the nature and what is the limit of assistance that is required, be it military, be it financial, be it political, so that we would be more meaningfully able to assist our black brothers in that country.

Mr President, Sir, it is my contention, therefore, in supporting this Motion that a delegation would indeed be necessary but to my mind, not so much to London as to Zimbabwe so that the direction of our assistance may be more properly charted. Thank you sir.

outside. Senators have always talked outside this Senate and in this Senate, today, on the issues of protecting the black man. The words *black man* cover a very wide range. The black man lives in various parts of the world. The black man lives in America, he lives in Africa, he lives in Australia and in fact, he lives elsewhere.

There is a new word current for the black man around the world, which is called *Aforicans*. Nigeria cannot be the world's policeman. Therefore, to start dealing with the question of our own brothers around the world immediately is going to create a lot of problems for us. We can start on a limited basis and *limited* is a word that is applicable in this situation by dealing with our immediate problems in Africa. The immediate problem is to safeguard our borders. Our borders are so wide that when we jump across the border to the Camerouns and towards Southern Africa you are still trying to create safe borders for the whole of Nigeria.

These safe borders involve three things. The first is to safeguard the economic interest of Nigeria. If there is danger of the collapse of good government in neighbouring countries, then that danger is as imminent in the collapse of good government in Nigeria as elsewhere. It is therefore pertinent, Sir, that whilst we may sit here and say we have a democratic government, an elective government, an elected government, we must feel very concerned about what is happening in other parts of Africa.

This Motion seeks, in other words, to also create a political atmosphere conducive to the freedom of all Africans and all black people around Africa. No one in this Senate intends to drive the white man out of Africa. I am sure that we all have to be very realistic in dealing with the problem. The white man in Africa is a settler. There is no doubt about that. He has got an establishment on this continent that one cannot say he should get out today. At the same time if you have a tenant in your own house it is within your right to serve the tenant with a notice that you want him to vacate your house. That is a political exercise which you have a right to in your own home.

**The President :** Order! Order! The Senate did approve our meeting time to be three o'clock. We have now exceeded that time and I need further approval. Otherwise I would say it is time to interrupt the business of the day and the debate on Zimbabwe continues tomorrow. I shall remember that Senator J. S. Tarka is the last Speaker on the topic.

#### ADJOURNMENT

**Senator Sola Saraki :** Mr President, Sir, Senators I beg to move that this Senate stands adjourned till tomorrow at nine in the morning.

and internal—(Applause)

**Senator Sabo Bakin Zuwo** (Kano Central) : Mr President, in Nigeria we are crying that there is no money. We do not actually know where we are heading to. Now it has been discovered that ₦2 billion was unaccounted for by the Nigerian National Oil Company.

**The President** : Order! Order! Did I hear the Senator say that ₦2 billion was unaccounted for?

**Senator Zuwo** : Yes.

**The President** : The distinguished Senators want to know where you got that information from.

**Senator Zuwo** : It was published in the *International Herald* on Monday October 8, 1979. (*Interruptions*)

**The President** : Order! Order! The Senator is speaking on a Motion for Adjournment.

**Senator Zuwo** : May I continue, Mr President?

**Some Senators** : Fire! Fire!

**Senator Zuwo** : Normally, on major issues in this country like this, when it was published and the Government kept silent, both the previous government and the present government, I had to be annoyed because if actually it is a domestic—

**Senator Ibrahim Dimis** (Bauchi South) : Point of information.

**The President** : What is the information?

**Senator Dimis** : Do we know whether the present government did something in silence?

**The President** : I am not sure that the present government kept quiet over any thing. (*Interruption*)

Order! Order! The distinguish Senator from Kano Central should continue, but he should please be brief and be prepared to substantiate his information.

**Senator Amadu A. Ali** (Benue West) : Point of procedure. I am beginning to wonder whether this Senate can be subjected every time to this type of newspaper allegations. How many things have the newspapers written about our proceedings here ?

**The President** : A Senator may speak on Motion for Adjournment on any issue because a decision is not yet being taken. If a decision is to be taken, then he must bring a substantive Motion. Distinguish Senator, may you please wind up.

**Senator Zuwo** : Mr President, Sir, I believe that this thing came out in the Audit Report, and I will soon produce a documentary evidence. But I will like to say, Mr President, Sir, that even, let us assume that it was published in an international newspaper and or a long time, the former administration kept calm on the report, Nigerians must be worried about it. Therefore, Mr President, the Managing Director of the Nigerian Oil Company Mr Marinho, has even promised that he will announce to the nation the position of the ₦2 billion. Consequently, I will advise the Senators to invite him to clarify the issue. (*Applause*) !

**Several Senators** : Fire ! Fire !

**Senator Zuwo** : These forces have no interest in the common people of this country.

**Several Senators** : Fire ! Fire !

**Senator Zuwo** : So, Mr President, Sir, I am sure some of you are quite aware of this situation and kept calm. Some people who are criticising me are sub-agents of this thing. (*Applause*)

**Senator Ali** : Point of Order. Order Number 26 (2) (6) (*Interruption*) Mr President, Sir, I will like to read this Order 26 (2)—*A Senator must not read his speech, but he may read short extracts from books or papers in support of his argument, and may refresh his memory by reference to notes.*

26 (6) *No Senator shall impute improper motives to any other Senators.*

Mr President, Sir, I am surprised that Senators on the other Side of the Table—(*Interruption*)

**The President** : I am inclined to sustain your Order. Senator Zuwo, please wind up.

**Senator Zuwo** : Mr President, Sir, I wonder why some of my colleagues feel like this on my raising this very important issue. I know when people commit a crime, somebody committed it with collective responsibility and that is why the former member of the previous regime—(*Laughter*)

**The President** : Order ! Order ! I call on Senator Kajal to speak.

### Nigerian Culture

**Senator Bitrus B. Kajal** (Mubi) : I rise to support the Motion on Adjournment, and in the process, I will like the Senators to think about a very important question, the Nigerian culture. Culture is something that I understand to mean the totality of man. Therefore, when, we are talking of Nigerian Culture, we should really be concerned about the totality of the Nigerian person.

In 1977, Mr President, Sir, Nigeria spent two billion naira or thereabout on Festac. There is also an emolument of about ₦78 million or thereabout. Mr President, Sir, we did spend that amount of money because we thought Culture was important. But what is Nigerian Culture today, if I may ask ? Today, we are more concerned about struggling for money. We are concerned about hooliganism. We are more concerned about getting contracts. We are concerned about getting money by all means and that means our houses, no matter how beautifully built must be defaced in order to allow space for a small shop in front so as to earn more money.

I am not in anyway asking us to forget about making money, but I think we need to consider our own values and what our values should be in Nigeria today. Are these the values that this Senate would like to see in Nigeria? I am therefore, asking that this Senate starts to think about the values that we would like to see

[SENATOR KAJAL]

fit the Nigerian personality. We would like to see a Nigerian who is hardworking, a Nigerian who has self-respect and a Nigerian who gives respect to the authority and so on. This means that we really need to start to have a policy on this.

Right now, Mr President, I am raising this matter so as to prepare the minds of Senators for a possible Bill that we may be bringing in order to gear our thinking towards a better culture for Nigeria. Culture is something that I am sure we can use to unite Nigerians; culture is something that we can use to bridge the gap between the rich and the poor and to have a sense of feeling, a sense of belonging and to have one thing to strive for. This is, therefore, a very important matter and I would like us to give it due consideration at the appropriate time.

Thank you, Mr President.

**The President :** I call upon distinguished Senator from Ilorin/Asa and the Leader of the NPN (*Senator Saraki*) to speak.

**Senator Sola Saraki (Ilorin/Asa) :** Mr President, fellow Senators, as regards the allegation made by my Friend about the ₦2 billion that the National Oil

Corporation could not account for, this to me, is very serious. He even mentioned the name of one Mr Marinho. I thought Mr Marinho was the Managing Director of this Corporation and the Senator went to the extent of saying that Mr Marinho did say that he was prepared to testify before anybody. It is my responsibility Mr President, to say that I would ask the Chairman of the Corporation and the Managing Director to come and see me with the papers pertaining to this particular matter and would eventually refer the matter to the Committee on Petroleum. (*Applause*)

**The President :** The question before the Senate is that the Senate do stand adjourned till 9.00 a.m. tomorrow, being Friday in accordance with the Standing Order ?

*Question put and agreed to.*

*Resolved :* That the Senate stand adjourned till 9.00 a.m. tomorrow.

*The Senate adjourned accordingly at 4.15 p.m.*

Friday, 16th November, 1979

The Senate met at 9.55 a.m.

### PRAYERS

(The President in the Chair)

### QUORUM

**The President :** Order ! Order ! The Senate consists of 95 Senators. To form a quorum, we need 32 persons. I am informed presently by the Clerk that we have 42 Senators. So, I feel we have more than formed a quorum to start the business of the day.

I recognise Senator Isa Obaro.

**Senator Isa Obaro** (Kwara South) : Mr President, Sir, I would, with respect, as regards quorum, refer the Senate to Standing Order No. 8, paragraph 1. With your permission, I would read it.

*The quorum of the Senate shall be not less than one-sixth of all the members of the Senate,* and one-sixth is only 16.

**The President :** So you have nothing to quarrel about.

**Senator Obaro :** I insisted, even at the time you came in, that a quorum had been formed.

**The President :** I have not used that as a basis. We were waiting because a particular group was not here ; but I think we have given them sufficient time. This is not a matter for argument, distinguished Senator, we would proceed with the business of the day.

**Senator Obaro :** Except that, I thought it was not a basis for waiting.

**The President :** Well, every Senator may think of a basis, but I have said that I do not think that this should be a subject of controversy.

**Senator Obaro :** It is all right, Sir, as the President wishes.

### Votes and Proceedings

**The President :** I think, first of all, I must comment on the Votes and Proceedings of yesterday which are a complete muck up of the figures that were considered and approved by the Senate. I am told that this is as a result of the printer's error. Accordingly, I have made sure that the printer himself is here physically.

Is he here, Mr Clerk ?

**The Clerk :** No, Sir, he is at Apapa.

figures, was he here ?

**The President :** As I was saying, the Votes and Proceedings were completely mucked up coupled with the fact that I was misled by the Chairman of the Rules and Business Committee. Unfortunately, he is not here this morning because he lost his daughter, an undergraduate. He did tell me that the House of Representatives has passed the Committee's work. On the basis of that, I advised the Senate. We now find that, in fact, that was not what happened there. What happened was that they did alter some figures. So, I feel I should report the two incidents to the Senate this morning for your consideration.

I recognise Senator Onyeabo Obi.

**Senator Onyeabo Obi** (Anambra West) : Mr President, Sir, I think that one of the problems we have with the present exercise is lack of a system. I am in the Rules and Business Committee. I think that before we can properly get this Senate organised for business, the rules have to be drawn up, considered and approved. As we were given this report, it was put before the Senate. There was no time for Senators to consider the Committee's recommendation and consult among themselves or even consult other knowledgeable persons in their constituencies. We rushed to discuss and to take a decision. That was why some of us abstained ; it is not because there were no merits in the Committee's Report but we abstained because we had no time to study the report. If we had done so all these mistakes and inconsistencies would not have occurred.

**The President :** Order ! Order ! I would welcome suggestions and discussions on the subject without insinuations. Once the Senate has taken a decision it is a Senate decision, whether you abstained, voted or what have you. I think you can make your point without making that inference.

**Senator Onyeabo Obi :** Thank you very much, Mr President. This is not the Resolution we passed here. It should be referred back to the Joint Committee so that they can iron out and reconcile the conflicts between them. The Joint Committee Members of the National Assembly would return to their Chambers for finalisation of the subject. This is the procedure normally adopted where there are differences in the decisions of the Houses of the National Assembly.

Thank you, Mr President.

**The President :** I recognise Senator Akpata.

**Senator E. I. O. Akpata** (Bendel Central) : Mr President, Sir, I think what has been suggested is normal, a joint session is necessary. When both House disagree there would be a Joint Committee and when the two Committees disagree, the thing would have to be relisted for a joint meeting. But what I really would like to say is this, perhaps it is not opportuned, but having now heard that one of us is bereaved, least we forget, we have, at the appropriate time, to suggest to you, Sir, to express our condolences to him and his family because with the pressure of events, one may very easily forget to do it when it is still fresh.

[SENATOR AKPATA]

The second point is, Sir, that there has been some attempt—I do not want to hold brief for the Printer. The printer is not a magician. If a paper did not reach him he would not print. So, for the Clerk or anybody to suggest that this is the printer's error is the most fatuous explanation I have ever heard. Someone took the wrong paper to him or included the wrong paper among the right ones. The wrong paper had no business whatsoever to have got to him and I hope we will not tolerate that type of excuse.

**The President :** I recognise Senator Ali to speak.

**Senator Amadu A. Ali (Benue West) :** Thank you, Mr President. I think in order to finish with this matter, I would suggest that we excise Report No. 5, Report from the Joint Committee on Remuneration of the 15th of November, 1979, and substitute what we really discussed here yesterday.

I would hasten to say that the secretariat should take more care. I would also like to remind Senators that whenever we have anything on the Table of this Senate, we should consider it as the property of the Senate and look at it in the light of what Senators see is correct. The information that we kept getting at intermittent intervals yesterday that the other House had passed it, I think, next time, should have no business with us. That is why there are two separate Houses, you see, and we are not bound to have exactly the same thinking on any subject. For one thing, some of us are much older. So, one would expect that our views might not be exactly theirs. We should not bother whether they have passed or have not passed any bill.

Now it is obvious that we did not pass exactly the same thing. I think somebody was trying to be smart, thinking that what was passed there was what we were really passing here, not the paper before us. Whatever be the case, Mr President, Sir, whenever we have our own matter we discuss it in our own right. As it is now, we would refer it again to the Joint Committee and then try and streamline it.

Thank you very much.

**The President :** Senator Adesina may speak.

**Senator 'Lere Adesina (Ibadan) :** Mr President, Sir, there are just some minor mistakes in the Votes and Proceedings of yesterday. In the Votes on page 39, I think instead of Senator Adegoke they tended to put Senator 'Lere Adesina. Thank you very much.

**The President :** Distinguished Senator from Borno South may speak.

**Senator Ja'afar Mangga (Borno South) :** Mr President, this Report was brought here by this Committee and the other House deliberated on it differently. We discussed this matter yesterday exhaustively, in its sum total, we accepted some of the Committee's recommendations and approved the remunerations.

**The President :** That was wrong.

**Senator Mangga :** Well, there were so many absentees among the Senators. Only seven of us were—

**The President :** You had already printed your report. We were discussing it here when the Senators here went out. So they could not have gone out for the same—

**Senator Mangga :** What I am driving at is that since we have accepted the Joint Committee's Report, if there had been better communication between the President of the Senate and the Speaker, the President should have done something about it even without referring it to the Committee a second time.

**The President :** Just for the purpose of record, I am reading from Section 58 (3) of the Constitution.

*The Senate and the House of Representatives shall appoint a Joint Committee on Finance.*

I consider this particular issue dealing with emoluments as financial.

*Consisting of an equal number of persons appointed by each House and may appoint any other Joint Committee under the provision of this Constitution.*

The point I am trying to get at is that the Joint Committee of the two Houses must always be of an equal number.

**Senator C. O. Adebayo (Kwara Central) :** I think that was exactly what my colleague was saying that there would appear to be a discrepancy between the number here and the number approved regularly in the other House for Committees. Our Committee members are eleven whereas the Committee from the other House is larger. So what he is saying in effect is that just as we elected eleven to be members of this Committee, they should also have eleven. So, what he is saying is that there is a need for reconciliation here and there so that they have no more than eleven.

**The President :** I recognise Senator I. Kolo.

**Senator I. Kolo (Bida) :** Mr President, I think what my colleague was trying to explain was that when we had the Joint Committee of the Senate and the House of Representatives on that particular day, the membership should have been eleven versus eleven; but actually about five Senators were absent. So, we were about six or seven. We agreed and we deliberated on the Committee's work. Although we suffered for that when it came to voting, yet we came to a very cordial agreement on the figures. That was the basis of the figures submitted to this Senate.

In approving the work of the Committee, this Senate did unanimously approve what was submitted by the Committee. On the other hand, the House of Representatives did make some Amendments. I

House of Representatives. Instead of a difference of one thousand they said that there should be no difference at all in their own conclusion. What I suggest that we should do now instead of referring it back to the Committee, if the Senate has the final say—(*Interruptions*) If it is not and if it is both Houses that have the final say, then that particular point of difference should be returned to the Joint Committee for further discussion. If we return the whole things knowing ourselves as we do, I think, we may possibly take another five months discussing it without getting any result.

**The President :** I think the suggestion the distinguished Senator is putting across for the consideration of the Senate is that we should refer only the items that are in dispute back to the Committee. It appears to me that there are only two items : the item of the salaries of the presiding officers and their deputies in the two Houses and the Members.

I recognise Senator Ilori.

**Senator C. O. Ilori (Ife/Ilesha) :** Actually, I was going to say—(*Interruptions*)

**The President :** Order ! Order ! Point of information Senator Akpata.

**Senator E. I. O. Akpata (Bendel Central) :** They are trying to compare the Speaker with the President of the Senate. There is something erroneous about that because the President of the Senate is not only the President of the Senate but he is the President of the National Assembly. In their trying to draw a parallel line in this case the Constitution is clear. It is specific that the President of the Senate is the *Ex-officio* President of the National Assembly. Let them hear it. Post the letter to them.

**The President :** Senator Ilori may continue.

**Senator Ilori :** Mr President, I was going to say something along the line of the last speaker which was not information. It was my impression that when an issue is referred to the two Houses, the Lower House and the Upper House, so to speak, I think according to the Constitution, there is a laid down procedure but I am not very sure about it. Maybe you know what I am driving at. This may pertain to the passage of a Bill, but it may also apply to the question of the report of Joint Committees which we shall be having from time to time between this Senate and the other House. In a case like this where there was a Joint Committee that worked on an issue and a report was drawn up, naturally that would be discussed by the two Houses.

Procedurally, one would have thought that that report should be discussed after it had been discussed in the Lower House and the minute of their deliberations brought up here and be considered along with the report to be discussed by the Upper House. One would have thought that that was discussed and the decision taken in the Upper House should have been the final because this is supposed to be the Upper House. I think what applies to the passage of the Bill should also apply to an issue pertaining to a Joint Committee of the two

way. It is true, as information has had it, that the Lower House had considered the report of the Committee on remuneration.

Naturally they have a different view on certain items. We also considered the same report here in this Senate. We did not make any amendment to the report. We passed the report as it was submitted by the Committee which was drawn up by a Joint Committee of the House of Representatives and the Senate. I would have thought, this is my own view, that what was passed without an amendment by the Senate should take precedent over the report that might have come up from the House of Representatives.

**The President :** Order ! Order ! I know that I am contributing too much to the debates, but I would like to comment on the last speaker's speech. I happened to be one of those who approved the Constitution. The Constitution did not make such arrangement that a Bill would originate from the Lower House and end up for ratification at the Upper House. The two Houses are considered as being equal in this regard but, of course, with the National Assembly being supreme.

It is unfortunate that what is considered by the Committee which is a Joint Committee of both Houses has been reconsidered by one arm of the same National Assembly. I assure you that I will be taking up this with the Speaker as soon as possible and report back to the Senate. Is it the wish of the Senate that we refer only the two items back to the Committee ?

I am reading from the corrected version. The items are : the President of the Senate, the Deputy President of the Senate, the Speaker of the House of Representatives, the Deputy Speaker of the House of Representatives, Senators and the Members of the House of Representatives and Party Leaders.

Senator Abogede, you have been itching to speak.

**Senator Andrew Abogede (Benue North-Central) :** Thank you, Mr President. My own points are just very few and very brief. I am really only concerned with the figures that had been deliberated upon yesterday, and to my own dismay, how the Reporters of the proceedings come about the figures that are being enumerated here—

**A Senator :** You are far behind.

**Senator Abogede :** Yes, I am far behind and you are far ahead, but all of us are here. I was here and I am here still. I was here yesterday. What I think, Sir, is that it is a deliberate omission. That is all I am trying to say. It is deliberate because these figures were not even in the report submitted—

**Senator S. A. Akintoye (Ondo Central) :** Point of information. In order to save the time of the Senate and to enlighten the Senator about the error he is committing, I think we all earlier this morning, came to the very conclusion that all these figures here were erroneously and mistakenly submitted to the printers, and they have been expunged from the



[SENATOR AKINTOYE]

records and the correct figures which we saw and approved yesterday will be printed and brought back to the Senate. That is the point of information, Mr President.

**Senator Andrew Abogede :** Mr President, Sir, I am very grateful for your explanation. What I am trying to say is that there was not enough warning to them. I am saying this because this will repeat itself in the near future. There was not sufficient warning to those who took the records ; how they smuggled them in, whether it is through the Clerk of the Senate or the President of the Senate, is not my business. It is the eye-service that we have in this country that is put on paper.

**The Deputy president :** Thank you, Senator Abogede. You could be sure that it could never have been the President, but I assure you that the Clerk of the Senate will take note.

**Senator Andrew Abogede :** That is very good. Mr President, Sir, when we are out to say something, and somebody who had committed an offence happens to be near, there will be eye-service, by those who would want to defend the culprit. They would like to please the offender so that they would be recognised by him. If not, the Senators were here yesterday ; deliberated all day long, and then what they discussed was thrown overboard and another thing was reported this morning. They are not even serious over it, because they say it is done by the Clerk of the Senate. If the Clerk of the Senate commits an offence, should we not bring him to book ? We should try to make a point to him that he has deliberately or inadvertently committed that offence.

**The Deputy President :** Order ! Order ! May we make progress.

**Senator Akintoye :** I have a question, Sir.

**The Deputy President :** What is the question ?

**Senator Akintoye :** The question is, is it impossible for the President of this Senate to ensure that we do not have a circus here ? Thank you, Mr President.

**The Deputy President :** Senator Abogede, please wind up.

**Senator Abogede :** Well, I have not much to add other than to say that some Senators really make a mockery of themselves when they are referring to others.

**Senator E. C. Oke (Ondo West) :** Point of Order.

**The Deputy President :** What is the point of Order ?

**Senator Oke :** The Point of Order is Order 26 (5). May I read it ? It says :

*It shall be out of order to use offensive and insulting language about Members of the Senate.*

In this respect, Sir, a Senator telling the whole lot of us that we are making a mockery of ourselves, seems to me, Sir, to offend the spirit that of

**Senator Amadu A. Ali (Benue West) :** A Distinguished Senator is saying that he is a circus ; a single person cannot be a circus.

**Senator J. S. Tarka (Benue East-Central) :** Point of information, Sir.

**The Deputy President :** Order ! Order !

**Senator Tarka :** Mr President, Sir, if I may borrow a leaf from Senator Oke, I think it is unseemingly language for any Senator to say that Senators have constituted themselves into a circus. It is in very, very bad taste, I protest on behalf of all of our colleagues and it must be withdrawn.

**Senator Akintoye :** Mr President, Sir, I have no intention of insulting the Senate, but surely the President has a duty to warn Senator Abogede about his language in this Senate. May I say, I have no intention of insulting the Senate. I withdraw the language. Thank you.

**The Deputy President :** Wind up Senator Abogede.

**A Senator :** He has finished.

**The Deputy President :** In that case, Senator Abogede, if you have finished, shall we make progress ?

**Senator Abogede :** I do not think that he has the right to tell you that I have finished. He cannot dictate to you, that I have finished. You know when I started ; you know when I should finish. When I have finished, I shall tell you. He should not be the one to dictate.

**The Deputy President :** All right, I give you one minute to finish.

**Senator Abogede :** Thank you, Mr President. On this, Sir, I beg to support.

**The Deputy President :** Thank you. Senator Dimis, you may speak.

**Senator Ibrahim Dimis (Bauchi South) :** Mr President, with due respect, I would like to go a bit against what I thought had been happening. Mr President, the other day, Senator Obi briefed the Senators on the issue of what happened during our meeting in camera. That was on the 18th of October. Two days later, the discussions were in the Press. We would have loved to say that we want to know how these people got the copy of the Hansard which we, the Senators, had not got as at that time. There must be something wrong somewhere, somehow with the staff here whom we say took Oath. I would have loved to say something stronger but for the fact that they are part of us. I will only appeal to the President to talk to the Clerk to let his men realise the importance of their place and their position. They should know that they are the good custodians of the secrets of this nation, and if either by acts of omission or commission they err in this manner,

Secondly, about NEPA. Yesterday, we were told the same thing that there is a generating machine, but that it has broken down. Even if you buy a new one and there are no maintenance staff to man it, it would still break down, and we shall come back to the same position. I would like to appeal to the President to talk to the Clerk to try and find a way to remedy the situation. It is not our responsibility to see to these things, but the President should try as much as possible with the Clerk to get the necessary staff to assume these responsibilities.

With this few remarks, Mr President, I beg to appeal.

**The Deputy President :** On the question of generator for this Senate, my information was that there was no standby generator for this particular side of the premises. In fact, there is a standby generator for the rest of Parliament Buildings but not this Senate Chamber. What used to happen was that one was connected directly to NEPA which, in those days the Authority made sure that there was no power interruption here. The same thing happened yesterday. If we would want a standby generator for this Senate then, we might acquire one. This is just the position.

Senator Ojukwu please.

**Senator F. O. M. Atake (Bendel Delta) :** Point of information.

**The Deputy President :** What is the information ?

**Senator Atake :** The information is very simple, Mr President. We have an Order Paper for today, Friday, the 16th of November, 1979. This is the programme we have before us. I do not know where we are. We seem to have been talking round the whole world while we have a programme which we have left untouched. The mistake on the Report has been finished with and this has to be sent back to the Committee. We should come back to our work. What is all this about, as if we are talking on a Motion for adjournment ?

**The Deputy President :** That is true and how far have we gone down the Order Paper? (*Inter-ruptions*) Let us listen to Senator Ojukwu, before we come back to the Order Paper.

**Senator S. M. Ojukwu (Umuahia) :** Mr President, Sir, I want to contribute to the debate about the disparity between the decisions taken both in the Senate and House of Representatives yesterday, regarding our remuneration. There is, usually, in every Parliament, the written law and what is called convention.

**Senator C. O. Adebayo (Kwara Central) :** Point of Order.

**The Deputy President :** What Order ?

**Senator Adebayo :** I would like the matter concluded as said. We should not reopen it.

**The Deputy President :** Let us give Senator Ojukwu a chance.

**Senator Ojukwu :** What I am saying, Mr President, is that there is what is known as the law and also the convention. To get over the difficulties we find ourselves in sometimes, it could be the convention of the National Assembly that any matters which requires approval of both Houses may originate from one part of the National Assembly, and end up in the other, particularly on issues like this. If they start with the House of Representatives, they will later come here. We do not just rush over them the same day, but we should sleep over them, and have discussions and consultations when we reassemble. We are regarded as having mature minds. If we look into them and there are issues of differences they should be referred back to the Committee for further discussion.

**Senator Isa Obaro (Kwara South) :** Point of Order.

**The Deputy President :** What Order ?

**Senator Obaro :** Order 26, Paragraph 4, Mr President.

*It shall be out of order to attempt to reconsider any specific question upon which the Senate has come to a conclusion during the current session except upon a substantive motion for rescission.*

As regards remunerations, a decision was taken on it yesterday. As regards disparity between decisions here and decisions in the Lower House, a decision has also been taken on that this morning. For the Senator to now reopen the issue, I think, is improper and I honestly submit, with respect, that is sheer waste of time.

Secondly, Sir, for the Senator to impute motive that we hurried over the issue yesterday, I think is an abuse of the procedure of this Senate. We did not hurry over it, and he should not give the impression to the world that we are now regretting coming to the conclusions which we reached yesterday. I do not think that is a healthy sign for proper discussions and taking of decisions in the Senate. Once a decision is taken, we should not start regretting it, whatever be the consequences.

**The Deputy President :** Thank you very much Senator Obaro. Senator Ojukwu, could you just wind up please ?

**Senator Ojukwu :** Yes, Mr President. What we were discussing this morning and on which decision has not really been taken is what will happen in future. We are all suggesting what should be done.

The other thing I want to talk about is to reinforce what other Senators have said about the seriousness of our work in this Senate. We should not allow mistakes of the type that has happened this morning to continue unchecked. If we seriously condemn what has happened today, a situation in which something entirely different from what the Senate discussed yesterday appeared in the Votes and Proceedings, it would make this Senate a much more effective organ. We should not allow mistakes to occur and re-occur without serious challenge.

Thank you, Mr President.

**The Deputy President :** I think that we should go back to the Order Paper now. If I remember correctly, at the close of business yesterday, Senator Tarka was making his contributions to this all important matter. You might as well continue, Senator Tarka.

### NOTICES OF MOTIONS

#### The London Conference on Zimbabwe

(Adjourned Debate on Question : 15th November).

*Question again proposed,* That in view of the current negotiations going on in London for the independence of Zimbabwe and the commitment of Nigeria to majority rule in that country, this Senate :

(i) expresses great concern over the delay by the British Government in reaching agreement with the Patriotic Front on the transitional arrangements towards formal independence for Zimbabwe ;

(ii) urges the Federal Government of Nigeria to render every possible assistance to all the parties participating in the London Talks to ensure speedy progress towards majority rule in that country, and

(iii) declares its total support for the Patriotic Front in its just struggle for the independence of their country.

**Senator J. S. Tarka** (Benue East-Central) : Thank you, Sir. Yesterday if I may refresh the memory of distinguished Senators, I was about to discuss the tenancy which we have in Africa especially the African countries that are still under the influence of the yoke of colonialism and imperialism. As I was saying, Sir, we are about to have a change of government in Zimbabwe. It has not been an easy life for the majority of the people in that part of the world.

I was also talking about Nigeria creating safe borders for herself. Some of the reasons why Southern Africa has become a sore issue both in Africa, the United Nations and also in the Commonwealth, is simply the fact of existence. The British, the Americans, the Germans and in fact, all the Western powers have very heavy investments in Southern Africa, and at all given times, they have sought to create safe borders for the so-called republic of South Africa faced with a small minority government in Pretoria.

One must have heard in the past the Leader of the Conservative Party in Britain talked of the unacceptable face of capitalism. Well, I am not in the same plane with him. He comes from a club which is obtained both in the Labour Party and also in the Conservative Party. But here in Nigeria, there are distinguished Politicians and Statesmen who are still here, who are still around, and those who are no longer with us in active politics.

I now speak of people like the right Honourable Dr Nnamdi Azikiwe, Alhaji Aminu Kano, Chief Obafemi Awolowo, the late Alhaji Tafawa Balewa, Chief S. L. Akintola, Dr Chike Obi, Sir ZUNURU. Osita Agwuna and there is a host of lots

and at no given time in the history of Nigeria even within ourselves, even in the old Northern Nigeria, where there was a Government that conceded the subtle way of bringing people together for discussions did any Constitutional talks go with such jet speed as the talks about Zimbabwe in London.

I would say, Sir, that part of the fault must be borne by the Patriotic Leaders themselves who happened to be so disorganised and disunited that they need the help and support of all African countries and, in fact, that of the OAU and the UN. But unfortunately, Sir, the OAU itself is a very weak organ, and as for the UN, it is a very weak club dominated by the same powers that control and dominate the economy of Southern Africa. I choose to call this the unacceptable face of imperialism and neo-colonialism.

We have also the misfortune that unlike the West, African countries which have escaped the total economic grip of the Western Powers, I am sure that had the British and the Americans, and the Germans, and indeed the French known that there was such a large deposit of oil in West Africa, they would not have left us at all. They would have given us the same tough time as they are giving our brothers and sisters in Southern Africa by trying to destroy our leaders through political murders, genocide and the like.

We are fortunate in that reports that leaked out even in the early days to them about the climatic conditions in West Africa, showed that the whole area was swampy and infested by mosquitoes, deadly diseases and so on. So, when the time came, with good leadership at that time, they left us alone and we had independence.

The Patriotic Leaders as we know them are people who have been in detention for so long. We know about detentions, some of us, at least, had the bitter pill of it and we happen to know that when you are in detention for too long, you become a little bit rusty, disorganised and confused. Nkomo, Sithole and others have been in detention for so long that they yearn for power. They yearn to be out of darkness. They are out of darkness but in a very narrow and confused manner. It is a pity that they have a very ragged Army. The only course opened to them was to take over their own country. Unfortunately, they are disunited as they are equally economically handicapped.

It is the job of Nigeria as one of the leading nations in Africa to give assistance to Zimbabweans especially through the Patriotic Front. I heard with keen interest a colleague from across the benches saying that we should now look forward to giving aid to the Patriotic Front through Lusaka rather than through London. Nothing could have been said that was better than that. It is a waste of time, sitting in London, in Royal Lancaster Hotel or Dutcheater Hotel in three-piece suits pretending to be discussing with Lord Carrington, whose family has very heavy investments

the way it is today. How I wish that mosquitoes infested those areas and we have enough time to use those mosquitoes to drive those callous imperialist capitalists out of Southern Africa for good.

The tenancy I was talking about, Sir, is about to change hands. What we sought to do yesterday was what the former government tried to do through the courageous efforts of General Adefope, our then Foreign Minister. He sought to put up a fight on behalf of our colleagues and friends and brethren in Southern Africa. He took the challenge against Lord Carrington and his henchmen in Lusaka. He was called names and our Government was labelled a government of leftists.

Well, if leftism is the word that befits us to save our brothers and sisters in Southern Africa, then let it be. We can accept whatever name they give us in international politics, if for that sake, we can save our brothers and save our borders.

Yesterday night, I was very disturbed when I listened to the news on the BBC and heard that the Patriotic Front had accepted a compromise. The compromise was the fact that their Armies were going to be accepted on the same parallel as the white controlled Army in Salisbury. I think that their intelligence has been insulted and they are going to fall into a trap if they do not take care. The only way we can assist then is to warn them through our brothers in the Frontline Countries whose leadership has helped to assist our other African brothers even at the expense of their economy.

I know, and we all know, that some of the economies of these countries depend very heavily on transportation through South Africa yet they have given assistance, they have made sacrifices in order to assist Zimbabwe and other countries around those areas that are land-locked, to save them from imperial control *ad infinitum*. I wish, Sir, now that the situation has been pre-empted or overtaken by events and a Bill has now passed through the House of Lords in London, we of this Senate will pass the Motion which our colleague has ably moved, in order to assist in obtaining an honourable independence for the Zimbabweans.

What can we do to assist them? We have seen, in ordinary films, that the only fights that the black man has ever won honourably are fights with the fists. Mohammed Ali, Floyd Patterson, Joe Louis and Joe Frazer have always been great boxers.

**Some Senators :** Come back home. Come back home.

**Senator Tarka :** As I was saying Mr President, Sir, here at home, we have great boxers like Hogan King Bassey, Dick Tiger and the lot who always won fights with their fists. When it comes to music, the black musicians win. They use them as entertainers just as we were used in America as slaves—slave labour. That is still going on.

When it comes to the fight of Tarzan, Tarzan who is a white skinned fellow wins. When it comes to James Bond series, who wins? James Bond is a British based film star, an English man, he wins. When it comes to other films of the same type—Hawai-Five-O who is the winner? It is the white

group of primitive people who are not able to fight for themselves.

For the first time, Mr President, Sir, a challenge has been thrown at us, not only as Nigerians but, the African race. We must help to assist our brothers and sisters in Southern African in order to assist ourselves. If we do not assist them, we would be making the same mistake that was made in the Middle East. The same mistake of pawning our own liberty, pawning our own economies just for the gains that a few people may be able to get.

Mr President, Sir, although there is a lot of room to discuss this issue, I feel that time is against us. The time at our disposal is insufficient. If we are to stay here and talk the whole day, we would be behaving like successive governments had done before on this issue as well as other issues of interest. Had there been an immediate follow-up of the actions taken by the former governments on the question of aid to the Patriotic Front and to the Frontline Countries, in particular, to save their economies, we would not be talking the way we are talking today, of sending a hasty delegation to the United Kingdom.

You can only appeal to a cannibal if you think you are safe enough not to be eaten, or, if your flesh is poisonous, but in this case, our flesh is not poisonous. We have all the copper, gold and diamonds in South Africa. So, to send a delegation to them is like saying that we have come to offer ourselves to be sacrificed. Whenever they find themselves in difficulty they call on one of the Frontline Presidents to come to their rescue. This is what has been going on for fourteen years. Fourteen years during which period there was a Labour Government. Who gave independence to South Africa in those days? It was, a Labour Government. I had always thought, as a school boy in those days, that the Conservative Party was worse than the Labour Party, but they all belong to the same club. The only way to fight these people is to show them that if you cannot beat them at their game in diplomacy, you can beat them through the bush. The only way by which you can beat them through the bush is for the people on the spot to fight for themselves. We cannot bear arms and walk all the distance from here to South Africa to drive the imperial powers, the front men and their henchmen out of power. They have challenged our brothers by offering them hasty elections within two months. I know what electioneering is, even in my own constituency which I consider as the safest amongst all in this country—

**Several Senators :** Hundred per cent safe ! safe indeed ! Not when you can rig the elections !

**Senator Tarka :** Well, I am very sure that you cannot send Ibrahim Imam from Maiduguri to contest and win any election in your constituency. I can and I have done it. Ask your Leader.

So, Mr President, the only option left for us now is to ensure that there is a free and fair election. Who is the guarantor of this free and fair election? It is the same British Imperial Governor who is going to be imposed on the Zimbabweans. What is the way out? The way out is to discuss with the Frontline Countries the ways and means of giving immediate assistance to these countries.

[SENATOR TARKA]

If you depend on the Labour Clubs or the Conservative Clubs in Britain to assist us in saving our brothers from economic strangulation, it is in their own interest, it is in the interest of people like Harold Wilson, Margaret Thatcher, their tradition and family interest to accumulate wealth at the expense of the black people in Southern Africa.

What is happening today? Smith is smiling behind the masked face. He is going to pay heavily to a Front black government to make a black Bishop, who is a white sheep in a black skin, to win the election. If only they were next door like the Cameroun or Benin Republic, some of us would have known exactly what to do to get justice for our own brothers. I think it is not too late in the day and we must warn, very strongly, that if our brothers in Zimbabwe and elsewhere in Southern Africa are badly treated and if the elections are misused so as to create a front government for the white minority, then we would know exactly what to do.

There are many examples in the Far East, and in the Middle East, where imperialism is suffering the consequences of aggression, the consequences of malpractices and the consequences of keeping lackeys at their door steps. We have the means of using these methods but we do not want to do so because two wrongs do not make a right but if two wrongs go on for too long, then those wrongs can be corrected by other wrong doings. I think that is the last resort that we can use in defending our rights, the rights of Africans and the rights of Afro-Asians and all black men around the world.

Thank you, Mr President.

**Senator D. O. Dafinone** (Bendel South): Mr President, Sir, in contributing to the debate on this Motion, I want this Senate to distinguish the issue of the Zimbabwe settlement from the general problem of Southern Africa. Those of us who were privileged to listen to the outside broadcast of the British Broadcasting Corporation must have heard that both sides to the issue have now reached a workable settlement. Given this situation, this Senate must not, therefore, be seen as supporting one faction in an affair involving our African brothers. What we should do and what should be apparent to this Senate is to ensure that there is a transitional arrangement for a free and fair election, and for this government to ensure this by participating in the peacekeeping force that will ensure that the elections are free and fair.

In saying this, we have got to draw from the lessons of the past. We had the Angolan situation in which we hastily took a decision only to find out at the last point in time that we miscalculated. Consequently, we took no credit for the great work which we commenced. In foreign policy, Mr President, I want to say—

**Senator A. Amadu. Ali** (Benue West): Senators who have not got enough fact should limit their speeches instead of making allusions.

In our foreign policy, Mr President, we should ensure that the protection and preservation of Nigeria's permanent interest should be our goal. We should not, in fact, act in such a way that we do not carry the support of the majority of the member nations of the Organisation of African Unity. The country must at all times not act in isolation and the pursuit of our foreign policy objectives must not be seen to be in this direction.

In this country, during the episode following the Zimbabwean Conference, the government acquired the assets of BP in isolation. Some of us who are Nigerians had anticipated that some of the frontline countries or some members of the Organisation of African Unity would follow suit. But what did we find? We found that we were acting and acting alone. Our policy should be that the means must justify the end. *(Interruptions)*

**Senator Ali**: Mr President, why do you allow this to go on? If he wants to make a speech let him make a speech. *(Interruptions)*

**Senator Isa Obaro** (Kwara South): Point of order. Order No. 26 (1) says: *A Senator shall not read his Speech, but he may read short extracts from books or papers in support of his argument, and may refresh his memory by reference to notes.*

The speaker is heavily prejudiced against the current of the discussion. In order to perpetuate his prejudice, he has prepared notes to read to the Senate. For this reason, Mr President, I am requesting that the Senator should be ruled out of order.

**The President**: Senator Obaro, thank you for your point. But I have been observing Senator Dafinone and from the way I saw him he was not reading, he was making references from time to time—*(Interruptions)*

**Senator Dafinone**: Can I continue, Mr President?

**The President**: Yes, you may do so.

Gentlemen, let me make this observation. We have another very important item to debate today and I intend to give the Floor, after Senator Dafinone, to perhaps two other Senators—*(Interruptions)*

**Senator F. O. M. Atake** (Bendel Delta): Point of order.

**The President**: What is your point of order?

**Senator Atake**: The Motion before the Senate is to *express great concern over the delay by the British Government in reaching agreement with the Patriotic Front on the transitional arrangements towards formal independence for Zimbabwe.*

That agreement has already been reached. All that he is saying now is a point of irrelevancy. He was going to foreign affairs and objectives which are not even relevant to the very important Motion moved

Order 26 (2) says : *A Senator must confine his observations to the subject under discussion and may not introduce matter irrelevant thereto.*

I want to say, Mr President, Sir, that this Senate is considering a very important Motion brought with your permission by me and I am surprised that we are hearing things about Angola, about actions towards the BP and so on. May I politely request the President to please ask the distinguished Senator from Bendel to contribute to our discussion on Zimbabwe only. Thank you, Sir.

**Senator Nosike Ikpo** (Bendel East) : Point of information. The Senator from Bendel is perfectly in order. He was merely making reference and there is nothing stopping a Senator in the course of his speech from making references to past events to illustrate his case.

**The President** : Personally, I think the issue of Zimbabwe definitely touches on foreign policy and I think he was just making references.

But, in as much as possible, please be relevant.

**Senator Dafinone** : Mr President, Sir, the past administration collected some relief fund for helping our brothers in Zimbabwe. That relief fund was floated in this country to which some of us subscribed. We are not aware what part of this fund has been used and I think it is now time—(Interruptions)

**Senator Ali** : The name of that fund is *Southern Africa Relief Fund*.

**Senator Dafinone** : And Zimbabwe is in Southern Africa—(Interruptions) In my humble opinion, if a part of that fund still remains unused, I think it is now time we utilised it in helping our brothers or we should use it to send whatever mission we would like to send to Zimbabwe for ensuring that they have a free and democratic election.

We are, as a government, committed to the liberation of the people of Zimbabwe under free and fair elections. But notwithstanding this, this Senate ought to know the extent of our commitment to this course because in other areas of Nigeria where I come from, people are, although very enduring, suffering equally, perhaps, if not worse than the people of Zimbabwe. (Interruptions) Some of you may be all right in your areas but we are not all right. So, the Senate appreciates the role the Federal Government has played on this matter and wants to say that whatever further assistance we are going to render should take account of the interest of the people of this country.

With these few remarks, I support the Motion.

**The Deputy President** : I now call on Senator Sabo Bakin Zuwo.

**Senator Sabo Bakin Zuwo** (Kano Central) : Mr President, we are all aware that the British Government made an announcement yesterday and my suspicion is that the British imperialists would not conduct a free and fair election in that country. Mr President, you will remember that the motto of the British is to divide and rule and they succeeded in dividing India and Pakistan. Formerly, Pakistan was under India when the British ruled the country for three hundred years before it was liberated by

the Mahatma Ghandi. You will also remember that the British suffered the people of Ghana but Ghana was free under late Dr Kwame Nkrumah. You will also recollect the role played by the British in Egypt, particularly, during the Suez Canal crisis when the Prime Minister of Britain tried to dislocate Egypt's economy through the reactionary forces. You will also remember what happened in Sudan when the British Imperialists succeeded in dividing them internally in order to take their revenue and resources to Britain. You can only fight the white men who are administering South Africa and Zimbabwe by two things. The first is to form an African High Command as advocated by late Dr Kwame Nkrumah during the OAU meeting held in Ghana, and the Second thing is to fight them economically or to break diplomatic relations with Britain. African countries should unite and break diplomatic relations with Britain if they mishandle the election.

Mr President, you should know that the white men in South Africa are their relations and they are the very people ruling Britain, they are their own people, of the same blood, I do not think there will be a free and fair election in Zimbabwe. So, Africans have to be ready to fight physically, financially, morally and otherwise.

With these few remarks I would like to take my seat.

**The Deputy President** : I now call on Senator Ansa.

**Senator Joseph O. Ansa** (Calabar) : It is very pathetic that the history of the black race is always written with red while the history of the white man is always written with blue. This country has passed through greater experiences in world history.

In the first place, I want in my personal opinion to congratulate the previous Military regime of this country for its dynamic African policy. We are all aware of the leadership that was given to this country in its African policy by the previous government. Unfortunately, as I have said, we here were elected into this Senate to give some of these policies the teeth to bite. The Military regime played its part and the world was left in no doubt that General Mohammed died because of the policies he enunciated.

Therefore, it would be fool-hardy for us in this Senate to fail to appreciate the role that the leaders of the former regime actually played in African policy. Unfortunately, we have not got the arms to struggle to win but we have made contributions. We have played a very major part in Africa and I think we are the most educated race in Africa. So, all the black race looks up to us for succour.

I want to say, Mr President, that experience is rife as to what the black man has passed through in history. We would remember that it was these very imperialists in Belgium that caused Lumumba, a nationalist of a country in Africa to be slaughtered like a ram. We would always remember the struggle in Guinea Bissau. We were also witnesses to what happened to our brothers in Ghana which means that any nationalist or any government in Africa that rises against the imperialists role in Africa is always exterminated.

[SENATOR ANSA]

I want to say that the role the former League of Nations, for instance, played, led to its fall because it was a toothless bull dog and, therefore, it was defunct. In its place, the UNO was instituted and Africans probably thought there could be a ray of hope, unfortunately, like its predecessor, it has also frequently been attacked.

Here in Africa, we have what we call the OAU. Unfortunately, it is existing almost on paper because it has been difficult for us to be able to meet our mind's ambition. Whenever there have been problems between us, it has been very difficult for us to address ourselves properly or the OAU to play a very effective role because there are no arms with which to play that part. In Nigeria here, the last crisis could not have escalated to the extent to which it went but for the role of the imperialists.

Therefore, I want to say with all sincerity that we have got to a stage where Africa or Africans have got to rededicate themselves to these specific objectives and to Zimbabwe in particular, the role we have got to play at this time with the announcement we have heard. I think it is a futile exercise to send a delegation to Britain that we are concerned about Zimbabwe. The delegations that have always been sent are just for administrative purposes and they usually come back with nothing. Let us contribute morally and materially and that is in supporting the Senator who said that we should send the law keeping forces which we sent to Congo and some other places to bring about peace. We have a large army now which is very unusual at a time of peace.

We would very much like our brothers in the military to be deployed in that region because I think that we have succeeded in raising a very respectable army in the continent of Africa *vis-a-vis* the world. Our government should make sure that with this deployment, our presence is felt there and that elections are conducted in a free and fair atmosphere.

Having done this, we should also be able to give confidence to our black brothers who are there. We are not going to support any faction amongst them, but would only give them advice which would be of assistance to them. Division would never lead them anywhere and we shall mediate amongst them so that whoever emerges victorious through the ballot box would be allowed to govern. What we want is majority African rule in that country.

I would like us to remember that nobody is interested in driving the white man away from Africa. What we want our white brothers to appreciate is that our land belongs to us. Just as we would not want them to abandon their land for us when we go over there, so also we are saying that our land belongs to us but that what we want is corporate existence. They could remain on our land, be law-abiding but we want our democratic rights restored so that we could develop as they have done.

Mr President, Sir, I want to say that in history and

from military rule in this country have been swept under the carpet. We are assembled here as Senators properly mandated and with many problems to solve.

I want to say that other than Zimbabwe, we are in this our great country witnessing unacceptable oppression and suppression of interests. The minorities have serious objections to the way certain things are happening. All these go to confirm that charity must begin at home. We are deceiving the world by referring to the history of other countries and tackling the problems of other countries, whereas at our own door steps we pretend that there is no cause for alarm. There is serious cause for alarm, and I am saying that our rights have been infringed upon; we are being denied our fundamental human rights in this country and yet, we are pretending that we want to bring about democracy to other parts of the world. Even in our own country Section 39 of the Constitution has been abused. The right to freedom from discrimination is very clear in the Constitution but in real terms it is only on paper.

Mr President, Sir, while contributing to the debate on the Zimbabwe situation, I support any move to bring about a free and fair election in that country's move towards democratic rule but would add that charity must first begin at home.

**The Deputy President :** Senator Ayantuga may speak.

**Senator Femi Ayantuga (Epe) :** Mr President, Sir, I think that Zimbabwe at this time needs assistance much more than before. This country as a member of the OAU, has every duty to support the decision of the OAU. The Organisation's decision is to support the Patriotic Front in Zimbabwe and so, we in Nigeria must support the cause of the Patriotic Front. At this time in Zimbabwe, there is some tension. We know very well that because of our own transitional period in this country, because Tanzania is now much more than before under the economic tutelage of the Western nations, because Zambia and Mozambique are always being attacked by the rebel forces of the beleaguered Muzorewa administration, it appears that the British government wants to take advantage of our people in Zimbabwe. We have the duty to give them every support. We must support them because of the need for majority rule led by Joshua Nkomo. We have every reason to work hard here during this very short period of two months when that country would transfer to majority rule to support the cause of that administration.

It is a pity that pious resolutions are not the same thing as concerted actions. While we should support the motion of our colleague, Senator Akan from Eket, I would suggest that details of the actions to be taken ought to be worked out by the Foreign Relations Committee which would serve as a guided action to the government on what it should do in Zimbabwe. We cannot, here, in fact, pass a resolution to raise an army for Zimbabwe but there are other things to do. It might be in terms of money, in terms of giving security to our forces or to the forces of the

Mr President, I would strongly support this motion by suggesting that we pass a resolution and also ask the Foreign Relations Committee to work out details by which some solid assistance could be given to the Patriotic Front in Zimbabwe. Thank you, Mr President.

**The Deputy President :** Senator Ali may contribute.

**Senator A. A. Ali** (Benue West) : Mr President, in contributing to the debate on Zimbabwe, it is essential that we put things in their right perspectives. It is true that our brothers in Southern Africa, especially in Zimbabwe, have been suffering from the evil machinations of colonialism and imperialism. It is true also, that the great Mashona tribe, the great warriors in that region of Africa, have been trampled upon, demoralised and virtually castrated. It is true that the survivors in Zimbabwe today have been totally brain-washed. They have been given the Bible in one hand and their land and powers have been removed from them. The Muzorewas are there *in quantum*.

Mr President, Sir, the down-trodden people of Zimbabwe need our help, our support, morally, financially and if possible militarily. Mere resolutions by this Senate would not bring any pressure to bear on the British government. The British government needs more active arm twisting, in fact, neck-breaking tactics. They have been known to be hypocritical in every action on the continent. We can only make the Thatchers of British cow to our wishes by going out actively to do something for our brothers in Zimbabwe. Delegations to Britain would carry us nowhere. The delegation must find its way to Zimbabwe, it must find its way to the frontline states of that region and hold conferences with them to find solutions which would nip imperialism in the bud.

Mr President, Sir, there is an African saying that if your neighbour's house is on fire, you should pour water on your roof. If we do not nip imperialism in the bud in Southern Africa, Nigeria is really the target for neo-imperialism.

Mr President, Sir, I also would like that the Senate positively move a resolution to assist Zimbabweans educationally, militarily and medically in addition to helping them fight their battle. We have to give them more scholarships to study in our midst. We have to assist them with Doctors to look after the fighters of the Patriotic Front and all the freedom fighters in Zimbabwe.

Mr President, Sir, the OAU, should also be called upon by the Senate of the Federal Republic of Nigeria to orchestrate these demands, and also to insist on every member nation of the OAU, taking positive steps towards majority rule in Zimbabwe through a fair and free election.

Mr President, Sir, the problems of imperialism are protean. We have been treated sometimes by our nationals to new colonialists tendencies in their actions and in their speeches. Mr President, the action taken by previous regime are quite positive and, on the continent of Africa, Nigeria's role as the flag bearer of anti-colonial campaign is undoubted. For anybody to tell us in this Senate that

starving the British removing the British Petroleum Company from them will not achieve any concrete result, a petroleum company that should rightly belong to us, that they have exploited for over half a century without our knowing half of what they have been doing, is sheer waste of time. Mr President, Sir, it is in our interest that our economy should be in our hands irrespective of who are the *nouveauriche* in our midst who have made their living through neo-colonial efforts on this continent. (*Applause*) Mr President, I am quite willing to lead a delegation or even an army to Zimbabwe. I would like the Senate of the Federal Republic of Nigeria to take the matter of Zimbabwe very seriously and take very positive steps to exploit all avenues available to help our brothers in Zimbabwe.

With these few remarks, Mr President, I support the Motion.

**The Deputy President :** Order ! Order ! You will agree with me that the topic of Zimbabwe is very serious and that the Senate intends to take a number of Resolutions or a number of decisions. Since the Senate rises early enough today, and since we also have another very important Motion which we have not taken since yesterday, I may suggest that further speeches or debates and resolution on the subject under discussion should be taken on Monday. I have a very brief and important Motion which had been filed but the file was minuted to me yesterday. I did not have the time to look through it, so it is not listed this morning. I beg the leave of the Senate to call upon the Proposer and Seconder of the Motion to propose the Motion. I call upon Senator Wachuku and Senator Onyeabo Obi to move their Motion. I recognise the distinguished Senator from Aba and Leader of the NPP, Senator Jaja Wachuku to speak.

### Congratulatory Message

**Senator Jaja Wachuku** (Aba) : Mr President, Sir, I am very grateful for the opportunity that has been given to me to move the Motion standing in my name. The Motion unfortunately did not appear on the Order Paper formally and the way things have been proceeding something went wrong somewhere in the pipeline. The Motion reads as follows :

That the Senate in open Session today, Friday the 16th day of November, 1979, recognises today as the 75th birthday of the first President of the Federal Republic of Nigeria and the first President of the first Senate of the Federal Republic of Nigeria, Chief the Rt. Hon. Dr Nnamdi Azikiwe, P.C. the Owelle of Onitsha ; congratulates Chief the Rt. Hon. Dr Nnamdi Azikwe on this occasion and sends the best wishes of the Senate for his continued good health and long life.

Mr President, Sir, this is a Motion that is not controversial and it is a Motion that I am sure that if there is anything that I can be confident about in this Senate of our achieving unanimity, *namine contra dicente*, that is, without any dissenting voice, it is a Motion that I have most humbly proposed before this Senate. We all know the honourable gentleman in question ; we know the role he has played in the annals of the history of this country



[SENATOR WACHUKU]

we know the circumstances under which he had worked in this country and how he had been instrumental in piloting the ship of the State of Nigeria from the semi-fuedal and colonial up till now, this auspicious occasion, that is, when this country has become independent. It is meek and proper that this Senate, which is a successor to the first Senate of the Federal Republic of Nigeria, should remember the first holder of the office of the President of the Senate in this very Chamber. It is in accordance with African tradition; it is in accordance with humanity and I am sure that by passing this Motion we would be laying a precedence, so that whenever this Senate has an able and successful holder of that most eminent seat we would be privileged to do him honour. I am not asking for anything that is impossible. We are not asking this Senate to do what is not usual. As I have said, as I have started so I am going to end.

Knowing that I have the confidence of all of us and the backing of all of us, Mr President, Sir, I beg to move.

**Senator Onyeabo Obi** (Anambra West): Mr President, Sir, distinguished Colleagues of the Senate, it is my honour and privilege as the Senator representing Anambra West Senatorial District, and a successor in line to the subject of this Motion who was the first Senator for Onitsha to second the Motion so ably proposed by my distinguished leader a few minutes ago.

I do not wish to add more to what he said except to apologise to our colleagues on all Sides that due to the procedural difficulties and the pressure of business before this Senate in the last few days, it has not been possible to have a private discussion before now.

I would like to say, Sir, that one of the problems in this country is that we do not give our past leaders the honour to which they are entitled. When I say past, I mean past office holders and present leaders. One of the hallmarks of civilisation and maturity is that, as practised in other countries, when a man attains a certain height, no matter his political views on situations, honour is always given to him for the height which he has attained. As we all are aware, the subject of the Motion, the Owelle of Onitsha, was the first President of the first Senate of the first Republic of which we are successors. Under the Constitution of the Federal Republic of Nigeria, 1979, his position has been accorded recognition in that he is an automatic member of the Council of States, and I can only urge Senators to support this Motion by reminding them of the famous statement credited to President Abraham Lincoln—*When the high hearts we magnify and sure visions celebrate, and worship greatness passing by, ourselves are great.*

Mr President, I urge great Senators to support the Motion and hope that we can set a pattern which this country can follow and encourage leadership to mature and enjoy its rewards.

Thank you, Sir.

**Senator A. A. Ali** (Benue West): Mr President, Sir, I support this Motion but I would like a slight amendment to the first paragraph. *This Senate*

**The Deputy President**: Is that acceptable to the original Mover of the Motion?

**Senator Jaja Wachuku**: No objection.

**Senator Ali**: Thank you very much.

**The Deputy President**: Senator Zuofa to speak.

**Senator A. Zuofa** (Rivers III Brass/Sagbama/Yenegoa): Mr President, Sir, I thank you very much for the opportunity to speak on this subject. Those of us who grew up in the late thirties and early forties do recognise the great role the Right Honourable Dr Nnamdi Azikiwe has played in this country. The part he played in bringing about the independence of Nigeria is now history, and can even be read by younger generations. It is also true that he was the first Nigerian President of the Senate and even of the country. But I would have been happier to support this Motion if the honourable gentleman has left public life. There is a thing that we must avoid. In a place like America you build monument to heroes and leaders who have passed away. That does not show that we do not recognise their worth, but we want to be sure that he was the leader to the end. In a situation like today where the man we all honour today and even tomorrow has just come out as the third best in a national election, what are we going to do for the President who won the votes to rule the country? I feel, Mr President, that until this man retires from public life, not just his saying that is retiring, but when we are sure that he has left the scene, I am prepared to sign any document to contribute anything to glorify him; but as of today may I say I will not support.

I thank you.

**Senator Usman Alto Danbatta** (Kano North-Central): Mr President, while I support the previous speaker, I entirely feel that this Senate has been accused of not doing serious job. In my view this is one example. We have got a lot to do for the people. The question of birthday of an individual or of a politician should not be brought to occupy our business of the day. Mr President, I am not going through the journey of this great politician. I am not going through the journey of his life in his political history, but I like to stop here in order to allow other friends to contribute. But, my idea of standing up is to support the reasons for opposing even the consideration of the original motion.

**Senator J. J. Mangga** (Borno South): Thank you Mr President. I move to oppose the Motion purely on personal observation and if anybody wants to buy it let him buy it. We had better create precedence which is more durable. In this country, so many people have been honoured with the Order of the Niger, Order of this and that; but if you go into the details about these honours you would find them wanting. To me, I would think that any Nigerian who is to be recognised with such an honour should be somebody who is dead because his good works might possibly be destroyed while he is living. Without going into details of anybody's life or political career, I would advise this Senate not to commit itself on the precedence of according honour for a

I can easily remember that it has been said that there is no great man who has ever lived. A great man is only recognised after his death. On this basis, if this Motion is passed, we are not doing justice to this country. If this one is passed, I am sure I am going to bring twenty tomorrow. Are you going to approve them? As far as I am concerned I am opposed to it. I beg to oppose.

**Senator Isa Obaro** (Kwara South) : Point of order !

**The Deputy President** : What is the order Senator Obaro ?

**Senator Obaro** : It is Order 4 (2) :

*On Fridays and Saturdays the Senate shall meet at 9 a.m. If not previously adjourned shall sit until noon.*

Mr President, Sir, the Leader of the NPN, asked for the commencement of today's meeting to take place at 10 a.m, at first ; but later, we said 9 a.m. as provided by the Standing Order but on the condition that it shall stop on the dot of 12 noon.

I am just bringing this to your notice, Mr President. It is almost 5 minutes after 12 o'clock.

**The Deputy President** : Senator Ali, you may speak.

**Senator A. A. Ali** (Benue West) : Mr President, Sir, I thank you very much for giving me the opportunity to speak on this very important Motion. Zik of Africa is not only Zik of Nigeria.

**Senator Mahmud Waziri** (Adamawa) : Point of order.

**The Deputy President** : What is the order ?

**Senator Waziri** : We are yet to hear the President's ruling on the point of order raised.

**The Deputy President** : I intend to make a ruling but I just want to let Senator Ali say something first.

**Senator Ali** : Mr President, Sir, I am extremely grateful for the recognition accorded me to speak on this very important Motion. We are talking of a man whose contribution to this country and to the Continent of Africa is definitely undoubted. In African society we say in my own dialect that when you say do not do it and a child continues doing it that is what leads him into trouble. When an elder sits down and sees a thing going wrong and he does not point it out, that is what leads to his own death. So that Zik of Africa, who, eventually became the Owelle of Onitsha should eventually come to participate in the politics of the land, after 14 years of lull in this country, he has done what any elder should do. You do not sit down and watch things drifting to the wrong side. You get up as an elder and show your children the path to justice. This is all that this old gentleman has done.

This Motion is not asking for an honour to be given to Zik. He has already had the honour. The Motion is only sending greetings to the President of the first Senate of the Federal Republic of Nigeria and the first President of the Federal Republic of Nigeria. He was the first Governor-General of this great country. That is all the Motion is asking for. It is a mistaken information that we are according some honour to Zik. He does not need our honour, he already has it. It is already written.

So, Mr President, I would like to be brief ; I would like to let this Motion to be decided right away before the people who are looking for 12 o'clock leave the chamber.

**The Deputy President** : Point of information, Senator Obi.

**Senator Obi** : Mr President, Sir, to show how we are looking at this problem, I have with me here the latest issue of the *News Week Magazine* of 9th November, 1979. In the inside pages it shows a photograph and a caption, *love and death*. It shows Jerry and Betty Ford, the former President of the United States and member of the Senate savouring, that is, admiring a card from the United States Senate, after Mrs Ford's operation in 1974. If the Senate of the United States of America can send her greetings after an operation, I do not see what is wrong with sending greetings when a man is alive and well.

**Senator Bakin Zuwo** (Kano Central) : Point of order.

**The Deputy President** : Is it a point of order or what ?

**Senator Zuwo** : I have an amendment.

**The Deputy President** : What is your amendment ?

**Senator Zuwo** : My amendment, Sir, is not only to send greetings to Dr Azikiwe but to remember the heroes of this country who lost their lives because of the Independence of this country. A person like Herbert Macaulay, Abubakar Tafawa Balewa, Awolowo, one of the architects of the independence of this country, Alhaji Aminu Kano, who suffered during the colonial era in the hands of the reactionaries, Chief J. S. Tarka, Dr Jaja Nwachuku, the Sardauna of Sokoto, Waziri Ibrahim, who contributed to the economy of the country, and so many others. On the Military side, we have to thank General Murtala Mohammed who lost his life for the cause of his country and also Col. Ali who finished peacefully as the Commissioner of Education. Chief J. S. Tarka is one of the people who suffered under the hands of reactionaries and he was imprisoned for many years. Therefore, Mr President, with this few amendments I would like to support the Motion.

**The Deputy President** : Order ! Order ! I recognize Senator J. S. Tarka.

**Senator J. S. Tarka** : Mr President, Sir, I notice that we are hard pressed for time and if we are going to follow strictly the Standing Orders we may as well rise for the day. This is a very important Motion.

[SENATOR TARKA]

It is not going to be fair to our distinguished colleagues to just waive the Motion aside. I know some of our colleagues are emotionally charged on the issue and have spoken adversely against the Motion. I do not see anything wrong with it but I think it is because of time pressure on Senators.

I beg to move that the question be now put and that I wish to join in congratulating Dr Azikiwe for a long and beautiful life-span.

**The Deputy President :** The Question is that the Senate in open Session today, Friday, 16th November, 1979, realising that today is the 75th Birthday of the First President of the Federal Republic of Nigeria and President of the First Senate of the Federal Republic of Nigeria, Chief the Right Honourable Dr Nnamdi Azikiwe, P.C., the Owelle of Onitsha, congratulates the Right Honourable Nnamdi Azikiwe on the occasion and sends the best wishes of the Senate for his continued good health and long life.

*Question accordingly put and agreed to.*

*Resolved :* That the Senate in open session today, Friday, 16th November, 1979, realising that today is the 75th birthday of the first President of the Federal Republic of Nigeria and President of the

first Senate of the Federal Republic of Nigeria, Chief the Right Honourable Dr Nnamdi Azikiwe P.C., the Owelle of Onitsha, Congratulates the Right, Honourable Nnamdi Azikiwe on the occasion and sends the best wishes of the Senate for his continued good health and long life.

## ADJOURNMENT

**Senator Tarka :** Mr President, Sir, it being time for the Senate to rise, I beg to move that the Senate do now adjourn till 10 o'clock in the morning on Monday, when we shall operate according to schedule. I beg to move.

**Senator Thomas Yepwi (Keffi) :** I beg to second.

**The Deputy President :** The Motion before this Senate is that the Senate do stand adjourned until 10 o'clock on Monday morning.

*Question put and agreed to.*

*Resolved :* That the Senate stand adjourned till 10 o'clock on Monday morning.

*Adjourned accordingly at 12.09 noon.*

Monday, 19th November, 1979

The Senate met at 10.25 a.m.

## PRAYERS

(The President in the Chair)

**The President :** The first firework this morning ?

**Senator A. O. Abiru (Ikorodu) :** Mr President, Sir, I think I have an observation and this observation would appear to be the concern of every Senator in this august Senate. I believe, before we proceed with the Order Paper of the day, we can have a little talk on this observation which has bothered most of us. This is why I am seeking your permission, Mr President, to mention it.

**The President :** Have you an observation to make ?

**Senator Abiru :** Yes, Mr President.

**The President :** Therefore, you are requesting the leave of the Senate to set aside the Order Paper for the day and in order to make the observation.

I would suggest, if the observation is not so serious, it should be brought under Motion for Adjournment. I am inclined to think that we should go ahead with the programme as laid down here ; otherwise, every morning, we would come here, set aside the Order Paper for the day, make observations and discuss other things before we go on to the real business of the day. As much as I would welcome any observations, any suggestions, that would help this august Senate. I do not know the mode of the Senate.

May I suggest that next time when I am speaking the distinguished Senator sits down. He can stand again if he feels he wants to answer me.

**Senator Abiru :** Mr President, Sir, it would appear I have got some hint from Senators on this Side that I postpone this point of observation.

**The President :** Thank you very much indeed. Yes, distinguished Senator Fasanmi, have you another observation ?

**Senator Ayo Fasanmi (Ondo North) :** A very humorous one, Sir. All Senators of the NPN front Bench were missing and they are just coming in. I hope they had not been kidnapped. That is why I am raising this point.

**Senator J. S. Tarka (Benue East-Central) :** The Senator is a kidnapper !

**The President :** That is not humorous any longer. I would not accept that a Senator looks like a kidnapper.

**Senator Tarka :** All right, he does not look like one.

**The President :** Distinguished Senators, on the Order Paper this morning is the continuation of the debate on the London Conference on Zimbabwe.

Questions from Senators and we would resolve in order to take the second item.

## NOTICES OF MOTIONS

### The London Conference on Zimbabwe

(Adjourned Debate on Question : 15th November)

*Question again proposed,* That in view of the current negotiations going on in London for the independence of Zimbabwe and the commitment of Nigeria to majority rule in that country this Senate :

(i) expresses great concern over the delay by the British Government in reaching agreement with the Patriotic Front on the transitional arrangements towards formal independence for Zimbabwe ;

(ii) urges the Federal Government of Nigeria to render every possible assistance to all the parties participating in the London Talks to ensure speedy progress towards majority rule in that country; and

(iii) declares its total support for the Patriotic Front in its just struggle for the independence of their country.

**Senator D. O. Oke (Ondo West) :** Thank you, Mr President. The Motion on the London Conference on Zimbabwe has been very ably analysed by a good number of Senators in the last two days of debate. So, I would not be repeating what they have said, but I would first point out a few things that were not said and indicate, what to my mind, will be a good course of action for this distinguished Senate and our beloved and respected country to take.

I observe, Mr President, that in the first place a decision has been reached by the London Conference on Zimbabwe and it is in fact possible that that Conference has now disbanded.

It seems therefore that part of this Motion has been overtaken by events, particularly the first point.

However, I think it is very important to underline what Senator Victor Akan, the mover of the Motion and a number of distinguished Senators, have already said. It seems to me that those Senators are right who pointed out that what is happening in Southern Africa is not just of passing interest to Nigeria. As a matter of fact, a good number of things that we are aiming at in our domestic policy or policies, since there are many parties represented in the Senate here, hinge upon an assumption of relative stability. The situation in Southern Africa, particularly in Zimbabwe, distant as that part of the world may be from us, is extremely important to our stability in this country, even in this country where we think we are so far away.

In my own view, Mr President, if we have an island of prosperity and freedom on the continent, that island can be very, very easily flooded by the kind of oppression that is being perpetrated on people whose only sin in the world is that they are black like us. If we were simply to aim at establishing an island of

[SENATOR OKE]

prosperity and distinction here, it would be so easy to destabilize that island if we did not try to solidify the base of our existence as black people. That base, I would say, is freedom not just for the eighty million of us who live in this country, but for everybody who is like us. Therefore whatever can be done ought to be done by this distinguished country of ours to ensure that respect and satisfactory living for our people in Southern Africa which is exactly what the third point of this Motion is aimed at—that we declare total support by Nigeria for the Patriotic Front in its just struggle for the Independence of Zimbabwe.

People would ask me if there are so many parts to the dispute in Zimbabwe, does it make sense to declare total support for just one party to that conflict? My answer, Mr President, and distinguished Senators is that we would be kidding ourselves if we went ahead to believe that all the parties to the conflict in Zimbabwe are equally committed to the kind of course to which Nigeria is committed.

There are two major forces at logger-heads in Zimbabwe, namely—African forces, that is, the forces that are trying to establish respect and dignity for the black man and forces that, for more than a century, have seen us black people as hewers of wood and drawers of water. It does not matter for a moment that the face of the second party to the conflict changes occasionally from being white to being black, even oppression can put up a black mask. Therefore, in my view, what we really need to look at is the heart of the matter, namely, what side is most interested in the establishment of respect and historic justice for people like us and people who really have not sinned against history other than that they were black. This is what the Patriotic Front is about and I think total support for them is what is most relevant in the three point Motion that we have before this distinguished Senate.

Now, when we have declared total support, we also ought to be cautious. I am not suggesting for the moment that if Nigeria were to give financial aid, Nigeria should also go to the frontline and begin to spend the money there. At the same time, we know and in fact there are distinguished Senators here who know better than I do, that money does corrupt. When you are fighting a war, with due respect to our distinguished ex-soldiers here, we all know that the best thing is to fight with total commitment and when you believe that you are fighting for your own survival you even fight better.

However, one of the easiest ways of getting diverted is to have a lot of money to play with and to mispend. This, itself, can very easily subvert the military aims of any movement. I have it on good authority that one of the countries that the nation once supported almost got subverted by the very financial aid that we were giving. In fact, I understood at that time that people were asking

I am not in a position right now to point to Police Reports or anything of that nature. I also have it on good authority that in such a case members of the Liberation Movements were in fact asking to buy acres of land on Nigerian soil. So, why I say that we ought to give total support and we also ought to look very carefully at the way the total support is being committed and used, I have this kind of thing in mind. While we are not going to dictate terms in any absolute sense to the people whom we are aiding, we also have a duty to this country, to the Liberation Movement and to Africa to go a little further and ensure that our aid is being well used. This suggests to me that perhaps a better way of giving total support may be to stop giving direct financial aid and giving our aids in materials. I know that we do not produce weapons, but we do have weapons which we have bought which can be used in the war of attrition that is going on in several fronts in Zimbabwe, to that extent, should we feel free to donate generously from our armoury. If we have not been purchasing the right kind of weapon for that kind of war, then, we had better instead of going ahead to give direct financial aid.

Our Diplomatic support is also just as important as the financial or Military support. I think, here, without meaning to polish in any unguarded terms the policy that was adopted by the last Government, I think that our policy on the Diplomatic front has been extremely useful. This Senate should therefore request our President to continue to give this kind of diplomatic support, in fact, to intensify it because as we get closer to the election in Zimbabwe we are going to find that there is a greater need for us to squeeze Great Britain to any extent that we can. Only yesterday morning the British Broadcasting Corporation reported Abel Muzorewa, who, in my own understanding, if given the black face to the old friend that we knew as white racism, said, that the forces of the Patriotic Front would be confined only to certain areas. In this case, discipline means the white forces would be in control under the British Governor. Now, if this is true we only know what kind of election that we are expecting. We know only too well that Mugabe, Nkomo and the rest of the Patriotic Front were asking for a fairly even hand in the election that is coming. If one of the forces in the conflict was saying only yesterday that its forces would be in charge—and if it were just his forces it would not bother me because he is a black man like any of us and one expects that somewhere in his heart he would have the same kind of intention that we have; but these are not his forces. If he could be saying that his forces would be in charge under a British Governor only God can save the cause of the black man in Zimbabwe. For this reason, I would suggest that Senate should, as part of the total support that we are declaring for the cause of freedom and justice to the black man in Zimbabwe, request our distinguished President to tighten up any diplomatic noose that we might have had around those people who are controlling the course of events in Zimbabwe.

Finally Mr President one thing that we can

noticeable on Friday in our debate. I was very glad that this was not along party lines but the division came when it became possible for at least one of the contributors to be pigeon holed and labelled by some other Senators as collaborators with the capitalist course or the racist course or whatever. It is not that if this is true, it is a bad thing in itself. I am not saying it is a bad thing to disagree but what I am trying to suggest, Mr President, is unanimity when it comes to our resistance to white oppression in Southern Africa. To this end, it might, in fact, be useful until we have won finally victory in South Africa, if the Senate and, in fact, if the National Assembly could have a kind of unified caucus that cuts across all party lines, or ideological lines. You see, the only ideology that is meaningful to us is that which ensures the victory of the black man in Southern Africa. If we can knock our heads together, I have no doubt in my mind that we have distinguished brains and we have the experience also to be able to tackle these people effectively even after the election because I expect, by now, that the result of the election would be known, given the forces that are going to conduct the election. The struggle still lies even beyond the election and therefore until Zimbabwe is free and until South Africa itself is free, Nigeria, and especially the National Assembly, can not afford the luxury of division. I think we should commit our forces totally. I am suggesting a caucus within the National Assembly to present always a united front as far as issues relating to Southern Africa are concerned. Thank you, Mr President.

**The President:** Thank you very much. I recognise the distinguished Senator from Rivers, Senator Obi Wali.

**Senator Obi Wali (Rivers I Port Harcourt):** Thank you very much, Mr President. I think that in a debate of this nature, repetition is bound to occur. Nevertheless, I think the point can be made over and over again if only by way of stressing them. I am happy at this Motion because it introduces a kind of all party approach to our Foreign Policy which I imagine should be encouraged, judging from what the last speaker said. Foreign policy concerns us as a nation and I think that every thing should be done in terms of foreign policy and our external relations to create an all party understanding.

I am particularly impressed that since the distinguished Senator Victor Akan introduced this Motion, there has been a kind of unanimous approach—a kind of similar approach to problems not only of Zimbabwe but with the bigger related problems of Southern Africa. I would, of course, mention that there is an object lesson here and that is the kind of position Nigeria has taken in this matter since a few years back now. I think Nigeria has made a very meaningful contribution to the problem of the black man everywhere.

I also think that except we are able to maintain the stability of this nation to avoid the constant and erratic changes of regimes which would be unconstitutional, we cannot hope to contribute uniformly to any form of foreign policy especially, the course of

it a duty to ourselves that a stable Nigeria is very important. A nation that grows from strength to strength is very important without the interventions now and again of forces that are not completely within the control of our nation. I plead for this, and I think as many Senators have also maintained, the problem of knowledge of technology is important for a stable nation. Most of these problems are not sentimental things whether you are a blackman or not. But, you see, if we are not able to develop a first class technological nation here in Africa to cope with the problems of technology and science. I do not think we can make it, no matter the number of resolutions we pass here.

It is to our knowledge now that South Africa itself has grown in this kind of knowledge and is in fact threatening the nation. It is only Nigeria that can have an answer by giving leadership qualitatively and quantitatively because the whole of this Continent relies very much on our own internal cohesion and internal knowledge, our own progress without which I think we are heading for a kind of doom. This problem of technology cannot be divorced from the wind fall from oil that has maintained this nation for sometime now.

I think, we, from the President of the nation down to all of us, have realised the importance of making very good use of this particular resource for the advancement of this nation. Now that it is available we should all be able to utilise it to strengthen our nation, to build those technological forces, those forces of strength that will enable this country to face anybody in the world no matter his colour, especially in defence of the blackman. We can do this by really applying ourselves more assiduously, by looking at our Universities and asking which one has these men of knowledge, these men of Science, by looking at our various institutions of learning and by changing the whole pattern of our educational endeavours because if we do not have this kind of strength I think we are merely being emotional about the blackman in the world.

I do not have to overstress that, Mr President, because you warned that this debate has taken some time now. I would go to the last point and that is, we should be able to cherish all the other forces that are assisting the blackman in Africa. Occasionally I get hurt when I see this country being bullied or some people talking against the Socialist States, especially the Soviet Union as interventionists in Africa, as forces which do not represent the aspirations of our people. I think this is a form of bullying that we cannot take. There is no question or doubt in my mind that if the forces of Socialism has not taken place since the beginning of this century in our own country, we would not have been able to make it at all. So, we should not be apologetic for bringing about the definite redemption of the blackman. We should not fail to remember whenever we want to talk of non-alignment that those socialist forces are themselves part of our aspiration. For the purpose of which they have established themselves in the struggle against capitalism and imperialism, we should be able to, as a nation, identify

ourselves with them without any apology. It is only in debates of this nature that we can pay tribute to these forces.

I am satisfied that even in Angola, without the support of the Soviet Union and Cuba there would not have been that kind of regime which succeeded in establishing the blackman's image in the government of Angola.

Mr President, I must have to take this opportunity to pay tribute to these forces. We know what happened in Ethiopia. We have a government there now that represents progressive forces that has come to the aid of peasants, and I think we should be able to use the opportunity of debates such as this to pay tribute to them in the liberation of Africa—South, North, West or East of Africa.

Thank you, Mr President.

**The President:** I guess that with the disappointment of NEPA it is necessary for me to find out from distinguished Senators whether you intend to continue with the debate or you will like to wait until we know what is happening to the light. I am aware that presently the electronic gadget is not working. I am not even sure that the Reporters are recording our debates. I am not also too sure that those of us with slight defective ears can hear each other very well. What is the view of the Senate?

**Senator A. A. Ali (Benue West):** Mr President, Sir, I would suggest that if the Official Reporters are at work and can hear us we should continue the debate because this sabotage has been going on since the deliberation on Zimbabwe and Lt-Col. Gom. The Imperialist forces are at work and we must guard against this.

**Senator Sola Saraki (Ilorin/Asa):** Mr President, Sir, honourable Senators, I do not think it is proper to continue in the circumstances.

If by tomorrow the official report of proceedings comes out and any Senator says he is misquoted or that some of the things credited to him are not correct, we would have no means of cross-checking to ascertain what the Senator really said.

Sir, I think we should learn to do things properly. Let us adjourn for a while. Let us adjourn for about fifteen minutes to see whether the light would be restored. May be by then NEPA will agree to give us light so that we can get proper and accurate recordings.

I would like to seize this opportunity to say that if the Senate is going to continue in this way, we have a long way to go. We must have a generator to serve us in situations like this. This is the second or third time that we would suffer from the hands of NEPA this session, and I must say that it is not encouraging. I would like to appeal to the President to do something about it. It is very disgraceful that we are thrown into darkness when we are busy doing serious work.

**Senator A. Adeleke (Oshun II):** Mr President,

into darkness. Even when there is no power failure and recording gadgets are working, we still have some minor corrections in the Official Hansard which we make from day to day. I feel we should not continue with this debate until power is restored otherwise there may be a lot of mistakes. The motion we are discussing is so important to all of us that I would like the proceedings to be as accurate as possible.

Mr President, Sir, even in our little homes we have alternative means of getting our homes lit whenever there is power failure. Many people have generators for their use in their private homes, but the highest Legislature in this country does not have any alternative to NEPA. I do not see why the President of the Senate cannot help us to appeal to the President of the country to acquire a standby generator for our use in this Senate.

**The President:** May I point out to the Senate that you have your own votes and it is a question of providing whatever you need. However, I want to put the question whether it is the wish of the Senate that we have a temporary suspension.

*Question put and agreed to.*

*Sitting suspended : 10.58 a.m.*

*Sitting resumed : 11.15 a.m.*

**The President:** Order! Order! The Senate may now resume to wind up the debate on Zimbabwe.

**Senator E. K. Ogunleye (Ondo East):** Mr President, Sir, it is often said that there is no need to flog a dead horse, but at times it is necessary to flog a dead horse if only to make sure that the horse is dead. This is precisely what we are here to do today on the debate on the Zimbabwe issue.

Mr President, Sir, I associate myself with the views expressed by previous speakers on this subject, and to add that we have some lessons to learn from the situations arising from the London Conference.

No matter what party is in power in Britain, I repeat, no matter what party is in power in Britain, it is the duty of Britain to protect the interest of their brother whites whether they are right or wrong. This is precisely what they are doing in Zimbabwe.

For example, in 1965 Ian Smith, the murderer made a unilateral declaration of independence against Britain. What he did was treasonable. In fact Dr David Owen said last year, that if Ian Smith were in Britain he would be charged for treason. Since then, Smith was given implied recognition to come to Britain to negotiate on a platter of gold. In fact, the so called agreement whereby the Patriotic Front has been pressurised to agree on the settlement issue is a ruse to the outside world to show that Britain is doing her best.

On this occasion, Mr President, Sir, I would like to commend the efforts of the Commonwealth countries who have thought it fit to bring all parties to this conflicts together over this issue. Otherwise

Another lesson which we have to learn from this is that whenever any of the parties in Britain have any political issues, they carry them out their own way. In fact Mrs Thatcher was about to carry out the question of lifting the ban on Southern Rhodesia when the Commonwealth Leaders stepped in and called for the settlement proposals.

It is my humble contribution, Sir, that the British economic blood with the whites in South Africa is thicker than the political water of the Commonwealth.

Another lesson which we have to learn is the role which the front-line States have played in bringing the parties together, particularly in helping the Patriotic Front in pressurising Britain to come to a quick solution. I expect, Mr President, Sir, that Ian Smith by now should have committed suicide because in 1961, he was quoted as saying that he would not like to see the blacks in Southern Africa become independent, and that he would not like to see majority rule in Southern Africa. Now, from the look of things, it appears that there is going to be majority rule and to that extent he ought to have committed suicide.

Mr President, Sir, I would like to say that we should congratulate the peoples, and particularly the Presidents of Zambia, Angola and Tanzania for their constructive and noble roles in seeing that inspite of provocations and attacks by South Africa and Southern Rhodesia on both the peoples and property of these countries, they have been able to support their brothers in the freedom struggle in Southern Rhodesia.

With these few remarks, Mr President, Sir, I would like to say that I support this Motion even though it has been over-taken by events ; at least it would be on record in this Senate that we have raised a voice against the whites' inhumanity to the blacks in Southern Africa. Thank you, Mr President.

**Senator Cyrus Nunieh** (Rivers IV Bonny/Bori) : Mr President, Sir, this Motion comes under Section 19 of the Constitution of Nigeria and it is part of our Foreign Policy Objectives and with your permission, I will refer the Senate to that Section which reads :—

*The State shall promote African Unity, as well as total political, economic, social and cultural liberation of Africa and all other forms of international co-operation conducive to the consolidation of universal peace and mutual respect and friendship among all people and States, and shall combat racial discrimination in all its manifestations.*

Mr President, Sir, in further support of what the previous distinguished Senators have said, I have only chosen to speak on the aspect that affects the position of Nigeria, that of the other principal actor, Britain, and that political institution known as the British Commonwealth or the Commonwealth of Nations.

particularly by the blacks, including the black Americans for their redemption, their image as human beings.

We have to inform all the Parties involved in this exercise that it is part of the Constitution of this great country for Nigeria not to stand aloof or indifferent on issues affecting other African countries, and that it is not only for our size but we are looked upon as having, I think, the potentiality of protecting our brothers. Britain is a great Nation, and the history of this country is connected with her. Her people have to realise that if they must preserve our loyalty and allegiance, they must do things which will continue from time to time to make us work with them in that institution known as the Commonwealth.

We look upon Britain to think of men like Fenner Brockway and those who fought for the black race ; and whoever is now the head of the government of that country should know that what has sustained Britain today is the British human attitude, the way they have been different from other colonisers. Many of us who were trained in that country have great respect for Britain, and they should not allow anything to change that quality that makes Britain great.

Nigeria is now determined to protect her African brothers and Zimbabwe is no exception. So, with this contribution I want to appeal to all parties that Nigeria is committed to supporting the Freedom of Zimbabwe.

**Senator J. A. O. Odebiyi** (Egbado North/South) : Mr President, Sir, I rise to support this Motion, but in doing so, I want the distinguished Senators to take cognisance of the fact that whatever help we intend to give Zimbabwe must be carefully worked out.

Some time ago, a fund was initiated known as the South African Relief Fund. What has happened to that money, we do not know. When people donate money to help other people, the principle of accountability ought to go with it. Even the money which we were supposed to have given to the Patriotic Front, from all the evidences available to me, have not been spent wisely and discreetly and, therefore, if we are going to give any help to these organisations the help should take the form which the distinguished Senator from Benue, (Col. Ali) suggested : namely scholarships and training schemes for these people. These are the things which they would require because even if they set up the government it will be necessary for them to man their Civil Services and really give a good account of themselves in their new situation. If we just give them money, the money is bound to be wasted.

I was told on one occasion that quite a few of them when they were travelling to Europe and even in Europe, what they spent the money on was boozing all the time. So, Nigeria is not going to give money to people who will not use it wisely. These are hard-earned *kobos* of people and, therefore, whatever



[SENATOR ODEBIYI]

help we give them must be in such a form that we ourselves will see the results of what the money has done and we will be happy about it.

I am also told, Sir, on good authority and evidence, that part of the money is also being used by some people here to sell rice to Zimbabwe. We give them money on one hand and we collect the money back on the other hand. If there is going to be international trade between them and us, it must be through approved government agencies and not through individuals who are going to line their pockets with whatever profits they make from these things.

Therefore, Sir, I will caution that whilst we appreciate the effort which these people have made, we should not forget the fact that Great Britain is used to leaving every colony of hers with perpetual problems. They left the United States with problems. They created Palestine with problems. They left Ghana with problems. They left Nigeria with problems. They left India with the problem of India and Pakistan. They would not leave Zimbabwe without leaving problems there. The Muzorewas and Nkomos must close ranks in their own interest. One should not allow the other to be used as a pawn for the colonial imperialist. This is what I think Nigeria can teach them; the need to come together on the face of national emergency so that they can make their country great.

With these few remarks, Mr President, Sir, I beg to support. (*Applause*)

**The President :** Senator Saraki has the floor.

**Senator Sola Saraki (Ilorin/Asa) :** Mr President, Sir, distinguished Senators, I would like to reply my distinguished Friend from the other Side of the Senate, who alleged that the money collected for the South African Relief Fund could not be accounted for.

Mr President, I was the Chairman of this Committee and it is true that we collected well over ₦20 million. I would like to say here for the benefit of those who are still in doubt, that whatever we did in that Committee was above board. This money was collected and I made it abundantly clear when I was invited to Dodan Barracks to chairman the Committee that I would not in any circumstance touch the funds. I said that I would allow them to use my reputation to collect the money, but that I would not touch it knowing our people for what they are, and how they could impute motives on one's actions. The money was collected and I never saw a kobo. But, we insisted that there must be a Trustee.

The Government appointed a Board of Trustees made up of the Commissioner for Finance, the Governor of the Central Bank and the Accountant-General of the Federation. These were the Trustees, but how the money was spent, who bought rice and sugar, I do not know because I refused to have anything to do with the money. I only allowed my

I say this because during the elections the "Nigerian Tribune" asked that I be called upon to give an account of the money so collected. It is true that I was the Chairman of that Committee, but I knew nothing of how the money was spent. The motive that has been imputed by distinguished Senator Odebiyi (Egbado North/South) is disturbing, and I am going to look into it; I am going to find out from the government what has happened to this money, because to come to the Floor of the Senate and accuse this Committee by imputing motives that they bought rice and sent to Zimbabwe is very unfair.

**Senator Odebiyi :** On a point of information, Mr President. The information which came to me is what I am using. I did not even know that my friend, Senator Saraki, was the Chairman of the Committee. Quite frankly, and believe me, you may have noticed that I am probably one of the last people to speak on this Motion. Over the weekend, I received some information on this matter and I thought it necessary to let you know. I was told on good authority that there was some trading business going on. My friend, Senator Saraki, might not know anything about this, and I am saying this quite honestly without imputing motives to him.

The point is that if we are going to give the Zimbabweans anything at all, it should be by providing them with training facilities as has been advocated by Senator Ahmadu Ali (Benue West).

**Senator Saraki :** Thank you very much, Mr President. I would like to assure you that the Members of this Committee are very respectable people; they are not business men but professionals who do not import or export rice to Zimbabwe. Be that as it may, I would definitely find out from the government what happened to the money, and I would also ask for a Report from the Trustees to find out what happened to the money. This is to know whether it is true that they imported rice, and who bought the rice because I would hate to see my name being involved in a thing like this. I would like to assure Senators that all we did in that Committee was well above board.

Coming to the Motion on the Floor of the Senate, my own contribution would be very short in the sense that the bone of my contention is that the time for the election in Zimbabwe should be two months. Now, the British House of Lords last week approved the Bill and the British Governments is going ahead with their own arrangements. We know from experience that it took Nigeria one year to prepare and hold elections even though we cried at the time that the period was too short to prepare for elections. I must say that it was only the Unity Party of Nigeria that had up to five years to prepare for the elections.

The question before the Senate is what we should do in the circumstance to assist our brothers and sisters in that part of the continent. From what I can see, the British Government is trying to keep the Patriotic Front away because Members of the Front are outside. Before they can move in and prepare

we must ask ourselves and my humble suggestion is that the Federal Government should insist, as it is still insisting, that the British Government accede to four months. To my mind, four months is too short a period for such a very very vital and important election. Therefore, what do we do to assist our people?

I think we can assist by giving them some money, by supporting the Frontline countries in their efforts to help the people as much as they can. During the Debate, some Senators did mention that we should help them with technology and in other ways. Already, Mr President, Distinguished Senators, people from Zimbabwe and South Africa are studying in our universities. This has been going on as far as I can remember, for three, four to five years. There are also some of them in our Technical Schools. I remember very well that when this Committee on Relief Fund was set up, we sent a lot of drugs and other materials to that part of the world. My suggestion, Mr President, is that we should ask our government to wake up from its slumber and go ahead to assist these people. The British Government is not prepared to change its mind as a Bill has already been passed on this matter by the House of Lords. The best thing for us to do is to wake up and assist them financially or by any other means. There is no point in insisting that it must be four months but while we are insisting, we should find a way to assist them. Therefore, I support the Motion that Nigeria should help Zimbabwe. Thank you.

**The President :** Order ! Order ! The moment for decision has come. We have a Motion before us upon which we have been speaking for three days. We shall now have to resolve the issue on the basis of all the contributions made on the Motion.

On today's Order Paper, there are three resolutions which this august Senate is required to pass. I remember that there was an amendment suggested by Senator Ebute from Benue South-Central and by Senator Adebayo from Kwara Central which is not contained here but I will bring it in at the appropriate time. For the time being item No. 1 (i) says :

*express great concern over the delay by the British Government in reaching agreement with the Patriotic Front on the transitional arrangements towards formal independence for Zimbabwe ;*

I think that resolution is belated and so we can only now express regret that it took them so long a time to come to that conclusion. Is that the wish of the Senate ?

**Several Senators :** No. !

**The President :** What I am saying is that if we have to do anything about that item, we should rephrase it to say that this Senate regrets that it took the British Government so long a time to come to a conclusion or decision on the issue of Zimbabwe.

**Senator C. L. Adeoye (Oshun I) :** I have an amendment, Mr President. My amendment is that even after it has taken them a long time to come to a conclusion, they have come to a conclusion

that is not acceptable because two months is too short a period. Again, it must be noted that they are not reckoning with the Patriotic Front.

**Senator Saraki :** Mr President, this Motion has been over-taken by events because the British Government has concluded on the matter.

**The President :** Is it the wish of the Senate that it notes with regret that it took the British Government so long a time to come to a conclusion ?

**Several Senators :** No. It should be deleted.

**The President :** Is it the wish of the Senate that item 1 (i) be deleted from the Order Paper ?

*Question put and agreed to.*

**The President :** Item 1 (ii) urges the Federal Government of Nigeria to render every possible assistance to all the parties participating in the London Talks to ensure speedy progress towards majority rule in that country.

**Senator D. D. Etiebet (Ikot Ekpene) :** I have an Amendment, Sir.

**The President :** Senator Etiebet, what is your Amendment ?

**Senator Etiebet :** Mr President, Sir, number two reads : *Urges the Federal Government of Nigeria to render every possible assistance to all the parties participating in the London Talks.* We are taking all parties into consideration in our assistance.

**The President :** What is your Amendment ?

**Senator Etiebet :** My Amendment is to omit the words in the first line : *to all the parties participating in the London Talks.* So that we would exclude the other side that is participating in the London Talks against our endeavours. We would then render assistance only to areas representing our interest in the London Talks. Therefore the amendment would read : *Urges the Federal Government of Nigeria to render every possible assistance to ensure speedy progress towards majority rule in that country.*

**Senator Onyeabo Obi (Anambra West) :** I beg to second, Sir.

**The President :** Can you read the Amendment again ?

**Senator Etiebet :** The intention of the Amendment is—

**The President :** Read the Amendment as it stands.

**Senator Etiebet :** *Urges the Federal Government of Nigeria to render every possible assistance to ensure speedy progress towards majority rule in that country.*

**Senator E. K. Ogunleye (Ondo East) :** Mr President, Sir, I have an Amendment.

**The President :** Is your own a counter Amendment, further Amendment or an adjustment of this Amendment ? May we hear it.

**Senator Ogunleye :** On his own Amendment I would substitute : *Urges the Federal Government of Nigeria to render every possible assistance to all the nationalist parties participating in the London Talks ;* because if we say *all parties* it includes Ian Smith and his brothers.

**Several Senators :** Yes.

**The President :** May I hear from the original mover of the Motion, Senator Akan.

**Senator Victor Akan (Eket) :** Mr President, Sir, I think I ought to inform the Senate that the intention was to enable this country to act as a broker. Sometimes communication between these parties are difficult, Muzorewa may want to give in, how does he communicate with Nkomo or Mugabe. So, Mr President, Sir, whereas I understand the feeling behind the Amendment I must urge the Senate to let it stand as it appears on the Order Paper.

**The President :** It is belated because the London talks is finished.

**Senator Obi Wali (Port Harcourt) :** Mr President, Sir, I would have thought the mover of the Motion would accept *render every possible assistance to all the parties that participated in the London Talks* because we want to see all of them and they had participated, and our intention is still genuine as it stands now.

**The President :** Before we get the whole thing muddled up, there are two suggested Amendments, the one read by Senator Etiebet and the one read by Senator Wali.

**A Senator :** It has not been seconded.

**Senator Bitrus B. Kajal (Mubi) :** I beg to second.

**The President :** Are you seconding Senator Wali ?

**Senator Kajal :** Yes.

**Senator Onyeabo Obi (Anambra West) :** Mr President, Sir, from my information the talks are not yet over, the talks are still proceeding. Agreement has been reached on the transition but they have gone into the third and possibly final stage, so I think that the Amendment made by distinguished colleague—

**The President :** Which of your distinguished colleagues? I thought you supported Senator Etiebet's Amendment.

**Senator Obi :** My distinguished colleague Senator Wali's amendment, *that participated*, is not quite in accordance with the facts. The talks are still on and I think I would appeal to my colleague Senator Etiebet with whom I discussed the amendment and with Senator Akan, that in the light of Senator Akan's explanation we should withdraw our amendment.

**Senator Obi :** Yes.

**The President :** Distinguished Senator J. S. Tarka may speak.

**Senator J. S. Tarka (Benue East-Central) :** Mr President, Sir, I am sorry I could not come in when we were discussing number one and I do not want to go back to it but it is true, Sir, that from all observations the talks have not been completed yet. It is true also that the Bill has been passed in the House of Lords. By their own method, they should have given it assent, but the talks are still going on and there is another set of talks going on as an aside. The talk about cease fire which is a continuation of the talks themselves is still on. So, if we are now talking about completing the talks we are only listening to the news about Ian Smith going back to Zimbabwe ; but the talks are still on, Sir. So I would go along with the suggestion by Senator Akan, the mover of the Motion, that we should leave the wordings as they are.

**The President :** Order ! Order ! I may now put the question to the Senate. The Motion reads :

*Urges the Federal Government of Nigeria to render every possible assistance to all the parties participating in the London Talks to ensure speedy progress towards majority rule in Zimbabwe.*

*Question put and agreed to.*

The last on this on the Order Paper : *The Senate declares its total support for the Patriotic Front, in its just struggle for the independence of their country.*

**Several Senators :** Overtaken by events.

**The President :** How could it have been overtaken by events ?

**Senator Tarka :** I am sorry, Sir, it is not overtaken by events. What it is, Sir, which I think we have ignored is that the whole thing in (ii) applies also to (i) but I think that if Senator Akan would agree there is a small contradiction in the application of words. He says *all the parties* in the two preceding subparagraphs then he comes to paragraph three and he singles out *the Patriotic Front*. If he had used the same words, *the Patriotic Front* or *all the leaders* or other such parties that are strongly in support of majority rule and independence movements, then it would ease the problem. I think we should drop the words *Patriotic Front*, we know what he is saying. We should say *all the nationalist movements* and that would meet his own case as well as the case of other people.

**The President :** There is an amendment that the two words *Patriotic Front* should be replaced by *nationalist movements*.

**Senator A. A. Ali (Benue West) :** Point of information.

**Senator M.** : The information here is that there is one of the movements or two or three that are recognised by the OAU and therefore recognised by us. All the efforts we have channelled to helping Zimbabwe has been through these particular movements, so, we can not say all the movements here because it would be a very great change in our policy on OAU and the problem in Southern Africa.

**The President** : I would only deal with Amendments because we are not going into a debate again as we now want to take a decision.

Senator Oke, what is your Amendment ?

**Senator D. O. Oke** (Ondo West) : I would prefer this phrase at the beginning of (iii) *in the event of a failure of the talks*. The spirit of it is that we should support anything that makes for success but if that collapses, then we would go back to where Nigeria was and that is the spirit of (iii). We should not introduce a big change in the orientation of our policy. In fact, what we need is the insertion of that particular phrase or whatever way we may describe it.

**The President** : I recognise Senator Hoomkwap. I hope you are going to speak on the Amendment.

**Senator George Hoomkwap** (Shendam) : Yes, I am going to speak on the Amendment. I support the amendment made by Senator Tarka while I oppose the additional Amendment made by Senator Oke because his approach to the problem is negative and I would not like us to be pessimistic.

**The President** : I would not entertain any further debate as I am dealing with Amendments.

**Senator Hoomkwap** : I am also dealing with the Amendments so that Senator Oke's Amendment may be struck out.

**The President** : Amend that of Senator Oke or somebody else's with your own wordings.

**Senator Hoomkwap** : I support the Amendment made by Senator Tarka.

**The President** : I recognise Senator Kajal.

**Senator Bitrus B. Kajal** (Mubi) : Mr President, if we have to accept Senator Oke's Amendment, then we should go further as we should not end it up at *where there is a likelihood of failure*. So, I want to make a further Amendment that should we accept Senator Oke's Amendment and it should read as follows : *That the Nigerian Government should work towards expelling Britain from the Commonwealth should she be unable to follow the direction of the last meeting of the Commonwealth Heads of State and Government in Lusaka early this year.*

**The President** : That is a further Amendment.

**Senator Kajal** : If we should accept Senator Oke's Amendment then this should automatically follow. If we leave it as it is now, then I do not see the need to introduce this further Amendment.

**Senator Tarka** : As it is now, we are behaving like an apostle of doom.

**The President** : I recognise Senator Ojukwu.  
**Senator S. M. Ojukwu** (Umuahia) : I think the Amendment should read thus : *Declares its total support for any just struggle for the independence of Zimbabwe*, that will eliminate all other problems.

**The President** : I recognise Senator Obi.

**Senator Onyeabo Obi** (Anambra West) : Mr President, ambivalence will get us nowhere. The stage they have reached in London talks today was brought up by the Patriotic Front and it is important that item (iii) was recognised that they have brought us there so far. So if (iii) is to be amended at all, which I do not think is necessary, it should recognise the efforts made by the Patriotic Front. So, I would suggest that it is left as it is.

**The President** : I recognise Senator Akintoye.

**Senator S. A. Akintoye** (Ondo Central) : Mr President, may I say that I myself would be opposed to any amendment that would suggest that we envisage a failure of the talks. I do not think we should introduce that type of phrase into our resolution at all. On the other hand, I think it will be a pity if we do not give the slightest recognition to the Patriotic Front. Various parties have gathered in London to talk but I think it is honest to say and we can proclaim this in the face of the whole world that we owe it to the Patriotic Front that Zimbabwe is now moving forward in a particular way towards achieving independence. I would suggest that if we do not want (iii) to stand as it is, perhaps, a phrase or a statement would be needed to show recognition for the Patriotic Front. I would be agreeing with Senator Obi that we need to introduce a phrase and I would suggest this : *Recognises the role of the Patriotic Front in the determination of the character of the talks and declares its total support for any just struggle for the independence of Zimbabwe*. The idea there will be—

**The President** : There should be no speeches ; I only want Amendment.

**Senator Akintoye** : The idea there is that we recognise their role in determining the particular character of the talks and we should also declare that we would support any just struggle for the independence of the country.

**The President** : After listening to all the Amendments, I am inclined to think that they are all a pointer to what was written here. So, I would put the question based on what is on the Order Paper, that is, *That the Senate urges the Nigerian Government to declare her total support for the Patriotic Front in its just struggle for the independence of their country.*

*Question put and agreed to.*

*Resolved* : (1) Urges the Federal Government of Nigeria to render every possible assistance to all the parties participating in the London Talks to ensure speedy progress towards majority rule in Zimbabwe.

*Resolved* : (2) That the Senate urges the Federal Government to declare her total support for the Patriotic Front in its just struggle for the independence of their country.

**The President :** Any further amendment?

I recognise Senator Ebute.

**Senator A. Ebute** (Benue South-Central) : Mr President, in view of the revelation in the Senate this morning that about ₦20 million was collected to assist the Nationalists in their struggle for the liberation of Southern Africa, I would humbly move an Amendment thus : *That this Senate calls on the Federal Government of Nigeria to lay a Paper before it explaining the way and manner this money was used for the purpose of achieving this objective.* I think this is a matter of great concern in which the Senate should be interested. That is all, Sir.

**The President :** The Motion is that the Senate should call on the Federal Government to lay a paper before the Senate regarding the fund raised for the liberation of Southern Africa. Is that correct ?

**Several Senators :** Yes, Yes.

**The President :** I recognise Senator Ali.

**Senator A. A. Ali** (Benue West) : I would advise that a substantive Motion be brought on this topic as it is totally unconnected with the problem of Zimbabwe as an entity. The fund we are talking about is the Southern African Relief Fund and that covers a wider area.

**The President :** Order ! Order ! I am inclined to sustain that point. So, that rules Senator Ebute's Amendment out.

I recognise Senator Hoomkwap.

**Senator George B. Hoomkwap** (Shendam) : I want to draw the attention of Senators to a provision in the arrangements suggested by Lord Carrington which says that the Commonwealth governments be invited to send observers who will have unrestricted access. So, I wish the Senate to urge the Federal Government to send an observer during the transitional period.

**The President :** Could you repeat your Motion again.

**Senator Hoomkwap :** That the Federal Government of Nigeria should send—

**The President :** I would make just a slight correction which I have noticed all the time. That in the context of the Presidential System we are in today, we must always refer to the *President of Nigeria*—that the Senate requests the *President of the Federal Republic of Nigeria*.

**Senator Hoomkwap :** Consequent upon the arrangement reached for the independence of Zimbabwe, the Senate urges the President of the Federal Republic of Nigeria to appoint an observer who will have unlimited access during the period of transition.

**The President :** I am calling for proper phrasing

**Senator Ameh Ebute** (Benue South-Central) : I was going to say that before the Amendment that is now being proposed, there is an Amendment made by me which was seconded and has appeared in the previous Order Paper but unfortunately it does not appear today.

**The President :** I have it here on the Order Paper No. 13 of Thursday 15th November which reads : *That this humble Senate calls on the President of the Federal Republic of Nigeria to send a high-powered delegation to London to convey the strong feelings and stand of this great country to the current negotiations in London on this all important issue.* Is that the one you have ?

**Senator Ebute :** That is the one I have. So I now humbly ask the President to put that Amendment question.

**The President :** Well, I think I would uphold your request by putting it to the Senate.

**A Senator :** Has that not been overtaken by events ?

**The President :** I would put his request to the Senate and you agree or you disagree. Senator Matta may speak.

**Senator Garba Matta** (Pankshin/Mangu/Kanam) : This is no longer necessary because in my own opinion, they have concluded the talks. So what are we sending some one there for ?

**The President :** What you are saying is that in view of (i) this Amendment has lapsed. Is that correct ?

**Senator Ebute :** Mr President, Sir, we would be acting on hearsay if we rely on an information that somebody had gone to London. The Senate has no information whatsoever in this regard and even if somebody had left, our Motion here will only reinforce that move of the government. So, I do not see the point that it has been overtaken by events. We are all relying on hearsay information and this Senate cannot rely on hearsay.

Can you give the name of the person who has left for London please, dear Senator ?

**The President :** Order ! Order ! I would like to remind the distinguished Senator that if this Amendment was carried it would mean we are in fact setting aside the first decision that the Senate has taken. So it could very well be that the Amendment has been overtaken by events. Yes, Senator Adebayo.

**Senator C. O. Adebayo** (Kwara Central) : Can I just remind the Senate that I proposed an Amendment to that which suggested that the place to investigate—I think that has only been strengthened by what my party leader said earlier on with regard to investigating the channelling of our assistance ; that London is not the place but Zimbabwe itself and the Frontline countries which are aware of the proper avenue for the use of whatever we may wish to offer. So that still stands in that regard, but definitely I think

ment to that effect. You suggested sending a delegation. It is not recorded here.

**Senator Adebayo :** I have not seen the report of that day but my proposal was to the effect that rather than send a delegation to London we should send a delegation to Zimbabwe itself. I remember somebody did say that we might not be allowed to enter that country. I did say also that Frontline countries like Zambia and possibly Tanzania which are more familiar with the day to day happenings within the country and where most of the nationals of Zimbabwe who cannot operate within the country are resident might be able to assist us. So, we can ascertain what assistance they require so that whatever vote we do make here would be properly utilised.

**The President :** Can the distinguished Senator put it in Motion form.

**Senator Adebayo :** *That this Senate sends a delegation to Zimbabwe through Zambia, Tanzania and other Frontline countries where nationals of Zimbabwe are resident and where accurate information as to the best channels for the utilisation of our assistance may be ascertained.*

**The President :** Well, before we properly rephrase it, is anybody supporting that view ?

**Senator B. C. Okwu (Anambra Central) :** On point of Order.

**The President :** What Order number ? It is either you have information or you have an Order.

**Senator Okwu :** On point of information, Mr President.

**The President :** What information ?

**Senator Okwu :** Mr President, Amendment of a Motion presupposes adding words or clauses to or deleting same from. This suggestion ought to come as a substantive Motion because there is no question of this Motion from (i), (ii) and (iii) where there is a suggestion of deletion or addition and, therefore, this suggested Amendment should come as a substantive Motion.

**Senator Adebayo :** Mr President, Sir, I think definitely that is an Amendment and it can be added to any of the clauses if we are not interested in flinging out this idea for the sake of it. If there are reasons why it seems unreasonable, let us talk about it, but if it makes sense, definitely—

**The President :** Order ! Order ! Someone intends to oppose the Motion as proposed and seconded. I would call upon Senator Dimis to speak.

**Senator Ibrahim Dimis (Bauchi South) :** I oppose the idea of sending a delegation from the Senate to either Zimbabwe or London because we have Ambassadors there. Secondly, we have been condemning this question of sending people abroad and people have been talking about the country having no money. I think if the Senate will send this through our Ambassador there, it would be all right.

**The President :** Is your counter Motion seconded ?

South-East) : I am opposing it for obvious reasons, Mr President. The reason why I am opposing the idea of sending a delegation of either the Senate or the House of Representatives to London or wherever it is for the purposes of just handing in a protest or whatever it is from this Senate or on behalf of this country is this. Strictly speaking, we members of the National Assembly are here as Legislators. What happens in terms of diplomatic efforts of this country is a matter for the Executive. Therefore, Mr President, in view of this I do not think we can spare the time, the money and Senators to go just to hand in a letter of protest.

**The President :** I think you are not properly informed. We are not going to protest. We are going for information. We want to gather information regarding what is actually happening.

I will recognise you in a minute, but let me finish.

**Senator Ahmmed :** Whatever it is, I still stand by my opposition to the idea of sending a delegation just to collect information. The telex is functioning. We can call our High Commissioner in London to get whatever on relevant information we need.

**The President :** This Senate cannot call on any Ambassador. You can call on the Minister of External Affairs.

**Senator Danbatta :** This is a matter of channelling and of procedure. So long as we make our request—

**The President :** Order ! Order ! You are seconding the Motion which is opposing the issue. I will now put the question because we must make progress.

The idea of the Motion about sending any delegation to anywhere is that the National Assembly can request the Minister for External Affairs to give this necessary information regarding the happening in Zimbabwe. I think that perhaps before we ever take the second step, we should take the first one to get the information. I think it is only when we are satisfied that the information is inadequate that we can take further steps. I think I should call on Senator Adebayo. Are you in support of the fact that we should first of all call on our External Affairs Ambassador to furnish us with information before we proceed further ?

**Senator Kajal :** Point of information, Sir.

**The President :** What is the information ?

**Senator Kajal :** We are called upon by the President to give information, and we should, therefore, not address ourselves to the question of relevance or irrelevance on the matter.

**Senator C. O. Adebayo (Kwara Central) :** The alternative is that since we are having a serious case in hand we must tell our delegation that they should go to the right place. We are not in a position to determine the length of our discussion, and I do not think we should limit ourselves in our relation to or discussion on External Affairs. We should not

limit ourselves. Having so much money, we should make sure the entire thing is channelled in the right Direction. I think that is an alternative to what I am saying.

**Senator Ibrahim Barau** (Ikara/Zaria/Birni Gwari) : Mr President, Sir, I do not see the importance of the National Assembly sending a delegation to the Ambassador purposely to hear the information about the Frontline or the Patriotic Front areas. I think we have the executive here in this country and we have an agent too. That is very well because there is the agent of the National Assembly who can furnish us with the necessary information. I think it will just be a waste of time for this great National Assembly to waste her own time by going all along. We are here as legislators. Apart from us, there are other bodies with all their agencies which can correctly give us all the information we require.

**Senator Jaja Wachuku** (Aba) : I am talking about the number of Motions by quoting from the Standing Order 19 (f). I think it may be necessary so that we know that there are several number of motions that can be brought.

**The President** : Order 19 has up to H.

**Senator Wachuku** : It is after the business of the day is finished, that this Motion will be proper. This is one of the Motions that can be brought over, because in this case, it grows out of the business of the day. When there is this kind of brought-over business, we deal with it immediately the full business is disposed off. After this has been done a fresh matter is dealt with.

**The President** : I am inclined to think that this was the last Amendment and, therefore, it could be disposed off. Maybe I am wrong.

**Senator Wachuku** : The Amendment could be disposed off. If it is not disposed off, it means that this Amendment is not ready yet.

**The President** : I am afraid I am not inclined to sustain your Order.

**Senator Wachuku** : So the business has been disposed off.

**The President** : We must dispose of the business.

**Senator Wachuku** : What I want to know is whether we have finished with No. 3. Have we finished with No. 1 on the Order Paper? I must read this to the Senate :

*Unless the standing Orders otherwise direct, notice shall be given of any motion or amendment which it is proposed to move with the exception of the following :—*

(a) *A motion or amendment made or offered Committee of the Whole Senate.*

(b) *A motion for the adjournment of the Senate or of any debate.*

(c) *A motion that the report of a select committee be referred to a committee of the Whole Senate.*

My question is, have we disposed of *item* number one on the Order Paper ?

**The President** : We have disposed of number one, number two and number three, and there were other Amendments that were recorded in the past proceedings which have not been brought forward today.

**Senator Wachuku** : When ?

**The President** : Just a minute, I read one out on the 15th November proposed by Senator Ebute. That has been disposed of. We are now in the process of dealing with the other one by Senator Adebayo, after which we will go back to the whole question before we will finally finish up with the Motion.

**Senator Wachuku** : Mr President, Sir, this particular Amendment is not finished.

**The President** : I am just saying that this amendment was received by me in this Senate, on the 14th, but I have not got the paper of 14th to quote from. I have got that of the 15th as in the case of Senator Ebute.

**Senator Wachuku** : May the Senate be assisted by reading the text of that Amendment.

**The President** : All right, I will come back to it, but for the time being, I have been given notice by the proposer of the Motion that he wants to speak on the Amendment.

**Senator Wachuku** : How can he speak on the Amendment that is not before the Senate.

**Senator Adebayo** : Mr President, Sir, I do not know whether my contribution on this point would help the elderly Senator and experienced man on what he is talking about. I am willing to accept that maybe an executive information on this issue, if it is satisfactory, maybe adequate, so long as it is noted that my concern principally is that whatever aid Nigeria gives is properly spent.

**The President** : May I take it, therefore, that you are withdrawing the Amendment.

**Senator Adebayo** : Yes.

*Amendment by leave withdrawn.*

**Senator Hoomkwap** : I have an Amendment, Sir.

**The President** : Have you given notice of it ?

**Senator Hoomkwap** : I gave notice of it. I have been drafting it and I want to read it.

**The President** : That is a typical example of what Senator Jaja Wachuku was referring to. You will bring that at the close of the business of the day. The one that he was dealing with was brought forward from the past.

**Senator Ayo Fasanmi** (Ondo North) : I think

the Senate, and the Motion was entertained. Today, he has come to quote another Standing Order to stop a Motion from being discussed. I do not think he is being fair to the Senate.

**Senator Jaja Wachuku :** The Motion was a substantive Motion of which notice was given.

**Senator Ayo Fasanmi :** When did you give the notice ?

**The President :** Order ! Order ! The Senate must make progress. Senator Abogede Order 21.

**Senator Andrew Abogede** (Benue North-Central) : Order 21 reads : *Amendments proposed to any motion or bill shall only be in order if they are relevant to the question or matter then under discussion.* The question is whether the Amendment is relevant to the matter under discussion. If the Amendment is not relevant to the matter under discussion then we should go back to Standing Order number 19.

**The President :** Thank you Senator Abogede. The whole matter of Zimbabwe has now been disposed off by taking resolutions one, two and three on the Order Paper. We will now go to item two on the Order Paper. I call upon the distinguished Senator from Benue West (*Senator Ali*) to propose his Motion.

#### Release of Lt-Col. Alfred Gom

**Senator A. A. Ali** (Benue West) : Mr President, Sir, I am extremely delighted that after waiting for four days or more my Motion has finally come up for discussion by the grace of NEPA.

Sir, I beg to move the Motion standing in my name on the Order Paper—

That considering the fact that Nigeria is a member of the United Nations Organisation and also a member of the UNIFIL—(United Nations International Force in Lebanon) and in view of the great contributions which the Nigerian Army has been making towards the attainment of permanent peace in the world, the Middle East and Lebanon in particular :

1. The Senate of the Federal Republic of Nigeria views with grave concern the unlawful detention of Lt-Col. A. Gom, N.A. by the Israeli Government.

2. Calls on the Federal Government of Nigeria to bring diplomatic pressure to bear on the U.N. Secretary-General to use all avenues available to his office to ensure the immediate release of Lt-Col. Gom.

3. Resolves that the Federal Government of Nigeria conveys the displeasure of the good people and Government of Nigeria to the people and Government of Israel, as regards the unlawful detention and inhuman treatment which Lt-Col. A. Gom is being subjected to.

to secure the immediate release of Lt-Col. Alfred Gom from the hands of his captors without any preconditions.

5. Calls on the Federal Government of Nigeria to place before the Senate within a week of the passage of these resolutions, a comprehensive situation report on the fate of Lt-Col. Alfred Gom of the Nigerian Army.

Mr President, Sir, the Motion standing in my name is a Motion dealing with the release of Lt-Col. Alfred Gom, a Nigerian citizen who has been serving his nation faithfully and loyally as an officer in the Nigerian army for about twenty years. Mr President, Sir, in the course of his services to this nation, he was despatched as a member of the Nigerian contingent to Lebanon, UNIFIL Contingent, United Nations Interim Force in Lebanon along with several other Nigerians. About May, Mr President, Sir, Lt-Col. Alfred Gom was going across to Jerusalem, perhaps, on a pilgrimage, because he is a christian. When he reached an Israeli border post, he was asked his name and his details which he gave and he was asked to proceed on his journey. Just before he entered his car, Mr President, Sir, a mysterious car came from nowhere and crashed into his own thereby creating an accident. By the creation of this accident, he was promptly arrested by the Israeli Police and clamped into jail. He was in this filthy prison for about two days and they turned out later to tell him that his car was searched and a box of ammunition or explosives was found.

Mr President, Sir, under this country's law, if you do not check my property in my presence, I am not entitled to accept responsibility. But in Israel it appears that the law may be different. He was tortured, pressurised and persuaded by very brutal means to confess to the contents of what they found in his car. It is, however true, Mr President, that Lt-Col. Alfred Gom at the border where he met Israeli Security men was handed a parcel to deliver to a gentleman in Jerusalem, and this was done in the presence of the Security Forces but they did not question it until they created the accident.

Mr President, Sir the condition of this Lt-Col. Gom in this Israeli prison is so deplorable that the Israeli Government is not even interested in accepting the protocol of Geneva Convention of 1949 that deals with Prisoners of War, especially officers. He is being treated as a saboteur ; he is being subjected to inhuman treatment and deprivation; he is even served his meals on the floor of the prison.

The Nigerian Government has brought or tried to bring a lot of diplomatic pressure to bear on the United Nations Secretary-General, to secure the realise of Lt-Col. Gom. All this to no avail. General George Innih led a Nigerian Delegation to Israel with difficulty. After several days, he was allowed to see Lt-Col. Gom in the prison. When he saw Lt-Col. Gom, Lt-Col. Gom was already going round the bend. He was not only becoming incomprehensible, he was becoming incoherent. Col. Gom was not allowed to communicate with the



Nigerian visitors in any other language except in English, and he has reached a stage where his existence is a mere vegetable existence.

Mr President, Sir, it is a very serious matter for any citizen of Nigeria to be treated like this anywhere in the world, irrespective of what crime he committed. Mr President, Sir, it is the duty of this Senate as the custodian of the laws an all that is just in Nigeria to ensure that the Government and the people of Nigeria deserve the respect of the Israeli Government to release Col. Gom.

The Israelis decided that they would court martial Col. Gom. We sent a Nigeria Lawyer who the Israeli Government refused to accept in spite of the fact that they (Israeli Government) extracted the sum of \$10,000 from the Army to pay the British Lawyer who was to handle the case. Up till now nothing has come of it. Col. Gom is still in prison.

**The President :** Order ! Order ! I did not quite understand what you meant when you said that they extracted \$10,000 from the Army.

**Senator Ali :** Mr President, Sir, The Nigerian Government was asked to pay \$10,000 to the Israeli Government. The sum was to be used to pay the defence lawyer for Col. Gom. The Nigerian Army was asked to pay this money.

**The President :** And the money was so paid ?

**Senator Ali :** Yes. The money has been remitted on very positive information from the Military Authority. They have prevented Col. Gom from receiving even visitors or letters from his family who have been going up and down to the Ministry of Defence and the Ministry of Foreign Affairs with tears in their eyes. The children do not even know that their father is still alive. It is a deplorable situation that a country like Nigeria could be so treated by a country that had asked for sympathy from everybody in this world.

Mr President, Sir, Col. Gom's case may be the case we are talking about today, tomorrow it may be another one, may be by another country who thinks that Nigeria is a country that is capable of barking but can bite occasionally. Sir, the problem we have in this country in this matter is that we have no diplomatic relations with Israel. We broke diplomatic relations with that country under the OAU during the Arab/Israeli war. It is true that many of the countries that did so in Africa, the smaller countries, have since crept back and re-established these relations. But we tied ourselves to OAU. The day Nigeria takes such a stand would be the end of the OAU.

Mr President, Sir, I am reliably informed that the Israeli Government is determined to hold Col. Gom in ransom for re-establishing diplomatic relations with us. It is blackmail tactics, Mr President. This is why the previous regime did not find its feet to play the ball by establishing relations simply to secure the

There would be no end to it, Mr President. And yet this is a nation that has suffered from the hands of their enemies ; from various kidnappings and they have always sought the sympathy of the whole world. Now, they are involved in the same tactics.

Mr President, I would like to plead with this Senate to do all in its power to demand the immediate release of Col. Gom without any pre-conditions at all, and to condemn in no uncertain terms any instruments of blackmail on the part of any government. Blackmail as an instrument for extracting recognition must be deplored.

The re-establishment of diplomatic relations is a separate subject altogether, which the Nigerian Government has always thought should be done through the aegis of the OAU. I think that until such a time, it is my belief that even the arrest of 1,000 Nigerians in exchange for recognition, should not make us yield to such blackmail.

Mr President, Sir, in my proposals in the Motion tabled before you, I have given room for the Committee on Foreign Relations to look into this matter by calling on the External Affairs Ministry to submit a situation report, in addition to several other resolutions before this Senate within a week of our passing this resolution. This is to tell the Senate what they have done, how far they have gone and what remains to be done to secure the release of Col. Gom.

Col. Gom is already six months in the Israeli prison. It would be dereliction of duty, Mr President, if a Nigerian national is arrested in any foreign country in the world and we, the Senators of this great country, do not take any positive step to secure his release. I want to make it quite clear, Mr President, that this Motion is not intended in anyway to show the inability or idleness of certain officials in any Ministry that may be directly or indirectly concerned. My intention, pure and simple, is to secure the release of Col. Gom. I have been reliably informed that some people thought that we are discussing this Motion today because Col. Gom happens to come from the same State as mine which is Benue State. (*Interruptions*) Mr President, Sir, as far as I am concerned, he is a Nigerian national. (*Interruption*)

**The President :** I am sure that you have seen the reaction of the Senate.

**Senator Ali :** Thank you, Mr President. I, therefore, call on the Senate of the Federal Republic of Nigeria to debate this thing thoroughly and make positive move to secure the release of Col. Gom within one week if possible.

Thank you very much. I so move.

**The President :** I would like the Motion to be seconded. I noticed that Senator Jaja Wachuku already has an Amendment, but I recognise the distinguish Senator from Benue East-Central, Senator J. S. Tarka.

Senator J. S. Tarka (Benue East-Central) : Mr

me to exercise my right to contribute to the said debate, Sir. I do know the gentleman soldier concerned. I was very surprised when I read of his immoral and unjustifiable arrest by the Israeli authority. What the Israelis are seeking from all discussions with their nationals both here and abroad is exactly what distinguished Senator Ali had indicated in his contribution to the Motion. They would like to use the unchristened device, blackmail, international campaign at all levels to secure diplomatic re-recognition by the Nigerian government.

A background to our breaking diplomatic relations with Israel is very well known to all Sides of this Senate, and no one should waste our time explaining that background except to say, Sir, that any part of Africa attacked by any foreign country, on the standard of the OAU Charter, that attack tantamounts to an attack on every member nation of the OAU. Nigeria can never be an exception.

We then took a collective decision at the OAU to accept the fact that Israel was an aggressor against the African territory. Today, it is true that some other African countries have gone back on their word and re-established diplomatic relationship with Israel without due reference to the OAU. All successive Nigerian governments including the present government have always insisted that there must be collective action by all OAU countries on the matter of re-establishment of diplomatic relationship with Israel.

May I say very clearly, Sir, that we, as a country, have never said that we do not accept the fact of the existence of the State of Israel. What we do not accept is the aggressive nature of its attitude to various countries that are friendly with us. If the coin were on the flip side, we would also take the same decision; that a member of the UN is being attacked by other countries, no one would accept, as tenable, such a situation.

We believe in peaceful co-existence among all nations.

Coming back to the crux of the matter, Col. Gom is a very distinguished soldier who served his country in various aspects both here and abroad. He was a very good student, he has been a very good soldier, a disciplined gentleman and the insinuation by the Israel authorities that he was trafficking in arms and ammunition with the PLO is untenable as it is unacceptable to any reasonable Nigerian and for that matter to any African. He has been used as a tool by the Israel authorities to receive recognition and re-establishment of diplomatic connections with Nigeria. This, we must resist at all cost, otherwise the consequence will be the same as the tactics of all kidnapers around the world, blackmailers around the world.

Today it is Col. Gom, tomorrow as it is said by Senator Ali it will be our oil and economic situation. There are many foreign nationals within our borders. They have lived with us for years unharassed by Nigerians. A Nigerian citizen would rather receive

to some extent beyond expectation better than he would do to a Nigerian. This is the nature of our own way of life.

**The President :** It is time to interrupt business of the day. The Senate do stand suspended till three o'clock when the debate would continue.

*Sitting suspended : 12.50 p.m.*

*Sitting resumed : 3.00 p.m.*

**The President :** Senator Tarka may continue with his contribution.

**Senator Tarka :** Mr President, Sir, before the suspension, I was saying that Nigerians are so generous that whilst we entertain foreign nationals within our borders and give them all the facilities that we can command both in our homes, in our business communities, in our diplomatic relationship with them and in human relations, to some extent we receive the blunt end in the other countries. The Israeli case is not an exception. Even among various countries, Nigerians are being pushed around the world. We must assert our rights as Nigerians and as Africans and refuse to be pushed around not only by the world powers but also by our trading partners as well as our brothers even in Africa.

I do not want to re-open old wounds because it is not very relevant to this issue but, if only to say, even among ourselves on the West Coast, Nigerians have not been treated very well by certain countries. So, when one looks at these circumstances, the Israelis, like other nationals outside Africa take advantage of us saying that even their brothers can abuse Nigerians.

In this connection, Sir, there are various trading partners in Nigeria who are Israelis or of Israeli origin. Israeli nationals are trading under different names in this country and I may even say without fear of contradiction that some of the Israeli Government companies like *Cardiran* which is an associate of *Dizengolf* are still trading here at will and international trading is a basis for diplomacy. It is trade that brought people like Mungo Park and others exploring Africa. When we do look at these things, one begins to wonder whether we should not search our minds and redefine our approach within our economic interest and to protect our nationals and such economic interest that we hold within our country and without.

If the Israelis persist in their wanton effort to hold Col. Gom and if we do nothing about it, I am sure the next thing is that they will demand economic concessions. That is the current issue in point. There is a difference between a very important Asian country and a very important Western power on which I do not want to elaborate. The economic basis of trading partners has become the issue of negotiation for the release of hostages held under their will in various parts of the world.

own eyes, Mr President, that is an unlawful detention and I insist that this word be retained.

**The President :** A distinguished Senator who has been missing for a long time has re-emerged. I am speaking in respect of Senator Kunle Oyero. I think it will be just to hear him.

**Senator Kunle Oyero (Abeokuta/Ifo/Otta) :** I went to be revitalised. Maybe the debate started when I was not around but from the papers I read, I have not seen the details of the detention of Lt-Col. Gom. I think for the benefit of this Senate it is necessary to know exactly the facts as they are, particularly now that—

**Senator Ali :** Point of Order. This great Friend of ours, Senator Oyero, has been absent most of the week, Mr President. This morning I gave almost a thirty minutes background knowledge on this topic. Besides that, throughout last week, I gave nearly every Senator a handout on the background to this matter. It is a waste of time for us to go backward. Forward ever, backward never !

**The President :** I take it that the distinguished Senator was not raising a point of order but was giving an information which I found very useful. I am sure that the distinguished Senator will take kindly to Senator Ali's suggestion.

Distinguished Senator Adeoye may speak only on a point of information or point of order, otherwise the distinguished Senator from Aba is on his feet.

**Senator Adeoye (Oshun I) :** Mine is to support what the distinguished and elderly Senator—

**The President :** Are you giving an information ?

**Senator Adeoye :** Yes.

**The President :** Please go on.

**Senator Adeoye :** The information is that we should take out the word *unlawful* as suggested. In this particular case the person who has the right to determine what is lawful and unlawful is the Government. If one reads the handout given to us by Senator Ali, it described Lt-Col Gom as a very high ranking Army Officer and he said that he was not able to distinguish the difference between an Arab and an Israeli because they are cousins and if a Senior Officer could take a parcel—(Interruptions)

**The President :** Order ! Order ! You are debating it. I think that we must appreciate the fact that we are debating this issue because we are Nigerians and we consider what the Israelis have done as unlawful.

This is because the Israelis might think that they are doing the right thing but we do not think so. Therefore, we should look at it very carefully. Senator Sabo, is it information you have or an order otherwise you are interrupting Senator Wachuku.

**Senator Sabo B. Zuwo (Kano Central) :** The information I want to give Senator Jaja Wachuku (Aba) following his statement is that the detention is lawful. When Hitler massacred the Israelis, his

appointed the Minister for killing, Mr Eichmann, in his days to supervise these killings. I think the Israelis are trying to retaliate on Africa because Hitler massacred six million Jews. No wonder they say that the detention of Col. Gom is lawful because they do not see Africans as human beings.

**Senator D. D. Etiebet (Ikot Ekpene) :** Mr President, the matter is pathetic but nevertheless, this Senate is not a place to go into legal conflicts. I know what is implied by the Israeli law. From the explanation given to us by the Mover of this motion, we may come to conclude that the man was detained for a purpose.

**The President :** You are not holding brief for the Mover of the Motion.

**Senator Etiebet :** It should be lawful detention Mr President, and not unlawful detention, because what law is applicable there as far as I am concerned, is a matter for which the man has been held. But, we are saying here that it is unlawful. There is no point being sentimental on the issue.

**Senator Ameh Ebute (Benue South-Central) :** Mr President, Sir, my learned senior knows very well that by the accepted rules of interpretation of legal statutes, anything that is not expressly excluded is deemed implied. He is saying that the word *unlawful* should be excluded but if we do not include the word *unlawful* it means that the detention is legal. If it is impliedly accepted that the detention is legal, then we would have no basis for debating this matter.

**Senator Wachuku :** Mr President, Sir, this Senate is the most responsible and respectable legislative institution in this country. Whatever we do or say we must have regard to international usage. My learned friend, Senator Ebute (*Benue South-Central*), is talking about private international law, but here we are dealing with public international law. They are two departments. I have a series of amendments which when concluded would really show to this Senate what course of action to follow.

If we listened to the Mover of this Motion carefully, there is a suggestion that a report was received and that somebody went somewhere and got a report. Has this Senate seen such a report upon which to base its judgment? The answer is no. I have discussed my amendment with my Colleague and he has seen the point. Even in the French Law, until you have proved yourself innocent you are guilty. They follow the Roman legal system, but in our own system you are innocent until you are proved guilty. Does distinguished Senator Ebute want to tell me that if the man had been arrested by the French and because our own law does not agree with theirs the detention is unlawful under the French law? The explanation clearly shows that what is lawful over there may not be so here. We are complaining about the word unlawful. If we take that off, we are saying on the second clause, that he is

*Calls on the Federal Government of Nigeria to continue to bring diplomatic pressure to bear on United Nations.*

**Senator Ali :** I agree with that amendment.

**The President :** Order ! Order ! Have we gone through the first clause ? Was it the decision of the Senate that we should leave the word *unlawful* ?

**Several Senators :** No.

**The President :** I intend to put the question before the Senate.

**Senator S. A. Akintoye (Ondo Central) :** This Senate should be told whether this man was ever tried.

**The President :** He is seeking information and I am calling on the Mover of the motion to give the answer.

**Senator Ali :** Mr President, in my preamble, I made it quite clear that they asked for a court-martial and we agreed that it should be held on condition that we sent a Nigerian lawyer. They disagreed and said that they wanted a Jewish lawyer to defend him and to that we eventually agreed. Their retort was that we should pay the Jewish lawyer \$10,000 which we paid but up till now there has been no trial. I have been reliably informed that there is a certain Ambassador hanging around in the hall saying that the facts are not correct. This is the type of pressure they have been applying on our nationals, shutting them up while in their own country they keep screwing our own national to virtually kill him. If I know who that Ambassador is and if a Policeman is around he should be kicked out of this place ; I do not care if he is in the gallery.

**The President :** Does the Senate intend to retain the word *unlawful* in the Motion ?

*Question put and agreed to.*

**Senator Wachuku :** Since the Senate has refused to delete the word *unlawful*, I cannot do otherwise. In clause 2 (iii), the word *inhuman* should be left out because we do not know the facts yet.

**The President :** Order ! Order ! The Mover of the Motion when he was introducing it gave an account of the circumstances in which a leading Nigerian Army Officer in the person of General Innin saw the condition of the detained Colonel, and how he was tortured. I listened to him very attentively that in the circumstance, I am prepared to accept that the word *inhuman* should stand in the Motion.

**Senator Wachukwu :** I have nothing particular against this except that nobody saw what happened. In any case, this is a Senate and we are only applying diplomatic pressure.

Mr President, Sir, I would like clause 4 of the Motion deleted.

**The President :** The whole of clause 4 ?

**Senator Wachuku :** Yes, Sir, because it says :

*Calls on the Federal Government of Nigeria to secure the immediate release of Lt-Col. Alfred Gom from the hands of his captors without any pre-conditions.*

the Federal Government to put pressure on the UNO. We have not got the facts yet, so how is Nigeria going to secure the release of this man unless she takes a direct approach to interfere with their internal affairs as Israel did in Uganda ? This is impossible. Therefore, before we take a decision, I would like you to take the next clause, if you delete Clause 4 and Clause 5 to read Clause 4 as this is the real thing we want. We want that within a week.

I now want to add what should be Clause 5 thus ; *On receipt and after studying the said report to debate the same and take appropriate decisions on the report.*

**Senator C. O. Adebayo (Kwara Central) :** Point of Order !

**The President :** What is your Order number ?

**Senator Adebayo :** It is Order 26 (4).

**The President :** You may read the Order.

**Senator Adebayo :** Sorry, it is Order 19 (f).

**The President :** This is your last chance to prove your point.

**Senator Adebayo :** You will remember that earlier today—

**The President :** I want you to read your Order first.

**Senator Adebayo :** Order 19 (f) says *A motion arising out of the business of the day made immediately after the business is disposed of and before any fresh matter is entered upon.* This is a fresh motion and we have not disposed of what is on the Floor. He quoted the same Order to dismiss my Amendment today. What is good for the goose is good for the gander.

**The President :** I am inclined to think that Senator Jaja Wachuku was only making some slight amendments to the existing Amendments, and I am afraid that in the light of the fact that you yourself have allowed him to make about three other amendments before you pointed this out, we will have to make progress on this debate if he has finished.

**Senator Ali :** Point of information !

**The President :** Yes, Senator Ali.

**Senator Ali :** The Senator from Aba (*Senator Jaja Wachuku*) wanted clause 4 to surface in the Senate after we would have got a report from the Government on the situation and the condition of the whole sordid affair. So, his amendment does not stand and it cannot come in here if it is dependent on the report we are going to read. This is a fresh motion altogether because when we say *calls on the Federal Government to secure the immediate release*

of Col. Gom and also calls on the Federal Government to produce within a week the situation report on the fate of Col. Gom, after studying that situation report we can call on the Federal Government or any body. That is the point. This is a totally fresh motion and it cannot be entertained as an Amendment.

**Senator Jaja Wachuku :** Mr President, if they want me to stop at that, I do not mind because it means that it does not tell you what Senator Ali wants us to do. This is his motion, and if he wants me to stop at the point of reading the report and that we do nothing, that is all right. What I am suggesting is to replace the clause that has been deleted I am saying that after studying the report, we should take immediate steps to give instruction and call for all the facts because without getting this report, this Senate cannot have the true picture and the officials will say that the documents are classified and they have no grounds to release them. But by passing this resolution the officials will know that the Senate wants this report and within a week it will be laid on the Table of the Senate. Several Senators will get copies to study and whatever step we want to take will be neat and appropriate for us. But, if you want that aspect of it to be deleted, I do not mind as I am open to the Senate and if the Senate says it does not want this action aspect of the Amendment, it is all right by me. (*Interruptions*)

**The President :** You have my protection.

**Senator Jaja Wachuku :** This additional clause 5 should replace the former Clause 5 as the former clause 5 becomes Clause 4, and this is the action side of it. Immediately we get the report, steps will be taken either by the original proposer or even by the President to call the attention of the Senate to it and ask us what we should do about it. That is the purpose of the amendment but if you do not want it, I do not have any hard feelings.

Coming to my Amendment, the reason for it is that there are so many ways of killing a rat, you can either cut its throat, you can strangle it, you can use a rod on it or knock it on the ground or you can take a stone and throw on it. The state of Israel is so anxious that Nigeria should re-establish diplomatic relations with her and there are certain elements in this country who have sympathy for that cause. I am sure that Nigeria being what it is—a democratic and free society—if on the face of that report it is seen that Israel is looking for the goodwill of Nigeria—the leading black African country—flouts the authority of this country and treats her national with such humiliation and contempt without regard to the stature of this country in the African continent, and she should be prepared to bear the brunt of what is likely to happen, then I will say that that country does not want good relations with us. If we are satisfied with the report given us as the true picture of what the position is and we take a decision here, I am perfectly sure that if it is given wide publicity and they know that we are united on the issue some of Israeli's best friends will tell Israel that she is going to finish herself if

**Senator Victor Akan (Eket) :** Point of Order!

**The President :** What is the Order number?

**Senator Victor Akan :** It is Order 22.

**Some Senators :** Read it.

**The President :** No interruption. Please read it.

**Senator Victor Akan :** It says *The question on any motion or Amendment shall not be proposed from the Chair in the Senate unless it shall have been seconded.* The point is that Senator Jaja Wachuku had proposed an Amendment which has not been seconded but he has proceeded to argue the case. May I, therefore, Mr President, most respectfully ask you to say that the Amendment be seconded or the distinguished Senator should withdraw it. Thank you.

**The President :** I am inclined to sustain that Order.

**Senator Jaja Wachuku :** No, Mr President, I am proposing an Amendment and it is after I have spoken on my amendment that the President may put it to the Senate.

**The President :** What I can understand is that you were making an Amendment and in the course of making this Amendment you have started to debate on it.

**Senator Jaja Wachuku :** I am speaking on the Amendment to convince the Senate to accept it and I cannot speak on it again as that is the procedure when you move a motion.

**The President :** However, you may wind up.

**Senator Jaja Wachuku :** I am saying why we should adopt the report. We should read the report, arm ourselves with that report, then if we are going to deal with the State of Israel, because they are ill-treating our national, we must let them know that if they do not treat our national as they should they would have no sympathy from any Nigerian for any attempt by anybody to tell us to try to reconsider the position of Nigeria with the intent of having diplomatic relation with them. This is a thing which I am sure, having regard to economic and other factors, the Israeli Government will not treat lightly. I am sure that this Senate will be doing a greater service through this approach than parading of any arms. They will think about so many years ahead, the probable benefits they will derive by curbing the goodwill of Nigeria. With these few words, Mr President, I am confident that Senators will accept the Amendment when put to them.

**Senator Kunle Oyero (Abeokuta/Ifo/Otta) :** I beg to second the Amendment.

**The President :** I recognise the distinguished Senator from Ilorin/Asa, the NPN leader, Senator Sola Saraki.

**Senator Sola Saraki (Ilorin/Asa) :** Mr President, Sir, distinguished Senators, the issue we are discussing is a very delicate issue and I would like us to be

tion about what really transpired in Israel. From my information, on the 16th June, 1979 Lt-Col. Gom was arrested on the road from Tel-Aviv to Jerusalem. He was going from Tel-Aviv to Jerusalem.

**Senator Jaja Wachuku :** Point of information. Has the question been put ?

**Senator Ali :** Mr President, Senator Saraki is talking about the information available to him and he is reading from a note in front of him, where did he get it from ? This is the type of manouvre we are talking about. I presented the facts as given to me by those who went there. I mentioned Major General Innih. Where did he get his facts from ? Why is he reading from a document that has not been distributed to other Senators ?

**Senator Jaja Wachuku :** Mr President, I would like my Amendment to be put.

**The President :** Order ! Order ! There has been a slight lapse here. An Amendment has been proposed and seconded but I was under the impression that the distinguished Senator from Ilorin was going to speak on the Amendment, and I would hope that he would speak on the Amendment. I will put the question at a later stage.

**Senator Saraki :** Mr President, thank you for protecting me.

**The President :** You have my protection at all times.

**Senator Saraki :** I was trying to give the Senate the information that I have so that it will help us whether we support or whether we reject the Amendment. I would also advise that we should be very careful in this debate because it is a very delicate issue. If we do not handle it properly, we might even get the condition of our fellow Nigerian worse in Israel. I think to my mind and for all it is worth, the matter should be handled very carefully and in a very diplomatic manner.

**The President :** Do I understand you as saying that there are some information which this Senate has not been privileged to get but which are very substantial to the amendment ?

**Senator Saraki :** Yes. Mr President, when we are voting or taking a decision on the amendment, we should know what we are doing. There are quite a few information and it is going to help my Friend, Senator Ali. It would also help the situation, because there are other ways to get this man released than forcing this Senate to begin to abuse or harass Israel. There are diplomatic ways to do it and this is what the government is doing now. I think we should give the Federal Government the opportunity to do it than debating this here because it is going to make the situation worse.

**The President :** Order! Order! Senators may sit. Both the Executive and the Legislature have their responsibilities to Nigeria. The Senate is responsible to debate issues that affect Nigeria just as the Exe-

cutive of the Senate, I would call for this information. If the information is classified I would take care of that problem by clearing the gallery in order to receive the information. But, I would urge Senators to realise that this is a very serious matter and that when we do commit ourselves in this highest legislative body of Nigeria demanding the President to take certain actions, we should do this on the understanding that he virtually has no alternative. Therefore, we have to be extremely careful and make sure that we know what we are doing ourselves.

I recognise distinguished Senator Akpata to speak.

**Senator E. I. O. Akpata (Bendel Central) :** Mr President, Sir, I think that we owe a duty to this country and to ourselves that when things happen to our citizens abroad, when things happen to ourselves even in this country, we must not display emotion. We must face our problems realistically, get the facts and act on facts. To display emotion is not patriotism. If it is patriotism, then it would be as Edwin Cavel said, patriotism is not enough. Is it true that there was an attempt to smuggle arms? If it is true, then we ought to bow our heads in shame for a Colonel to do that. We then have to go and find a way through which our citizen could be released.

We would not leave him to suffer in a foreign land, but we would not do it. Some people have their pride. If it were in Nigeria, I would never advise that because somebody will recognise us we should stop to blackmail. We are accusing Israel of blackmail. Let us be sure that it is not the other way round. I understand and I believe that our brother Senator Ali, has spoken and has had long conversation with General Innih, and that he had consulted other people in the Ministry of Defence. But that is hearsay. Why is it that this or the previous government, when a Nigerian citizen has been locked up, when we heard this over the Voice of America or the BBC, why is it that this country has not been told what is happening ? Why must we be kept in the dark when a Nigerian is languishing in jail. Then we come here, we want to move a Motion, we want to order the government to take certain action. Suppose after we pass our Motion then the government says : *we are not as foolish as you think* ; and they now present facts which will cause us embarrassment. Why do we not as the distinguished Senator from Aba said, seek this information. We have the right to ask the government.

I hear people talking of officials. Every time in this country it is the officials that are blamed. Surely if the erstwhile Head of State has asked officials to present facts to him, no Permanent Secretary or Ambassador would have refused to present them. But we find a way of running from our problems by saying it is the civil servants, it is the officials.

The fact is that this fellow would not be languishing in jail if there are not certain things which have not been disclosed. I feel very certain about this. I do not believe that a person of the rank of General Innih was sent abroad and he made a report which showed that we had been unfairly treated and the Government had kept quiet. Why should it keep quiet ?

**Several Senators :** Thank you very much !

**Senator Akpata :** What I want to say is this. If the facts are correct that the Nigerian did not take part in gun running in favour of some of the combatants, then we would be right to take whatever step we would wish to take. Then I would support any measure we would take to get our brother released. If, on the other hand, the position is that our brother transgressed, I would support our taking diplomatic step, for no one is above making a mistake, to get him released. To go and start shouting and fighting and later find out in the end that it is your son or your brother or your relation who is wrong, is the most embarrassing thing that can happen to anyone. That is all I ask for. I am not less patriotic than anybody here. But let us in this Senate do not rush to do things. Let us not rush where angels fear to tread.

**Senator Ali :** On point of information, Sir.

**The President :** On point of information, Senator Ali may speak.

**Senator Ali :** Thank you very much, Mr President. Senator Akpata has spoken as I would expect somebody of his age and status to speak. What I am trying to say here is that this Motion is not asking Nigeria to go to war. If anything, it is asking that we continue to exert diplomatic pressures through the United Nation's Secretary-General and we would call on our own government to table before us the situation report on this issue. This is all we are asking for. Any other lethergic, reactionary kind of motivation within this Senate does not show that we are really the custodians of what is good in this nation. It is our job, Mr President, if possible, to shout on the roof top if any of our nationals is arrested before we find out whether he is right or wrong. After all, Britain sends its people out to do all sorts of havoc in other countries. If they are arrested what happens ? The whole Parliament, everybody goes into flame. We all know what happens. They would secure his release first. We have got the instrument here to penalise our own nationals who misbehave outside.

First and foremost, the principle of this Motion is that a Nigerian is languishing in jail somewhere for six months and we have done nothing about it. At least as Senator Akpata has said, nobody has been briefed. The nation has not been told what is happening to him and how far it is going. Now we are constituted as the Parliament of this nation. We want to know if what they want deserves a diplomatic pressure or is enough to appeal to other international organisations to secure his release, we are here to do that. That is all I am asking for, Mr President.

**The President :** I made a point before but Senator Saraki you are standing. Do you want to give Senators a chance to contribute ?

**Senator Saraki :** I would like them to contribute but at the moment there are quite a few information that I would like to let this Senate—

**Senator Saraki :** No.

**The President :** Let us have the information if they are not classified.

**Senator Saraki :** As I was saying, Mr President and Senators, Lt-Col. Gom was arrested on the 16th of June, 1979, I would tell you what happened. He was driving along Tel Aviv-Jerusalem Road in his car. On the way, he called at his friend's place. He was in civilian dress and he collected this other Nigerian in his car. All along, they were being watched by the Israelis. A few weeks before that in that particular place a Senegalese committed the same offence, he was arrested and jailed. So, because of that they had been watching Africans. The Israelis feigned an accident. They got into a car, came behind and hit him at a road block. So when his car was hit at the road block they said they would search his car. He said no. They forced the car to the side and the car was searched. They found this parcel containing arms. They asked him where he got it from. He said he did not know who owned the parcel.

**The President :** Order ! Order ! I considered Senator Jaja Wachuku's suggested amendment to paragraph 4 very fundamental to this whole debate. I am inclined to think therefore that since we have already set up a Foreign Relations Committee it is important that this Senate do consider to refer the matter first to the Committee and let the Committee invite General Innih to give an account. The Committee may also go further to obtain the necessary information in order to update the Senate with this. They will do this right away. I am not suggesting that they should be postponed. They should update the information so that the Committee will in turn brief the Senate. Then we will know what course of action to take.

**Senator Ali :** Mr President did mention that we would be called upon. That is where the foreign relation comes in.

**The President :** Order ! Order ! I was afraid since we started debating and throwing words all over the place. Later on, I found out that in fact the whole debate was superfluous. I think that the Senate should consider this request very seriously, and where there are information available from Senators contrary to the information of any other official, he will present the information before the Committee. If it is a point of information, it should be a new information. I do not want an argument or a statement.

I recognise the distinguished PRP Leader, Senator Barau to speak.

**Senator Ibrahim Barau (Ikara/Zaria/Birnin Gwari) :** Mr President, it is my conviction ; it is a fact and it is my firm believe that Israeli prison's

**The President :** I have called for information otherwise we will go back to the debate.

**Senator Barau :** All right, Sir. I have a piece of information. I would like to alert my colleagues to the fact that it is difficult to justify an allegation of this nature without hearing from Lt-Col. Gom. It is very easy for a whole government to level accusations on any convict, any individual, more especially where there is no other national of Nigeria to testify. Without Lt-Col. Gom coming forward to put his case, and if only the official report would report what we hear as to what the Federal Government got from the Israeli Government, I do not think Lt-Col. Gom has been given a fair chance. It can be proved easily that he is guilty of this case while he is not.

**The President :** I call upon Senator Adebayo to give his information.

**Senator C. O. Adebayo (Kwara Central) :** Thank you, Mr President. I think that over and above all that have been said is the fact that there is one salient factor which we are losing sight of I think it is contained in Col. Ali's paragraph 5 of the Motion. There is no pretence all along that we have all the facts and data on this case. It is clear that we do not know all that we need to know, but there is one fact on the principle of justice in this country that we do not think is right and proper—and our Constitution does not allow anybody to be detained without trial. So on that premise alone, we should seek for his release while we are talking about the details of what he has done.

Also, Sir, it is the principle of international justice, that if there is anybody willing to throw light on the issue of this nature he should be heard. If there is an ambassador from anywhere—since Israelis have an embassy there—then such a fellow who wants to throw light on the issue should be allowed to see the Senate Foreign Affairs Committee, which I would suggest should look into the case. While that is going on we should ask that this man should be released or tried.

**Senator Idrisa Kadi (Borno North-Central) :** While accepting and also supporting the idea of referring the matter to the appropriate Committee—Foreign Relations, I have to make some contribution on that. Mr President while the Committee would be doing its work, I wish to find out certain information from the Mover of the Motion. The Mover of the Motion mentioned that the Federal Military Government had already asked the United Nations Secretary-General to mount a diplomatic pressure on Israel over this matter. I wish the Committee to find out what sort of information that secretary is relaying to the Federal Military Government in connection with that man.

Secondly when the Mover introduced his Motion, he mentioned also the explosives allegedly found with the Colonel. So, we want to know something about how those explosives got there, because it is dangerous to carry any explosive into any country. So, we want to find out whether that was true or not. All these information are very important. We shall

base our argument, and make our reasonable suggestion and reasonable recommendation, on this information. Thank you Mr President.

**Senator Garba Matta (Pankshin/Mangu/Kanam) :** Thank you, Mr President. This appears to be overtaken, but still I want this as a matter of correction of the Motion by Senator Ali. I think it would make sense if we remove from the first proposal the word : *The Senate of the Federal Republic of Nigeria.* (Interruption) If you read the whole thing without removing that one, it does not make sense. I want Col. Ali to see how ridiculous the whole thing is. For instance if you read—

**The President :** Which of the Amendments are you dealing with ? Is it the one under discussion ?

**Senator Gabar Matta :** That is the one Senator Jaja—

**The President :** Which is the Amendment ?

**Senator Matta :** I said No. 1.

**The President :** We are dealing with Amendment on No. 4 here.

**Senator Matta :** We have dropped Amendment No. 4.

**The President :** Not here. We are dealing with Amendment on No. 4. We will come back to you later.

I recognise the distinguished Senator Adesanya to speak.

**Senator A. A. Adesanya (Ijebu North-East) :** Thank you very much, Mr President. My view, Sir, is that referring this matter to a committee at this stage will be delaying the release of this gentleman. We are told that his condition is deteriorating. Nigeria cannot afford to allow any of her citizens in any foreign country to continue in the way we are treating this gentleman at the moment. We must borrow a leaf from the Israelis. Sometime ago when their plane was detained in Uganda, we read the book *90 minutes at Entebbe*, only God knows how many millions of naira the Israelis must have spent to get these people released.

It is high time that Nigerian citizens and Nigerian Governments took the lives of their citizens as precious or more precious than those of the Israelis. It has been the show in Nigeria that when Nigerian Nationals are being ill-treated in foreign countries, we keep quiet. Whether this man is right or wrong, let us even assume for the sake of argument that he carried this explosive and so on and so forth. Here we are. We have been told that these people said they want to court martial this citizen of ours. We are given a condition : all right Court Martial him. We had to send a Nigerian Lawyer. The Israeli Government refused him. We were asked to take a Jewish lawyer and for this we have paid \$10,000 and still this man is not tried. Any detention without trial, Mr President, is unlawful. If it is unlawful it is for this country to fight tooth and nail to see that our citizen is released. We cannot continue in this vein. If the Israelis would not recognise International Law, why should we keep quiet here and talk of fine law and fine things about this and that.



[SENATOR A·A· ADESANYA]

The information we have got at the moment is sufficient. This Nigerian is detained with out trial and they say we must pay for his defence, we have paid, still he has not been tried. It is another matter if he has been tried, but he is not tried. Why should we keep quiet here. This is the highest Legislature in the country. If the Military could not do it, when they were here what right have we the elected representatives of our people to come here and feel unconcerned about this man.

We should not send this one to any Committee, we should pass a resolution that this man is unlawfully detained, we should ask for his release and we should ask the Nigerian Government to give us information about it within one week. If there is any further action we should take then we can take it. Referring this matter to any Committee is a waste of time and unacceptable.

**Senator Isa Obaro** (Kwara South) : Thank you, Mr President, for once recognising my presence. I want to make my contribution in respect of this issue and to agree to concur almost 100 *per cent* with what Senator Adesanya has said. Mr President, Sir—

**The President** : You are concurring with 200 *per cent*.

**Senator Isa Obaro** : If not more. Mr President, Sir, I think this matter ought to be approached in a very serious manner than it is being done hitherto.

The amendment which, Senator Jaja Wachuku has attempted to introduce, to my mind, is intended to sort of confuse issue. Mr President, Sir, I do not think there is a single Senator here who should in any way speak equivocally about the freedom of this Colonel. Mr President, Sir, this Colonel left this country on behalf of the people of Nigeria to serve the entire world and whatever be his misdeeds, criminal or otherwise, I think protocol demands that Israel at worse should have deported him to Nigeria instead of taking the responsibility of not even trying him according to their law, but torturing him and as has been very aptly put, he has been dehumanized. I do not see what other facts we really need before we take a decision on this matter. Even if we invite the Israel Prime Minister here to put up defence on behalf of the government of that country I think he should be ignored. Secondly, Mr President, I honestly feel that sending this matter to the Committee at this stage is going to cause a delay. After all to the best of my knowledge, we have not appointed a Chairman of the Committee on Foreign Relations. For the matter to be referred to that Committee at this stage, we have to appoint a Chairman, and then it would take some time to discuss it before it is brought back to the Senate. It is going to take one or two weeks.

Now, the Leader of the NPN, Senator Saraki, was trying to furnish the Senate with some information.

from the knowledge of any Senator sitting in this Senate. If the information is a classified one, I would suggest that the gallery be cleared and the information should be placed before everybody in the Senate and then we would discuss and take a decision on the matter. If the information is not forthcoming, in view of the urgency of the matter we should resolve, based on the information at our disposal, that Colonel Gom should be released immediately.

I think it will be unfortunate if any form of sentiment or prejudice, be it religious or otherwise, be introduced in a matter of this nature. It is a Nigerian national that is involved. Any individual can place himself in the position of Colonel Gom. Any Nigerian outside this Senate can place himself or herself in the position of Colonel Gom who in the course of serving his country, for an offence that is committed or not committed, is being punished and tortured in this manner. That the highest Legislature in this country can act in an equivocal way, I think, is most unfortunate.

Mr President, Sir, since we started on the 1st of October, this year, this is the most serious business that has come before this Senate, a Motion touching on the freedom of the individual. If we accept the principle that under the Constitution every Nigerian is free, we are now faced with the problem of defending the freedom of that individual Nigerian and for us at this stage to back out, for us at this stage to introduce arguments of one form or the other, for us at this stage to seek amendment is not acceptable. Surprisingly, Senator is trying to argue that the detention is not unlawful. If it is unlawful why is the Motion being brought here. If we are told that Colonel Gom, while he was serving with UNIFIL, stole banana or money and is being punished for theft, of course, it is lawful. We have been told that the offence committed does not justify the punishment that is being meted to him. It is for this reason, Mr President, that I would urge the Senate to take a very serious look at this matter and act promptly. When I say promptly we should take a resolution now, we should not delay it. Thank you, Mr President.

**Senator Ibrahim Kolo** (keffi) Nassarawa : Mr President, Sir, Senators I wish to ask you in the name of Almighty God to end this debate. Since morning we have been debating this subject and I feel as my friend exactly opposite me has said, whether this Colonel did something wrong in Israel or not we have a duty to see to his immediate release. It is our duty to see that he is released.

I support the Motion entirely as the majority of people in this Senate have supported it. Let us, therefore, end it up just now so that Col. Gom could be released with despatch and immediate effect. Thank you.

**Senator Thomas Yepwi** (Keffi/Nassarawa.) : Mr President, Sir, thank you so much indeed for allowing me to contribute to this debate. Obviously, I have

ually committed the offence or not, we should seek his immediate release. Otherwise, what I had in my mind to say is that Israel is a holy land where Christians go to worship, and I would have thought that these people would not do anything to jeopardise the relations which exist between the Christian world.

**Several Senators :** They are not Christians. They are Jews.

**Senator Yepwi :** Mr President, the Israelis have the right to protect the interest of their own country, and to do so means cross-checking people coming in and out of their own area. I do not think that they are wrong to check the Colonel at all. They are not wrong in the sense that they wanted to make sure that the Colonel was completely free from committing crime. Unfortunately, that was not the case but because of the fact that my colleague, the Senator who has just spoken had said that we should forget about what the gentleman has done, I think that is all about it. We do not have to come back or sit down and argue on this issue. I think that is all about it, Mr President.

**The President :** I think we still wish to have more speakers on this subject.

**A Senator :** Point of information, Mr President.

**Another Senator :** Point of Order, Mr President.

**The President :** If there is a point of Order, I will give you that preference because like I had observed earlier, there is nothing like point of information.

**Senator Nosike Ikpo (Bendel East)** The point here, Sir, is Order 26 (iii). Order 26 (iii) reads as follows : *Reference shall not be made to any matter on which a judicial decision is pending in such a way as might in the President's opinion, prejudice the interest of parties thereto.*

Mr President Sir, I was very much excited when I saw this Motion, and had indicated my intention to contribute effectively to the substantive motion. But, when I heard the Leader of the NPN speak on this matter I began to wonder whether it is in the interest of this chap in Israel if we continue to discuss this matter. Senate has a global audience. Whatever we say here is going to be reported throughout the whole world, and for good or bad it may have adverse effect on the outcome of the trial of Lt. Col. Gom. Judicial matter is judicial matter. It does not matter where the matter lies. (*Interruptions*)

What I am saying is that this is a matter relating to a Nigerian national facing a judicial process in a foreign land. Why are we discussing the matter ?

**The President :** I think you have made your point really. Is there any point of Order ?

**Several Senators:** No !

**The President :** Senator Ayo Fasanmi please.

**Senator Ayo Fasanmi (Ondo North) :** It is very interesting, Mr President, Sir, that Senator Thomas Yepwi defended this Motion by objecting to somebody being detained indefinitely.

**The President :** Let him just wind up so that we can make progress.

**Senator Ayo Fasanmi :** It is very interesting indeed, Mr President, that Senator Yepwi had got up to defend this Motion by opposing the detention of somebody, whereas right on the Order Paper he wanted a patriotic citizen of this country in person of Dr Tai Solarin to be detained ! (*Laughter*)

**The President :** Anyway we have not got to that yet. I recognise Senator B. C. Okwu.

**Senator B. C. Okwu (Anambra Central) :** Mr President, I would like to say that I share fully the strong sentiment expressed by the Mover of the Motion in seeking the release of Col. Gom but having said this, I think it is only right and proper to take cognisance of the views expressed by Senator Akpata and the Leader of the NPP when he moved his Amendment. Sentiment apart, we have to recognise the fact that Israel like Nigeria is a sovereign nation and the step Israel has taken is one which has serious diplomatic consequence. It should be approached in a sensible, quiete and effective way. We all know that from news and reports that as many as sixty Americans have been under detention in their Embassy in Iran and the Americans have not gone to war.

There are many ways of doing things. It all depends on what is most effective.

**A Senator :** We are not calling for war.

**Senator Okwu :** I am not suggesting that either. But I am saying there are many ways of doing things. It all depends on which is the most effective. If there is a magic way by which we can get our country man released this moment, I will opt for it. I do not think that passing a Motion here will hasten his release or is the surest way of getting his release. If we can do, I will buy it.

**Several Senators :** Buy it.

**Senator Okwu :** If you can guarantee this Senate that passing this Motion would get this our national released, I would vote for it. But I would like to say that if it is true that this Nigerian is not free of the reason for which he is being held, we have to recognize the sovereignty of another nation to run its own affairs in her own style. If an Israeli national or even a Nigerian national here commits any offence, that person is going to be detained. People have been detained here in Nigeria. Detention is not unknown in Nigeria ; let us face it. It is very easy for us to pontificate in this Senate or pronounce judgement over other nations. I think what is most important, Mr President, is that every effort should be made by exerting pressure on the United Nations who is directly responsible for this officer to get his immediate release, but that is not saying that anybody here can say for sure whether he was involved in arms smuggling or whatever he was accused of.

[SENATOR OKWU]

It is unfortunate that before starting this debate we did not get the facts straight from the Government of Nigeria, from the foreign Ministry and from the President himself so as to know how much we can go in debating this very delicate matter on the Floor of the Senate. After all, however we react, such sensitive issues as this are bound to be noted in the outside world. So, Mr President, I am in support of the passage of this Motion if it will obtain his immediate release without prejudging issues, but since and I believe the Government of the Federal Republic of Nigeria is pursuing this through diplomacy, I think the less said about this matter the better. Thank you, Mr President.

**The President :** Senator Hoomkwap may speak.

**Senator G. B. Hoomkwap** (Shendam) : Mr President, Sir, in contributing to the debate I will like Senators to take note of what normally happens in other countries. It is really unfortunate that we do not realise that when a Nigerian national is being imprisoned legally or illegally his welfare is the responsibility of Nigerians. I have not known of a case where an American is detained and the American Public have accepted that they are wrong. And I have never noticed a case in any of the international books where the nationals of that country accepts the verdict of even international courts.

So, the matter before us now is not just the question of whether he is going to be tried. This is a person who was on a national duty where some people even get killed and they have never asked for compensation, and the people who killed them have never been judged. So, it is a matter for concern for us and of concern to the whole world that a man on national duty who has not been condemned by other bodies, should be subjected to such inhuman treatment. It is absolutely necessary that we in Nigeria should take the initiative to see that the act of the Israeli Government is condemned, and this must be communicated in unmistakable terms to the world body. We must do all in our own power to see that this Nigerian national is released and brought to Nigeria.

What is before us now is a matter of diplomatic immunity, and the question of diplomatic immunity requires that this man should not be tried by the Israelis because we do not think that they will do justice to him. I will call on this Senate not to wait for any data. The data we shall require is only to update our records, but I think we should condemn the action of the Israeli Government, and seek for his release right away.

**The President :** Senator Sabo Bakin Zuwo can speak.

**Senator Sabo Bakin Zuwo** (Kano Central) : Mr President, Sir, I think we are trying to play with this matter in this Senate. Some people think that Israel regards Nigeria as important. Do you remember what happened to Nigerians in China? About 500,000 people under Russia's

the Congo Government, and no action was taken in Nigeria. Tanzanians were interfering during the civil war in our internal affairs and no action was taken. Mr President, Sir, this matter is a very important issue. If you give the Israelis the chance they can easily kill the man. I would rather suggest that the Senate must do something.

Col. Ali is a Senator and a man of high integrity. We respect him. George Innih is our Army Officer and we should at least rely on their information. If you say Senator Ali has not investigated the matter properly, do you not think that some of you may bring another case here. Will it be fair to say a Committee should be set up and that is all? I think this is a very serious matter. I hope this Senate will do something about Col. Gom who is illegally detained which is not important to the reactionaries or people conspiring against Israel.

Mr President, I support this Motion to be carried out and that the Senate should do something about the detention of this gentleman.

**The President :** Senator Kajal may now speak.

**Senator Bitrus Kajal** (Mubi) : I stand to support the view that we should refer this matter to the Foreign Relations Committee. I say so, Mr President, because of a number of factors. First of all what is the status of Col. Gom? What was his status when he was in fact apprehended? He was certainly sent by the United Nations and he was on a soil with which we do not have diplomatic relations. What was his status? He was not holding any diplomatic passport, therefore the question of immunity does not come in.

Secondly, we are dealing with a country that we do not have diplomatic relations with. We can only deal with that country through indirect ways. Now, if we start to discuss this matter right now and take a resolution before allowing the country that may be prepared to help as a go-between, then we may be prejudicing our case. Thirdly, when a person commits an offence it is not proper for us without investigating to say that he is not guilty and so on. The interest of our national should be foremost in our minds, but then suppose we catch somebody wishing to blow off Lagos. Should we leave him and just say we release him because he happens to come from the United Nations? Should we release him? What will be the feeling of our own nationals? Will they not feel very concerned about their own safety? If we can allow people into our own borders and we catch somebody with explosives, we do not investigate and another third party intervenes to say release that man that will harden Nigerians to request for whatever actions we may take rather than help the man.

To that extent we need to get more facts. We really need to call in our own Foreign Affairs Experts to come and advise the Committee, to come and tell the Committee what the facts are and then we find out from Gen. Innih and others what exactly

May I humbly move that the question be now put. Order number 31 (1) reads :

*After a question has been proposed a Senator rising in his place may claim to move "That the question be now put" and, unless, it shall appear to the chair that such a motion is an abuse of the rules of the Senate or an infringement of the rights of a minority, the question "That the question be now put" shall be put forthwith and decided without amendment or debate notwithstanding that the Mover has had no opportunity to make his reply.*

Mr President, Sir, it is my humble submission that this Motion has been sufficiently debated, and we have spent quite a number of hours saying almost the same thing. May be I may be offending the Senate to make this adverse comment that the Senate unnecessarily wastes a lot of time repeating itself over and over again. I think the other House is better than we are in this respect. *(Interruptions)* Mr President, Sir, we are not here for a lecture at all.

**Senator Onyeabo Obi** (Anambra West) : Point of Order, Mr President. Order 26 has been cited too many times to require further citing. I think my learned colleague belongs to another House, and I beg to move that he be transferred by the order of the Senate to where he belongs ! *(Laughter)*

**Senator A. Abogede** (Benue North-Central) : Mr President, Sir, Standing Order No. 31 (5) States and I read :—

*A question for the closure of debate shall not be decided in the affirmative unless, when a division be taken, it appears by the numbers declared from the chair that not less than one-sixth of all the Senators voted in the majority in support of the motion.*

Mr President, Sir, what I am saying is that to ask that the debate be closed, it needs to be put before the Senate to decide whether or not we accept it and the condition is so stipulated.

**The President** : Actually, my intention was to give a few more speakers the opportunity to speak on the motion. Honestly speaking, I think this is a very important subject and unless Senator Ebute insists, I would like to ask a few more Senators to speak on it.

**Senator Ebute** : Mr President, Sir, I will leave the matter to the discretion of the President.

**The President** : Thank you. That being the case, I will allow Senator Waziri Mahmud to make his contribution.

**Senator Mahmud Waziri** (Adamawa) : I thank you, Mr President, I am rather surprised that after you have given order of recognition for a Senator to speak, another Senator employs Standing Order No. 31 (1) to disallow that recognition. I think this is very unusual after you have given your Order.

Coming to the Motion before this Senate, I think this Motion is of interest and should be of interest to us here in this Senate and of course, to every Nigerian

important topic before this Senate so that the Senate could express its feelings on it.

Mr President, Sir, as we all know, in this Senate, Israel has never been a respecter of international Laws or conventions. We know about Zionist imperialism which has spread all over the world. We know they are stubborn, inhuman and to say the least, they can not be trusted.

After all, if Israel believes in International Laws and conventions, the Nigerian Colonel was covered by diplomatic immunity.

**A Senator** : No.

**Senator Waziri** : Nobody can tell me that if you read the Vienna Convention you will not understand that he is covered by diplomatic immunity. He was abroad and precisely on a peace-keeping force contingent of the United Nations.

Mr President, Sir, I would just want to make a few suggestions. I would like this Senate to request the President of the Federal Republic of Nigeria to send a message to Ambassador Clark in the United Nations to summon an urgent meeting of the Security Council to discuss this matter because I can not see how, in future, Nigeria can send members of its Armed Forces to any peace-keeping Force of the United Nations if the Secretary-General of the United Nations would treat this matter very lightly, and if it could take six whole months detention period without trial to release this international man, Col. Gom. I think this is very important. We should do that.

Alternatively, if this can not be done, then, for goodness sake, let us withdraw our contingent from Lebanon. It has been done before, the Irish Republic did it and some Scandinavian countries did the same before, when members of their Armed-Forces were humiliated under sufferings. It will therefore, not be unusual if we take that step. Precedents abound everywhere. It is not an unusual move.

Again, Mr President, Sir, on this matter of Nigerians suffering abroad, I know, as a matter of fact, that even in England, there are many Nigerians in prisons today who were clamped into jail simply because they have committed immigration offences. They have been lying there for six months and some of them for over two years without any trial whatsoever. I think we should look at this matter in its proper perspective, and give it wider coverage to ensure, once and for all, that when our citizens are in trouble elsewhere, they will feel confident that they have a government that will look after their interests. It appears to me that the Consular Affairs Section in the Foreign Ministry is not doing anything at all. Perhaps the time is now ripe—I know that the Foreign Ministry has not got a Minister yet, but at least, there is a supervising Minister—for action to be taken to make that Section of our Consular Affairs effective and efficient.

[SENATOR WAZIRI]

The other point I would like to make, Mr President, Sir, is that in matters of this nature, usually, we have some Organisations which tend to be neutral and non-political such as Amnesty International. Up till now, I have not heard a word from them since our Colonel Gom was detained—more than six months ago. Perhaps the Israelis using their financial power, using their black-mail might have prevented that body from doing anything.

Mr President, Sir, in conclusion, I would like to ask this question. Who is looking after the interests of Nigeria in Israel? Usually when you break diplomatic relations with a country, you appoint another government to look after your interests, and I wonder if we have any body or government at all to do that for Nigeria. If we do not, the time is ripe when we should appoint either the British Government or any other government to look after our interests in Israel.

Thank you, Mr President.

**Senator G. M. Dada** (Mina/Kagara) : I was going to let the Senate know that one of the problems that I think the Nigerian Government is facing about Lt-Col. Gom's case is the fact that the Israeli Government does not recognise the United Nation's Force in Israel or Middle East generally. This is the reason why they do not actually take Lt-Col. Gom as a prisoner of war. The Middle East is in a situation of war. But as far as Israel is concerned, it does not recognise the United Nation's Forces there.

**A Senator** : It does.

**Senator Dada** : Israel does not. It does not recognise the United Nation's Force in the Middle East.

**Senator J. A. O. Odebiyi** (Egbado North/South) : Mr President, Sir, this is a very important Motion and the Senate, as an honourable Senate, consisting of matured men, men whose words must be respected, ought to have done a few things before discussing this Motion.

The first thing is that we ought to have got our facts right. Anything we say here ought to reflect the maturity and the commonsense of the whole Nigerian community.

Surely, Lt-Col. Gom who was arrested and detained must have done certain things. What the facts are, we do not know. It is true that we owe it a duty to all our nationals abroad to protect them. It is true also that anybody, even in this country, cannot be detained for more than 24 hours and we presume that the same thing is also true in the State of Israel. If that is so, what we are pressing for is not in relation to the guilt of Lt-Col. Gom as such, but purely from the humanitarian point of view; that if a man is arrested, he ought to be given proper trial and if found guilty can be convicted for whatever period they consider fit. I do not consider it to be

from sentiment. The issues are quite clear. I am quite convinced that Lt-Col. Gom could not have been arrested and detained without reason, much more so as Israel itself wants the whole world to accept the legitimacy of its own existence.

Normally, Sir, the Ministry of External Affairs in this country ought to have given us the facts which should have guided Senator Ali himself before moving the Motion. So, in future, when we have such an important Motion coming before us the first thing we ought to do is to be sure of our own facts. Surely, the Leader of the NPN must have had Senator Ali's Motion for a long time. He should have made reference to the Ministry of External Affairs for the facts. If he had told Senator Ali about those facts, maybe when he was moving his Motion he would have adverted to them in relation to the points he wants us to arrive at.

Therefore, Sir, I think while pressing that the Israeli Government should release Lt-Col. Gom, we are doing so not in violation of the basic tenets of their rule of law. We are doing so not because we feel that rightly or wrongly Lt-Col. Gom ought to be released. But we feel that if he committed an offence, he should be tried immediately, and if tried and found guilty, then whatever sentence they consider right should have been given to him. Those are the facts, Sir, that I want us to press.

We are not sure what the circumstances are and I think we must try to get our facts right apart from being sentimental. With those few remarks I support the wordings of the Motion.

**Senator Ayoola Adeleke** (Oshun II) : Mr President, Sir, I agree with the last speaker, Senator Odebiyi. But I would like to add that we live in this country where our Constitution guarantees freedom of movement, freedom of association and where nobody can be arrested without trial. A man has been arrested and locked up for over six months without trial even though we have craved for this and nothing has been done.

Israel is notorious for defying anything, even the United Nations' order in respect of the Middle East. So, we cannot take them lightly. We should deal with them in the only language they understand. We do not have to wait to know whether our man is right or wrong. He should be tried if he has committed any offence. Since they are notorious as I have said earlier in defying order, we should do something. If they refuse at a stipulated time, we have to retaliate.

I support the Senator who said that we should deal with their nationals on our own soil. (*Applause*) We should nationalise all Israeli economic dealings in this country. I know of Dizengoff West Africa. When we detain all their nationals and nationalise all their economic interests like Dizengoff, they will know that we are serious. They cannot yield unless we deal with them in the only language they understand.

distinguished and venerable Senator from Egbado North/South (Chief Odebiyi) say that we should not be sentimental. As Senators of the Federal Republic of Nigeria, I wonder what else we can be sentimental about when a national of ours is being held in illegal detention. We can only be sentimental and we just have to be and that is what we have been elected to do. He talked about the possession of facts—

**The President :** The fact that I kept quiet does not necessarily mean that I accept the fact that Senators should be sentimental.

**Senator Ali :** We are human beings, Sir, and there is room for sentiments. The fact that we have managed to contact people who are within the citadel of power, who are capable of having access to the files and we brought such facts as are available suggests that we have done enough of research for our purpose. As a matter of fact, the NPN leader corroborated my facts on this when he said that an accident was arranged to involve Col. Gom. He said so here that he got the information from the files and that he managed to get the files on his table but all this time he had not been able to inform us on this until this morning.

So, we have enough facts to dispose of this matter and ask for the unconditional release of Colonel Gom, failing which Senator Adeleke's (Oshun II) line of action may be our final course of action.

**Senator A. Abogede (Benue North-Central) :** Thank you, Mr President. I rise to support the Motion ably moved by distinguished Senator A. A. Ali (*Benue West*). I know very well that it is our duty to see to it that when our nationals are trapped somewhere else in this world, we fight as a bull to secure their release. It is an irony, Sir, that when we are in such a debate, some people do not take issues seriously as they ought to be taken. This weakness of our society makes things happen to our nationals in different parts of the world, and even in our own African continent. We all know that most of our nationals travelling abroad have always been subjected to flimsy charges. Sometime ago, I read in one of the dailies about our nationals who went on pilgrimage to Mecca and how two of them were jailed for ten years each. When we read of such stories we only laugh at them not knowing how far the charges are true. I think that the government of this country today should evolve a new approach to the problems of our nationals in other countries when we hear of their being arrested.

Mr President, Sir, the case of Col. Gom is a pitiable one; he is alone there especially where they say that the accident happened. It is bad for somebody to call for additional facts on this matter because the mover, Senator Ali (Benue West) has said enough about it. Like the Senator said, even if they do not allow anybody to communicate with him in any other language other than the language of his captors, how could we in this Senate effect his release? Many Senators here are relying on their sense of judgment in this matter and I think that they may be right or wrong.

that when issues do not affect the interests of some Senators they try to back out on them. This is very bad, Sir, and it is unbecoming of this Senate. When a man is not interested in a matter he would employ all the avenues, all the language he can muster to pervert the objective of an issue.

What I am trying to say is that Col. Gom has suffered so much and we as Senators should deem it necessary to secure his release. He has been in detention for the past six months and there is this debate going on in our National Assembly, to hear people talking about obtaining facts would not help. He has been illegally detained and if the world hears us talking about facts we would be laughed at. The world would assume that we are preoccupied with our own selfish interests and have forgotten somebody somewhere else. We are witnesses to many of these happenings in this world and how the people of the world look at them. If today, an American Intelligence Agent is detained here, America would fire at us, they would invade us and perhaps bomb us. This is how a country should react on behalf of its nationals

Mr President, Sir, as Senator Ali has put it, I ask for the unconditional release of Col. Gom. Israel should be told that whatever the matter is, whatever offence they think Col. Gom has committed, Nigeria would use all the means at her disposal to secure the release of a man whom we know as a dynamic and progressive officer.

Mr President, Sir, it is not on this issue alone that I wish to speak. As I said earlier, our nationals are suffering in silence in other countries. My friend from the PRP spoke and enumerated the sufferings of our people in Ghana, the then Congo and other countries where they have been deprived of their property and sent home empty handed. We just sat and waited because it had not happened to us. This should not be the spirit; there should be a new leaf turned by this new government and a new approach to the problems of our nationals. With these few remarks, Mr President, I beg to support the motion.

**The President :** Order! Order! I am inclined to think that this motion and the resolutions which the motion seeks the Senate to adopt is one of a very serious nature. I also think that it is necessary for Senators to sleep over it and that we should resume and take a decision on it first thing tomorrow morning. We would ourselves be convinced that we did not in any case rush through the whole thing without thinking twice.

I recognise distinguished Senator from Ilorin/Asa and the Leader of the NPN (*Senator Sola Saraki*).

## ADJOURNMENT

**Senator Sola Saraki (Ilorin/Asa) :** Mr President, Senators, I rise to support the idea that we should go and sleep over the issue so that when we come here tomorrow morning we would take a final

[SENATOR SARAKI]

decision on the matter because as I have said it is a very very delicate issue. Unless we take a very wise course we might lose our bearing in this Senate as my colleague Senator Odebiyi has said. So, I would like us to sleep over it and when we come tomorrow morning I feel very sure that all of us would be fresh and we would be able to take a very wise decision.

Mr President, Senators, we should know that whatever may be our decision, it should be a decision that will help the gentleman who is now languishing in jail and hundreds of Nigerians who are also in the United Kingdom languishing in jail because some of them had no visas. We have to be very careful when we come here tomorrow to take a decision.

Therefore, Mr President, Sir, I beg to move that this Senate do stand adjourned till tomorrow at 10.00 a.m.

**Senator J. S. Tarka** (Benue East Central) : I beg to second.

**Some Senators** : Point of Order !

**The President** : Senator Lere Adesina, what is your point of order ?

**Senator Lere Adesina** (Ibadan) : It is order 31 and it has been cited by Senator Ebute. It says : *After a question has been proposed a Senator rising in his place may claim to move, That the question be now put and, unless it shall appear to the chair that such Motion is an abuse of the rules of the Senate or an infringement of the rights of a minority, the question, That the question be now put, shall be put forthwith and decided without amendment or debate not withstanding that the mover has had no opportunity to make his reply.*

So, I am suggesting on this point of Order that since this point has been flogged and well-debated, the question should now be put.

**The President** : I am afraid that I have put the suggestions to the Senate and the suggestions have been accepted by the Senate NPN leader (*Senator Sola Saraki*) and he has proposed the Motion for adjournment which has been seconded.

**Some Senators** : No seconder.

**The President** : It has been seconded by Senator Tarka. I, therefore, find it extremely difficult to sustain your Order.

I may now call on Senators to speak on the Motion for adjournment.

**Senator Amadu Ali** : Point of information !

**The President** : You can give the information tomorrow morning so that it will help us, or, do you want us to sleep over the information as well ?

**Senator Amadu Ali** : No, Mr President, what I am trying to say here is that I am totally disgusted that this Motion took four days to surface on the Floor of

on the topic, we are being told that we should go and sleep over it. The NPN leader had turned up with lots of Motions without any warning and we had taken decisions on them on the Floor of the Senate.

**The President** : Order ! Order ! Much as I gave you the privileged opportunity to speak, may I say that at the time I interrupted discussions, there were several Senators standing on their feet to speak and to contribute to the Motion. I do not think it was in your place or that of any distinguished Senator from the Floor to say that we have discussed the issue exhaustively. There are still very many Senators wanting to speak on the issue. I would honestly assure my distinguished colleague from Benue West (*Senator Ali*) that I am in full sympathy with this issue and because of this I want the Senate to take a correct and effective decision. Senators should take the opportunity to continue with it as the first thing tomorrow morning so that when we arrive at a decision, it will be a firm and just decision.

We can only now speak on the Motion for adjournment, and before I recognise distinguished Senators to make contributions on the Motion for adjournment, I have a number of requests before me. I may have to go back and look at them because some of them are dated as far back as to the 15th of November. I felt I should mention this.

There is no notice of amendment to the Motion under discussion and this is the more reason why I thought that this amendment by Senator Ojukwu must be upheld before a conclusion is reached.

**Senator Ali** : That has been withdrawn.

**The President** : He has not informed me that he has withdrawn it. In fact, his is in writing.

I now call on Senator Ogunleye to speak.

**Some Senators** : He is not here.

**The President** : I now call upon Senator Tarka to speak.

### Standard of Debates

**Senator J. S. Tarka** (Benue East Central) : Mr President, Sir, the matter I want to raise is a matter of interest to all sections of this Senate. I have noticed that since we started very well we have dragged a little bit of the standard of debate. It is not the fault of the Senators that we have dragged a little bit but it is the amount of time at our disposal. We have got mixed up with matters left over by the previous Government and we have been taking these matters. We have also been taking matters as they come our way. Some of us have been in the Legislature for quite a time and I know that my distinguished colleague Senator Odebiyi has been around for quite some time but that does not mean that he should retire from chieftancy to a clerk. So what I would like us to do or what I would like to see us do in the Senate is to organise ourselves in the immediate future after consultations among various leaders in the Senate. To this effect, certain days should be set aside

Some members : They are not ready.

**Senator Tarka** : I think they are ready. I do not hold any brief for Ministers but I hold brief for my colleagues, the Senators.

Special days should be set aside for private Senators Bill, special days set aside for private Senators Motion and special days set aside for questions of various Committee Chairman. This way, Sir, we shall be very well organised, we shall make progress.

Unless the five leaders do consult amongst themselves from time to time we would find ourselves at a loss because the guidance which we, from all sides of the Senate, expect from distinguished Senator Wachukwu, the distinguished leader Senator Odebiyi, distinguished Senators the leader of the PRP and the leader of the GNPP and of course, our distinguished Senator Saraki, that guidance would be lost either on deaf ears or against a stone wall. We have got a lot of people here with experience that could guide us in dealing with these problems as I have listed them.

Therefore, Sir, it is a prayer to your good leadership and to the leadership of our five leaders to try and put your heads together and give us guidance on how we shall make progress in this direction and also to see if the Business Committee can expedite its own work and let us make progress. I think the nation expects a lot from us, they cannot expect too much from us but all the same if we improve, we can only improve on the standard of debate based on the fact that we would organise ourselves and mobilize the mobilizables and make progress.

This is all that I have to say.

**The President** : I recognize the distinguished Senator from Anambra, Senator Offia Nwali.

### Nigerian Airforce Jets

**Senator Offia Nwali** (Anambra West) : Thank you, Mr President. The Nigerian Airforce has been over-flying thickly populated areas and towns, but it must be possible for them to practise with their Mig jets in less thickly populated areas. Thank you, Mr President.

**The President** : Louder please.

**Several Senators** : He has finished.

**The President** : That is really very typical on the Motion for Adjournment.

I would call upon Senator George Baba Hoomkwap to speak.

**Senator George Hoomkwap** (Shendam) : Mr President, Sir, it appears I do not know on which one I am to speak.

**The President** : You told me you were speaking on the first one. Let me remind you ; the first one is *the need to maintain fair play and respect for rule of law.*

**Senator Hoomkwap** : But I had one on the London conference.

**The President** : I have not got that one written. You sent in three different questions.

### Respect for the Rule of Law

**Senator Hoomkwap** : That is all right, Sir, Mr President, I would like to seize this opportunity to thank the Senate for a job well done. I say so because as the highest legislative body, the Senate should not inherit prejudices of the past from any quarters, either governmental or institutional. It is the duty of this Senate to see that fair play is maintained and to see that the rule of law is respected by all and sundry. In this regard, I would like to draw the attention of Senators to the fact that it is in pursuance of this that justice is manifestly seen to be done.

At the trial of mercenaries in Angola, the Nigerian government had to send delegates down to Angola to watch. The Nigerian government is also a member of the United Nations and has somebody on the International Court of Justice, but it would be unfair for this country and for the Senate to feel shy in condemning what is wrong. It is in this light that I like to draw the attention of the Senate to the fact that at the time people commit offences details of the offences should be made available. It is also in this light that we here condemn the use of foreign lawyers to defend our own brothers ; but I would like to say something.

There was an occasion in this country when Nigerians were allegedly prosecuted and not even allowed to be defended. I feel it is the duty of this Senate, at the appropriate time, when a substantive Motion will be brought, that all the details about all those who were condemned should be seen and scrutinized by us. We should not feel shy to condemn or bring those who were wrong to book. That is my contribution.

**The President** : I call upon the distinguished Senator Ayo Fasanmi to speak.

### Restricted Hansard

**Senator Ayo Fasanmi** (Ondo North) : Mr President, Sir, I wish most humbly to re-open the issue of the candidates that were screened in private. At the beginning of this session we did make a demand that the proceedings of the screening should be made available to Senators with immediate effect but up till now, Mr President, this has not been done. It is my humble opinion, Mr President, that—

**Senator Uba Ahmed** (Bauchi South-East) : Point of information.

**The President** : There is a point of information.

**Senator Ayo Fasanmi** : There is no point of information.

**The President** : He has information, give him the chance.

**Senator Uba Ahmed** : Mr President, I Sir, was in this Senate when we debated the records as regards the proceedings on the Ministers, but I am



[SENATOR UBA AHMED]  
not aware and I am sure most of us are not aware that at any stage we did give a directive that the proceedings should be made available immediately. We said the proceedings should be made available as and when appropriate. This is a very delicate issue, Mr President, so we should not push the Secretariat.

**Several Senators :** What is delicate about it. That is no information.

**Senator Uba Ahmed :** It is information. Mr President, Sir, I challenge any Senator to produce the proceedings in which we agreed that the proceedings of the screening should be made available with immediate effect. I believe that there were conditions which we attached to the production of those proceedings.

**The President :** Order ! Order ! May I remind distinguished Senators that when we speak on the Motion for Adjournment they are recorded in our *Hansard* and as the Press is still present it also means that we are speaking for publicity purposes.

Normally when I am not too certain and any distinguished colleague indicates that he intends to speak I demand to know that subject.

In some cases, I demand to have a meeting with the distinguished Senator. I have said this before and I repeat, that this Senate will be a free Senate and everybody will be free to speak but I think that on some issues sometimes it is better to confer with me and get the information on what is going on rather than making speeches on the Floor of the Senate.

So, if the distinguished Senator will take my word of advice, it is necessary to confer with me and where you are not satisfied you may bring your matter before the Senate. But I assure you that in no circumstance will you be stopped from speaking your mind.

**Senator Ayo Fasanmi :** Thank you very much. I am satisfied that the President is not trying to gag me, so, I may continue Mr President.

We did decide, Mr President, Sir, that the proceedings of the screening of the ministerial nominees should be made available to Senators. It is now over three weeks since we did this screening, and it is in the interest of this Senate that those proceedings should be made available to Senators.

**The President :** I think I should correct you that there is no occasion when Senate took such a decision. (Interruptions) There was no decision taken. In fact, I explained to the Senate that it was conceived that the *Hansard* on the Committee at the private screening should be produced in one go. Then I said that if the Senate would wish to have the *Hansard*, if they would wish to know what was actually conveyed to the President of the Federation, that could be made available. This is what I did say, but that is completely different from whether the total *Hansard* was to be prepared or not. As such, I am very convinced that no instruction has been given out that the *Hansard* should be so prepared.

**Senator J. A. O. Odebiyi (Echade North/South)**

screening of Ministers submitted by the President of the Republic, and we did press when we resumed, I think, after the recess, that we wanted the *Hansard* report.

**The President :** There is no reason to flog this issue. If the record is produced and it is discovered that there was such a decision taken, it could be an oversight. I would give instruction here for the *Hansard* to be brought here tomorrow morning.

**Senator Odebiyi :** We want the *Hansard* Report tomorrow morning.

**The President :** No. First, we have to clear whether such a decision was taken. (Interruptions) Which day was that decision taken ? Let us call for the *Hansard*. (Interruptions)

**Senator D. O. Oke (Ondo West) :** Monday the 12th.

**The President :** Order ! Order ! I would call Senator Fasanmi back to speak on the Motion for adjournment. In the meantime the Clerk may bring the *Hansard* of the 12th here.

**Senator J. S. Tarka (Benue East Central) :** I know that we have talked about a number of things, in fact so many things, in this Senate. Sometimes, it is difficult to recall what exactly we said but I am inclined to think, with every due respect to the President, and to the distinguished Senators who have spoken to the contrary that when we resumed, Sir, Senators especially my colleagues on the opposite Side of the Table did insist that they would like the proceedings as recorded on that occasion to be circulated.

If I may recall seriously, Sir, the President at that juncture issued some directives to the effect that these documents should be produced to all the Senators. Some Senators wanted their copies and the President kept questioning how they would have obtained a copy when the President had not got a copy. If I may remember, Sir, the Senator concerned raised this fact.

As a matter of interest to all sides of this Senate, I for one would like to see a copy and I know that there are several people here who would also like to see a copy. They are not classified as far as we who took part in the proceedings are concerned.

**The President :** May I ask a question, Mr Clerk is the *Hansard* that is being referred to really ready ? Could you have those copies available to Senators first thing tomorrow morning ? It is not recorded here but since that is the wish of the Senate it must be done. (Applause)

**Senator Fasanmi :** May I express appreciation for this decision you have taken. Thank you very much.

**Senator E. I. O. Akpata (Bendel Central) :** Mr President, Sir, I want to talk on something which I consider a very serious matter indeed. This concerns civil servants and members of the public service in general. Whatever programme any government or party may have without a dedicated civil service, loyal and efficient, all the programmes will be idle.

I have noticed that nearly every Minister or Commissioner, as soon as he gets into his Ministry, the first day he meets the people he issues a threat. I think it is most undesirable. Rather than seeking co-operation, the issuing of threat is an unfortunate situation and it is an unfortunate atmosphere in which any government can hope to work and succeed. One observes that the Civil Service in this country used to pride itself as perhaps the best in Africa. The Civil Service has seen us through very difficult times, in time of war and in peace.

I have found that one of the greatest attributes of the Civil Service is that a Civil Servant should be loyal to the Government of the day. In recent years, it has now become a crime or it has become a crime to be loyal to the Government of the day. Every succeeding Government start sacking or dismissing Civil Servants whose jobs have been loyalty to whoever they are serving. A Civil Servant is the bigger brain which serves whichever king that reigns.

It is with the feeling of disgust that I find that in every State, including mine, Civil Servants are treated in the way they are now treated. They are superseded. New people, young people, inexperienced people are brought to supersede them in the name of loyalty. Well, I think sometime when we want to imitate people, we do not look at the history. In the United States, they started generally with the spoilt system, and that has to be stopped when someone who has been promised office has to murder and assassinate a President, and since the beginning of this century the United States has tried at the Federal level to work a merit system.

It is true that under the present system the presidential post. It is only a matter of history that these posts have been in fact not liquidated. We are now even going to have gubernatorial posts and presidential posts right from the level of the Messenger. I am afraid, should that happen, we are going to end up with every messenger, and every clerk being a politician. The thing is not even helped by this new system of appointing the Civil Servant directly to head the Ministries, because once you have done that every other Civil Servant in future during elections will be a suspect. He will be taken to be working for a party in the hope that if the party succeeds he will become a Minister. It is not going to be a good thing for this country.

I did say the other day, I defended it on the television that Civil Servants were to be seen and not to be heard. I also said on the Television that it is not—

**The President :** Order ! Order ! It is time to interrupt the business of the day. The Motion before the Senate is that it adjourns till 10 o'clock tomorrow morning.

### ANNOUNCEMENT

May I make this announcement ? The Editor has asked me to appeal to Senators that if you do not find the copies in your pigeon holes before 10 o'clock, you should just exercise patience because he will definitely get them in. They may be distributed in the Chamber. They are going to work on your request. I think I should spell out that we do not flock his office, harrassing him to get them before we start at 10 o'clock. He has taken the order that the copies must be made available and could be distributed here if they are not already in the pigeon hole.

The Question is that the Senate do stand adjourned till tomorrow 10 o'clock.

*Question put and agreed to.*

*Resolved :* That the Senate do now adjourn.

*The Senate adjourned accordingly at 5.57 p.m.*

SENATE OF THE FEDERAL  
REPUBLIC OF NIGERIA

Tuesday, 20th November, 1979

The Senate met at 10.35 a.m.

**PRAYERS**

(The President in the Chair)

**NOTICES OF MOTIONS**

**Release of Lt-Col. Alfred Gom**

(Adjourned Debate on Question : 19th November, 1979)

*Question again proposed :* That considering the fact that Nigeria is a member of the United Nations Organisation and also a member of the UNIFIL—(United Nations International Force in Lebanon) and in view of the great contributions which the Nigerian Army has been making towards the attainment of permanent peace in the world, the Middle East and Lebanon in particular :

1. The Senate of the Federal Republic of Nigeria views with grave concern the unlawful detention of Lt-Col. A. Gom, N.A. by the Israeli Government.

2. Calls on the Federal Government of Nigeria to bring diplomatic pressure to bear on the UN Secretary-General to use all avenues available to his office to ensure the immediate release of Lt-Col. Gom.

3. Resolves that the Federal Government of Nigeria conveys the displeasure of the good people and Government of Nigeria to the people and Government of Israel, as regards the unlawful detention and inhuman treatment which Lt-Col. A. Gom is being subjected to.

4. Calls on the Federal Government of Nigeria to secure the immediate release of Lt-Col. Alfred Gom from the hands of his captors without any preconditions.

5. Calls on the Federal Government of Nigeria to place before the Senate within a week of the passage of these resolutions, a comprehensive situation report on the fate of Lt-Col. Alfred Gom of the Nigeria Army.

**The President :** Order! Order! This morning we would continue with the adjourned debate on the question of the release of Lt-Col. Gom. I will urge Senators to please be very brief so that we may take decisions regarding the Motion and proceed to other items on the Order Paper which as we can see are quite many this morning.

I recognise the distinguished Senator Abba Ali, to speak.

**Senator Abba Ali** (Katsina/Dutsinma) : Mr President, distinguished Senators, a lot has been said on this issue and this morning I was surprised to see that none of the Newspapers in this country carried anything pertaining to this issue. So it is my

Mr President, a number of speakers have recommended certain lines of action that this Senate should take in order to see that Lt-Col. Gom is released. The calier we take a decision in this Senate, the better and I hope this Senate this morning will take a decision that will successfully see that our friend, our fellow Nigerian, Lt-Col. Gom is released. Thank you Mr President.

**The President :** I recognise distinguished Senator Ayo Fasanmi to speak.

**Senator Ayo Fasanmi** (Ondo North) : Mr President, Sir, since we adjourned this debate yesterday, there has been a new development which has introduced a new dimension into this discussion. The Acting Minister of External Affairs did make a statement on the television yesterday that it seemed to him that we had put the cart before the horse and that if we had known the facts of this case, our reaction might have been different.

To my mind, Sir, I think some Senators have made some suggestions.

**Senator Bukar Sanda** (Borno West) : Point of information. It was not the Acting Minister of External Affairs, I think it was a junior Minister, a Minister of Non-Cabinet rank.

**Senator Ayo Fasanmi :** At least, Sir, the Minister was speaking for the government, and as I said earlier on, the statement which he made has introduced a new dimension into this discussion. I think it was the Leader of the NPN, Senator Odebiyi who said yesterday—

**Several Senators :** Senator Odebiyi is the Leader of the UPN !

**The President :** You are fully protected.

**Senator Ayo Fasanmi :** Mr President, Sir, I am happy the NPN has accepted Senator Odebiyi as their Leader.

Talking seriously, Sir, I think when Senator Odebiyi spoke, he said whatever decision we took in this Senate must be seen to have been taken by men who are matured. We just do not want to take a decision which will expose this Senate to ridicule. I am, therefore, suggesting that we need further and better particulars of this case. Such particulars should be furnished to the Senate Committee on External Affairs.

Secondly, Sir, if we look thoroughly into the wording of the Motion, one would find that this Motion is worded in military manner as if somebody was writing an Edict. I would have thought that with due regard to protocol and diplomacy, the Mover of this Motion would have a second look at the wording of this Motion and think less about the military aspect of it. Though he still regard himself as a Colonel, he is now a Senator.

Mr President, Sir, it is our considered opinion

to ensure that he comes back home. All the same, the fact of the case must be made available to this Senate so that whatever decision we take must be based on the facts available to this Senate.

As I said, much as I support the spirit of this Motion that we must ensure that our national who went to Jerusalem on an alleged smuggling pilgrimage should be brought back home so that we can deal with him according to the laws of this country we should also exercise caution that whatever we do, and in any resolution we pass, we do not tread on very dangerous grounds.

Now we seem to have introduced some other elements into our discussion and that is our relationship with Israel. The Mover of this Motion thought that our hands are being tied, that an attempt is being made by Israel to force the hands of Nigeria into re-establishing diplomatic relationship with her. We should not mix two things. We should discuss this Motion on its own merit and at the appropriate time we can come and discuss our relationship with Israel. After all, we broke diplomatic relationship with Israel at the instance of Egypt, and today Egypt has re-established diplomatic relationship with Israel. Why should we as a third party try to say that because somebody has been arrested in Israel, therefore, it must be because Israel wants to force our hands to re-establish diplomatic relationship with her? These are two separate matters.

One of our nationals has infringed the laws of Israel and he is being dealt with as such. As he has said, we must do all that is in our power to use our position in this Senate to bring him back home, but all the same, we must not link it with our relationship with Israel. This is a separate thing. It is my opinion that the time has come when we should re-think, and re-assess our relationship with Israel.

If Egypt could now, as our friends in the Senate have done, be a bride to Israel, then we too must begin to think again of a way of re-assessing our relationship with Israel. Therefore, Sir, I would want us to look at these cases as two separate issues—somebody who has infringed on the laws of Israel and the question of diplomatic relationship with Israel. We should not mix them together.

Finally, Sir, I would like to submit that we should bring to this Senate, the gentleman who made the statement, and that is the junior Minister in the Ministry of External Affairs. We should also bring to this Senate, General Innih who was alleged to have visited Israel at the instance of the Federal Military Government. One would like to say, Mr President, Sir, that it is a very sad commentary on the whole country, particularly being a Federal Military Government to see that it did not do anything tangible to ensure that one of its officers who went to Lebanon was not released before this time. But we still have a duty to this man. We should not confuse our responsibilities to this man with our responsibilities to another nation. As I said, Sir, all the people who need to be brought to this Senate should be brought to this Senate so that we can get further particulars on this matter.

we support the Motion.

**The President :** I am recognizing Senator Nunieh.

**Senator C. Nunieh (Bonny/Bori) :** This issue is one of the most important issues that this Senate has a duty to regard as of utmost priority of our duty because it comes under Section 31 of the Constitution that a citizen of Nigeria has been subjected to torture.

It is clear to us that he has been under detention for a very long time and has not been brought to trial. There is evidence to this effect before this Senate and this Motion has been brought to us by a distinguished Senator. There is no question of saying we have not got evidence.

I remember some time in 1972 an American citizen was caught in this country for being in possession of prohibited arms. The American Embassy informed their Chancellor accordingly. In fact, during the trial of that case a Lawyer came from America to witness the trial. Incidentally, I was a Lawyer in that case too. (*Applause*) This country is also in a position now to be concerned with the freedom and protection of her citizens wherever they may be.

What we are saying is not that the man allegedly detained is guilty or not; but the fact that the information had come to us that fees were required for his defence and that those fees had been paid coupled with the fact that he has not been brought to any trial presupposes that we should take some positive steps. The information before us in this Senate is not just a fiction. Names of personalities, both as State-men and as Military dignitaries, like General Innih, have been mentioned by distinguished Senators.

We know that in international relations, when the life of a citizen is involved, it is the concern of that country. We are not compounding any felony if any citizen of Nigeria did something; but it is a universal rule of natural justice that a party must be brought to trial and evidences from both sides heard. I think, for us to begin to say we have not had sufficient evidence, is not good enough. What we are saying is that this man has been detained for such a long time. In fact, there is nothing military about the Motion here.

The Motion is asking for only five things :

*That this Senate views with great concern the unlawful detention of Lt-Col. Gom. Definitely, we should view the detention of a Nigerian citizen where-ever he may be with great concern. There is nothing military in this.*

Secondly, *calls on the Federal Government of Nigeria to bring diplomatic pressure to bear on the United Nations' Secretary-General to use all avenues available to his office to ensure immediate release of the Lt-Col. Gom. Actually, this man was in the service of the United Nations. We should be surprised that the United Nations had not used all that is within its powers to ensure his release as Nigeria is not having any direct diplomatic relations with Israel. We are amazed that the United Nations which had made use of our citizen should be indifferent to this matter. We believe that the United Nations could have done more than appearing indifferent.*

The way we are talking about the issue looks as if we are not serious. Suppose he is a member of our own family and the United Nations did nothing, what would be our reaction? In fact, the second Motion is requesting that the United Nations should use all diplomatic devices to ensure the safety of this man and to ensure that justice is done. Justice being done is not that he should be found innocent if he is guilty or that he should be found guilty if he is innocent.

The next one is that this Senate should resolve that the Federal Government conveys the displeasure of the good people and the Government of Nigeria to the people and the government of Israel. I do not see anything that is not proper in this Motion. Gentlemen and distinguished Senators, I think the time has come when we have to know that the Presidential system of our government has come because we are also an International personality. Therefore, wherever a Nigerian citizen is—as Lord Justice Mansfield said some time ago that anybody who sets his feet in England is a free man. Nigeria is now in that position to protect her citizen wherever he is. There is nothing now to show that this man is guilty or not. All we know is that he has been detained without trial and that Section 33 of our constitution says *in the determination of his civil rights and obligations, including any question or determination by or against any government or authority, a person shall be entitled to a fair hearing within a reasonable time by a court or other tribunal*. This Section I am referring to is in our Constitution. This, therefore, makes us to demand of Israel what they ought to do because it is our duty to ensure that our citizen is not ill-treated.

Mr President, the life of our citizen is in danger in an area where we have no control. I, therefore, appeal that we should pass this resolution first by referring it to the United Nations to use all the devices within its control to release the Nigerian and urge our government to give us on the spot report as stated in the fifth clause of the Motion.

**The President :** Order ! Order ! Before we have a few more speakers let us try to tailor this debate to a direction where we might take a decision and I hope the primary mover of the Motion is here. It appears to me that we should direct our minds this way. The first thing is that we feel extremely concerned that a Nigerian is being detained by a foreign body. He is being tortured. Whatever his crime, in the circumstances, we want him back. If that is our position which I would support, then, we should pass a simple resolution praying the President of the Republic to intervene and do all that is possible to obtain the release of the Nigerian. The second point is that, that is not all. We are really interested in knowing what actually happened. The only way to know this is to refer the whole matter to a particular Committee. The Committee, then, would decide whether to hear the evidence in camera or in public. It would then invite all those concerned including the Minister and General Innih to give evidence before it and its report would be placed before the Senate. We

We might probably find that at the end of the Committee's findings, the resolutions here might have to be altered or would have been taken care of. I think, perhaps that if the Senate is directing its thinking and attention in this direction, it would help us much better and we would be able to take a mature decision.

I recognise Senator Shitta-Bey.

**Senator S. A. Shitta-Bey (Lagos) :** Mr President, Sir, I am grateful for the permission to contribute to this debate. My view, Sir, is that we have to be very careful when it comes to taking a decision on international issues. An organisation like the United Nations is well established and if we are going to pass a resolution calling on that organisation to do certain things, Mr President, we must be sure of our facts, we must know exactly what really went wrong.

I must say here, Sir, before I continue that my friend, Senator Fasanmi, said that Nigeria broke diplomatic relation with Israel at the instance of Egypt. It was not at the instance of Egypt. Words are very important when we are considering international matters. So, when it comes to international matters, we have to be very careful. We did not take side. Israel refused to obey certain UN resolutions touching and concerning Egypt and the OAU felt that diplomatic relation ought to be broken and it was so broken. That is the position.

**Senator Ayo Fasanmi (Ondo North) :** Point of information, Mr President. I think my friend and myself are saying the same thing.

**Senator Shitta-Bey :** Mr President, Sir, I think my point of objection is clear to my friend.

Now may I say, Sir, that I also listened to the honourable Minister in the Ministry of External Affairs last night. He said if the Senate had known the facts the reaction might have been different. Mr President, I think we have a duty here to know all the facts before any resolution can be taken. This is because there is no point taking a resolution on an issue only to discover later that the basis of the resolution was no longer there. I am saying, Sir, that at this stage we do not pass any resolution other than number four which reads: *calling on the Federal Government of Nigeria to secure the immediate release of Lt-Col. Alfred Gom from the hands of his captors without any pre-conditions*.

This will be in line with your suggestion, Mr President. This is a general appeal to the President of the country. In any event whether he had done anything wrong, whether he had smuggled or not, Nigeria has a duty to him. Any country has a duty to its citizens wherever they may be. So, I am saying that we should do this in line with this principle irrespective of whatever he might have done but as the President said, all the facts must be placed before us. There should be a resolution to fight for his release and in the course of seeking his release certain facts

from the Minister of other sources. So, Mr President, I am in support of this matter being referred to the Senate Committee on Foreign Relations so that they can summon people to know the full facts and put the facts before the Senate. At this stage, we need not waste our time except to agree with your suggestion that we pass just one simple resolution asking the President to secure the immediate release of Lt-Col. Gom.

**The President :** Yes, Senator Akpata do you want to say something ?

**Senator E. I. O. Akpata** (Bendel Central) : Yes, Mr President, the last speaker did say that we should pass no resolution and ended up that we should only pass one resolution. I do not know what he is saying.

**Senator Shitta-Bey :** Mr President, I used the word *except*. I said we should not take other resolution. The only resolution I think we can pass is in relations to the general call. I agree with the President on that but we must know the facts and then we shall discuss everything. Thank you, Mr President.

**The President :** I recognize the distinguished Senator from Kaduna State, Senator Ibrahim Barau. After him I will recognize one more speaker and the question will be put. In order to avoid any temptation I will recognize Senator Dimis.

**Senator Ibrahim Barau** (Ikara/Zaria/Birin Gwari) : Thank you, Mr President. The trend of this debate, indicates that at least we ought to take one resolution out of the resolutions moved by the distinguished Senator. I would like to take this opportunity to express my understanding of the situation. Whether my colleagues understand or not, I understand, from the reaction of Israel, what they mean, knowing precisely the way they behave in international relations not only to Nigeria but to other countries. Israel could have brought Lt-Col. Gom to court six months back, tried him and be in a position to present Nigeria with the full proceedings of the case ; but she did not do so in spite of the fact that we have paid money to a Jewish lawyer to represent him.

The purpose of detaining unlawfully our Lt-Col. Gom is simply to pressurise Nigeria to negotiate, at least, under duress or blackmail, to re-establish diplomatic relations and to change our policy in respect of the sale of crude oil. Mr President, Sir, I would like to explain that it is a known fact that all OPEC countries other than Iran do not allow their crude oil to go to Israel. This was the case during the time of the Shah of Iran who insisted that his country was not an Arab country. Now the Shah is gone and the Ayatollah Khomeini does not allow his oil to go to Israel. Once short of crude oil, Israel and South Africa have no source of supply. God knows what price they have to pay. For this reason the holding of our Lt-Col. Gom is certainly meant to force this country to speak consciously or unconsciously in terms of opening diplomatic relations and relaxing our policy. So, Mr President, I would suggest that come what may, we must be prepared to take a similar line of action as did the Israelis. If we take a good look at this country, we

would find that Israel's investments are in the less preferred economic sector. Israeli investment in this country is not in the line of heavy industries or in agriculture. It is simply in the line of distribution. Their companies here distribute Water Tanks, Water Pipes, Air-conditioners and building materials. These are businesses every Nigerian is capable of doing, Mr President.

So, in line with the spirit of the Motion, I would urge my colleagues to reconsider taking steps in the way Israel has behaved to us. As they behaved to us in this case of Lt-Col. Gom, so should they behave to nationals of any other country from anywhere in the world, and I must add that they deserve any measure of retaliation. We should pay them back in their own coins. Thank you, Mr President.

**Senator Ibrahim Dimis** (Bauchi South) : Mr President, Sir, I would like to speak in support of the question of making our feelings known to the Executive, while at the same time we should urge our committee on External Affairs to take up this matter and bring a report to the Senate.

Under the United Nations Charter, Article 26, I would like to read a decision which was taken in Francisco on 26th June, 1945 and which came into effect on 24th October of the same year—

*We the people of the United Nations Determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and*

*to reaffirm faith in fundamental human rights, in the dignity and worth of the human persons, in the equal rights of men and women and of nations large and small, and*

*to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and*

*to promote social progress and better standards of life in larger freedom—*

**Senator S. A. Shitta-Bey** (Lagos) : What is the distinguished Senator talking ?

**Senator Ibrahim Dimis :** I am saying, Mr President, that under this preamble we should ask the President of the Federal Republic of Nigeria to take necessary steps to see that the world assembly through the OAU does something, as quickly as possible, to bring our man back.

**Senator Shitta-Bey :** What is all this preamble over the UNO Charter about ?

**Senator Ibrahim Dimis :** Am I protected Mr President ?

**The President :** You should be protected. You are protected.

**Senator Shitta-Bey :** Mr President, Sir, I am not happy about the way the distinguished Senator is reading the United Nations Charter. It is not meaningful to us.

**Senator Ibrahim Dimis :** I know why my colleague is trying to say no. It is because we were not in support of his submission that we should recognise Israel without passing through the OAU. Mr President Sir, this part of the UN Charter of which Nigeria is a member says :

#### And For These Ends

*to practice tolerance and live together in peace with one another as good neighbours, and to unite our strength to maintain international peace and security, and to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and to employ international machinery for the promotion of economic and social advancement of all peoples.*

*Have resolved to combine our efforts to accomplish these aims.*

*Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organisation to be known as the United Nations.*

Mr President, Sir, I would like to appeal, very strongly that the President of Nigeria, through the OAU should impress on the United Nations that our man should be released. Whether or not Israel is a member of the United Nations is immaterial. They should know what to do. They took us to Lebanon anyway. We would like our man to be brought here and tried according to the laws that govern him as a Nigerian.

Secondly, I would like to speak on the question of the Senate Committee. I support the proposal that the Senate Committee on External Affairs should meet on the matter before we take a decision. They should scrutinise the matter for us and bring to the Senate what is the actual position. But while this is in progress we should like a general Motion to be passed to the President of our Republic on the lines suggested by previous speakers. With this contribution, Mr President, I beg to thank you very much for giving me the time to say, that we do not agree with the Senators who say we should go on and recognise Israel without going through the OAU.

**Senator S. M. Ojukwu (Umuahia) :** Mr President, Sir, this matter is not a matter that we should handle with sentiment. Lt-Col. Gom was sent on a mission with the United Nations Peace-Keeping Force. He was sent to Lebanon and arrested in Israel. Israel has a territorial boundary over which it has sovereignty just like Nigeria. The matter has been on for quite some time starting from the Military regime. Every nation has a right to arrest, detain and try any person, who is alleged to have committed a crime within its territorial boundary.

We are not saying that Lt-Col. Alfred Gom has committed any crime. We of this Senate must not do anything that will run counter to what the Executive itself is doing. Otherwise, we will be work-

**The President :** I agree with you in as much as you are not exercising your constitutional right.

**Senator M. Ojukwu :** Thank you, Mr President. It is wrong in principle that a citizen should be detained without trial. Here, we can unequivocally say that the action of Israel in continued detention of Lt-Col. Gom without any trial is wrong and we must express our anger very vehemently and urge that he be released or be tried expeditiously.

Secondly, Mr President, Sir, before we can effectively debate this Motion and argue it properly, we must have full facts before us and this is why I have submitted an Amendment. I am very glad that the President of the Senate has wisely guided this august body, and we should consider the advice of the President very seriously.

We should not pass the Motions as they are, without first knowing the full facts. So, Mr President, Sir, what I am saying is that there are only two parts of the Motion that should be passed. The first is that we should call on the President of the Federal Republic of Nigeria, that the Senate of the Federal Republic of Nigeria views with grave concern the continued detention, without trial, of Lt-Col. Gom by the Israeli Government. We should stop there.

The next one would be to call on the President of Nigeria to place before this Senate the facts relating to the detention of Lt-Col. Gom. It is only after the Senate might have deliberated and examined the facts that we could then decide on the most appropriate Motion to pass. We must realise too that we have no diplomatic relations with Israel. The Motions that we should pass in this Senate must not be Motions that will be useless or difficult to implement. There must be some means of putting our resolutions into effect. Since we have no diplomatic relations with Israel, and since Lt-Col. Gom was sent under the umbrella of the United Nations, we can only go to the United Nations to seek redress with a view to securing his release, after we might have effectively considered the facts that would be placed before us by the Executive.

With this contribution, Sir, I beg to support.

**Senator Bitrus B. Kajal (Mubi) :** Point of order. Order 41 (2). It runs thus : *On the second reading of a bill, an Amendment may without notice be proposed to the question "That the bill be now read a second time"*—

**The President :** I am not sure that we are reading a Bill here.

**Senator Kajal :** I think it should be the same procedure.

**The President :** With due respect to my distinguished colleague, this is not a Bill. If you are referring to this Order number and you would want me to sustain it, then it must not be a Bill.

If you are referring to a Bill, then the Order is

*After a question has been proposed a Senator rising in his place may claim to move "That the question be now put", and, unless it shall appear to the chair that such motion is an abuse of the rules of the Senate or an infringement of the rights of a minority, the question "That the question be now put" shall be put forthwith and decided without amendment or debate notwithstanding that the mover has had no opportunity to make his reply.*

Yesterday, Mr President, Sir, I made a submission that the Motion had been adequately debated. Today is the second day running, within which we have been debating this particular issue. In view of the fact that this is not the only matter that we are here to debate, and in view of the fact that sufficient time has been given to this particular issue, I humbly move, under Order 31 (1), that the question be now put by the President for us to make progress. (Applause)

**The President :** I am afraid that I have not sustained your order. I call upon Senator Rufai to speak.

**Senator A. D. Rufai** (Bauchi Central) : The distinguished Senator has already spoken and that is why he does not want other Senators to speak. (Laughter)

Mr President, Sir, I do not have much to say on this question. I did not even want to make any contribution. But, I have been much surprised by the remarks made by some of my colleagues regarding the matter before us on the question of diplomatic relations between Israel and Nigeria. These are separate issues, as my colleague Senator Ayo Fasanmi said. We should please desist from relating this matter to restoring diplomatic relations with Israel.

However, I am taking this opportunity to say that we should not stop at only asking the President of Nigeria to bring pressure to bear on Israel to release our man, or writing to the United Nations Organisations ; we should also condemn Israel for their high-handedness and arrogance. Israel, as one Senator said yesterday, is very notorious. The reputation of Israel in the world affairs is very very bad. They are the greatest supporter of South Africa, and we here in Nigeria have told the whole world that we are against the apartheid regime in South Africa, and we have nothing to do with them. It is always said that the friend of your enemy is your enemy. So, Israel is a friend of South Africa, and they are the only one who supports South Africa very strongly. I know of other African countries that support South Africa too, but it is Israel that has come out so openly to support South Africa. It is through Israel that South Africa is getting its Oil.

Israel has looked down upon us and has disgraced us. They asked us for \$10,000 to pay their Lawyer to defend our man. Now we have paid this \$10,000 under duress, not because we liked to pay it, but because we wanted our man to come back. They

between Israel and Lt-Col. Gom. It is a quarrel between Israel and Nigeria. Lt-Col. Gom is just suffering physically, but we are suffering morally, mentally, and in all ways. (Applause)

Mr President Sir, I am in complete support of Senator Adeleke that we should condemn Israel for their arrogance, for their high-handedness and for looking down upon a big nation like Nigerian.

Secondly, we should get all the Israelis in this country detained until Lt-Col. Gom is released.

**Senator Ayo Fasanmi** (Ondo North) : Point of order. Order No. 26 (2) *A Senator must confine his observations to the subject under discussion and may not introduce matter irrelevant thereto.*

Mr President, Sir, I am afraid that the distinguished Senator is introducing extraneous matters into this debate. The question of Israeli assets being confiscated or not, or the question of Israelis being detained does not arise.

**The President :** Order ! Order ! I am not too sure that the distinguished Senator from Bauchi Central (*Senator Rufai*) was contravening Order 26 (2). I am sure that he was speaking on the right path and that he was contributing to the subject matter. I am, therefore, very reluctant to uphold your Order, but Senator Rufai may please wind up.

**Senator Rufai :** Perhaps, I made a mistake by not saying that we should retaliate. If I had said so, the distinguished Senator might not have criticised me. I would not like to say that the distinguished Senator is an agent of the Israeli government.

**Senator Fasanmi :** I object to that, Mr President.

**The President :** I uphold your objection. Senator Rufai should restrict his contributions to relevant points.

**Senator Rufai :** Finally, Mr President we must be very firm and should not be very loose about this. There is one matter I had forgotten to raise in the Senate. I do not like the attitude of the Minister who was shown on the television last night making certain comments on this issue. Perhaps, he was right or wrong. According to him, if we knew the facts of the matter we would not have taken the action we took. Knowing that we are in the same country and that we are part of the government, he should have drawn our attention immediately to these facts, instead of ridiculing us before the public of this country. For that reason, I am in complete agreement with your suggestion that the Committee on Foreign Relations should invite this particular Minister and General Innih to investigate all the facts and report to this Senate.

With these few remarks, I beg to take my seat.

**The President :** Order! Order! I may go back to the Mover of this Motion, Distinguished Senator Ali (Benue West), and ask that he examines the suggestions that have been made here. If I would recapitulate, the first thing is that item 1 of the Motion



should be adopted ; the second point is that the matter should be referred to the Foreign Relations Committee for further investigation so that the full facts could be obtained for the Senate. The third is that this Senate should pass a resolution praying the President of the Federal Republic of Nigeria to intervene and use every possible means he could muster to secure the release of Col. Gom. Senator Ali, you may speak.

**Senator A. A. Ali** (Benue West) : I am extremely grateful to the President and to this Senate for having entertained this Motion, a Motion which is of vital importance to the whole of the constitutional basis of our existence. Today, this Motion deals with Col. Gom, but tomorrow as I said earlier, it may be somebody else. I am glad that we have all accepted the principle of the Motion which is shown by the lively debate it has generated.

Mr President, Sir, I have one or two remarks to make, and I want to say that it is slightly disheartening that Nigerians up till now, are not really awakened and sufficiently imbued with patriotic feelings. It is also disheartening to see a Minister of the realm, of the Federal Republic of Nigeria, going on television to say that he has got the facts which he would not want to disclose to anybody. He was here in the gallery, and I met him only to find that he did not appear to have got the facts. It was a shameful episode.

Mr President, from all we have said so far, it is obvious that I am happy that at last, in spite of the delays on this Motion the agents of imperialism, neo-colonialism and Zionist lackeys have not had their day. We got the Motion through and we have debated it exhaustively ; whether we are putting the cart before the horse or the horse before the cart is irrelevant. Col. Gom has been in prison for six months without trial, and he is suffering. It is our duty as Senators of the Federal Republic of Nigeria to secure his release at all costs. If we had the power, I assure you that I would have suggested that we operated a similar exercise as the Kampala episode to secure the release of Col. Gom.

Mr President, I accept the Amendments you have made to the Motion calling on the President of the Federal Republic of Nigeria, to use his good offices and to use diplomatic avenues available now to secure the release of Col. Gom. I also agree, Mr President, that a full and comprehensive report be tabled before this Senate through the Committee on Foreign Relations on the problems of Col. Gom's detention. With these few remarks, I thank you very much Mr President for giving me the chance to table this Motion and for the lively debate that it has generated.

**The President** : The question is that this Senate of the Federal Republic of Nigeria views with grave concern the unlawful detention of a Nigerian, Lt-Col. Gom, Nigerian Army, by the Israeli government.

*Question put and agreed to.*

**The President** : I wish to propose the question on the Amendment that the Senate of the Federal Republic of Nigeria, do refer the whole question of Col. Gom's incident to the Foreign Relations

may be placed before the Committee for its full examination, and that the Minister of External Affairs, his Permanent Secretary and General Innih be invited to give evidence before the Foreign Relations Committee.

*Question put and agreed to.*

**The President** : The third question is that the Senate of the Federal Republic of Nigeria do hereby pray the President of the Federal Republic of Nigeria to use all the available means to secure the release of Col. Gom, a Nigerian citizen, presently detained by the Israeli Government.

*Question put and agreed to.*

### Stolen Presidency

**The President** : I would, therefore, say that that Motion has been disposed of as at the moment.

Item No. 2 on today's Order Paper has been listed because although the proposer gave notice to withdraw it, he did not withdraw it on the Floor of the Senate. I now call on the proposer of the Motion, Senator Thomas Yepwi (*Keffi*) to speak.

**Senator T. Yepwi** (*Keffi*) : Mr President, Sir, fellow Senators, I rise to withdraw my Motion titled "Stolen Presidency". I do not intend to break the egg, nor do I intend to create friction in this Senate. Mr President, Sir, you would agree with me that the article was written—

**The President** : I recognise Senator Odebiyi.

**Senator J. A. O. Odebiyi** (*Egbado North/South*) : Mr President, Sir, if the distinguished Senator wants to withdraw his Motion let him withdraw it, and make no comments. But, if he makes comments we would reply.

**Senator J. S. Tarka** (*Benue East-Central*) : Mr President, Sir, without causing any controversy, we were all consulted when the distinguished Senator Yepwi was persuaded to withdraw the Motion. He has the right within the Senate either to withdraw the Motion or to move it, either way. He also has the right under the Standing Orders of this Senate to give reasons as to why he is withdrawing, and he said he did not want to cause friction. Without giving him fair hearing, prejudiced minds have already started running commentaries. How do you create an atmosphere where a man who has a very much publicised Motion withdraws the Motion under duress? He is going to withdraw the Motion but he should not be pressurised.

**The President** : Order! Order!

**Senator S. M. Ojukwu** (*Umuahia*) : Point of order, Mr President.

**The President** : What is your order?

**Senator Ojukwu** : It is Order 24(1). The Mover of the Motion does not require leave to withdraw the Motion because the Motion has not been proposed at all. All that he should do when the Motion is

order. I think that the Senator either moves his Motion or he does not.

**Senator T. Yepwi (Keffi)** : As I said earlier, I seek leave of the Senate to withdraw my Motion.

**The President** : Is that the wish of the Senate?

*Question put and agreed to.*

*Motion by leave withdrawn.*

### Recognition of Senate Party Leaders

**The President** : Item No. 3 in today's Order Paper is in the name of Senator J. S. Tarka. (Benue East-Central).

**Senator J. S. Tarka (Benue East-Central)** : Mr President, Sir, I was going to move this Motion this morning at the very short time within which to study the implications of the Motion. There has been some developments since the time it was listed yesterday night and for that reason, I would like to defer the Motion for one or two days when all issues involved should have been reconsidered after consultations.

**The President** : Is that the wish of the Senate?

*Question put and agreed to.*

*Motion by leave deferred.*

### Standing Orders

**The President** : Item No. 4 is in the name of distinguished Senator Ojukwu (*Umuahia*).

**Senator S. N. Ojukwu (Umuahia)** : Mr President Sir, I have always said that whatever is worth doing at all is worth doing well. This nation has seen the birth of a new Constitution, a Constitution that departs entirely from what we used to know, which was the parliamentary system of government. It took this nation three years to prepare this Constitution.

**Senator Ameh Ebute (Benue South-Central)** : Point of order, Mr President.

**The President** : On what ?

**Senator Ebute** : I thought he had already proposed the Motion. If that is the case, I have an order to bring to the notice of the Senate. I refer to Standing Orders 19 and 20 of the Senate. Order 19 says :

*Unless the Standing Orders otherwise direct notice shall be given of any Motion or Amendment which it is proposed to move with the exception of the following :—*

My humble submission is that the type of Motion which Senator Ojukwu seeks to move does not fall within any of exceptions (a) to (h). That being the case, notice of at least five days is required in this Senate to enable us study his Motion. Standing Order 20 (1) talks about the Manner of giving notice :

*Where under any standing order notice of motions or amendments is required, such notice shall be given on a day which the Senate is sitting—*

says :

*No notice may be given for a day less than five clear days after such notice is handed in, unless the notice is in the name of a Minister, in which case one day's notice shall be sufficient.*

It is my humble submission that since this Motion is not coming from a Minister but from a Senator, it does not fall within the proviso and, therefore, five clear days notice is required before he can present the Motion.

**The President** : I am not too sure how the distinguished Senator from Benue has come to the conclusion that this Motion was not filed within ten days. If you had asked a question on a point you are not clear about, I would have given you the answer. I want to inform you that this Motion was properly filed through the Clerk, received my acceptance and it took over ten days to list it. Your order, is therefore, not sustained.

The question now is whether this Motion has been properly filed.

**Several Senators** : No!

**The President** : I will now call on distinguished Senator Jalo Waziri who is versed in this area and who is Chairman of the Business Committee to speak.

**Senator Jalo I. Waziri (Bauchi East)** : Point of information, Mr President. Under normal circumstances, when Motions are approved by you they are circulated to all Senators before they are debated. So, I would not say that the Motion is strictly in order.

**The President** : Senator Umolu, what is your explanation ?

**Senator J. O. Umolu (Bendel North)** : There is no time when a Motion is sent to the Clerk of the Senate. The day the Motion is filed with the Clerk of the Senate and the day it is listed is the day you have to start calculating the number of days such a Motion is filed. Usually, a Senator files a Motion but it is not supposed to be circularised to all the Senators before it is out for debate.

**The President** : Yes, Senator Echeruo, what is the point of order ?

**Senator E. P. Echeruo (Okigwe)** : It is the same Order 19. The rationale behind giving five days' notice is to enable Senators to study the Motion so as to make meaningful contributions. While I think Senator Ojukwu may be allowed to move his Motion, I think there should be arrangements which should be clearly spelt out by the Rules and Business Committee making it possible to circulate any filed Motions ahead of time so that Senators have time to study these Motions and make meaningful contributions.

**The President** : Is that not why it is necessary to take Senator Ojukwu's Motion so that all these things could be highlighted ? I do not see any controversy about the motion.

I recognise distinguished Senator Atake to speak.

**Senator F. O. M. Atake** (Bendel Delta) : Order 20 (8) says :

*Motions or amendments sent to the Clerk shall be printed and circulated by him, even if they be matters for which notice is not required and, in the case of Amendments to bills, shall be so arranged so far as may be in the order in which they will be proposed.*

That is the whole point. The filing of a notice is done either by depositing it with the Clerk at the table when the Senate is sitting or by leaving it with the Clerk of the National Assembly as directed by the President and when he does get it he must take the date on which the notice is filed with him. As Senator Jalo Waziri has said, he has to print and circulate copies to everybody. If a notice appears here that a Motion is coming up, then we would count one to five days, thereafter the Motion will come up.

**The President** : I recognise distinguished Senator Waziri to speak.

**Senator Mahmud Waziri** (Adamawa) : It is Order 25. I think the President can use his discretion on this topic.

**The President** : Senator Oke, do you have something to say ?

**Senator D. O. Oke** (Ondo West) : I want to suggest that though the President may give his assent now, if we do not have a very stable interpretation of the Standing Orders that relate to notice of Motion, we may be embarrassed. For instance, a Senator gives a notice of a Motion for about two months, suddenly, on one day it is listed and he is supposed to speak, but he has not got the details that he wants to use for his Motion.

**The President** : Or he is absent.

**Senator Oke** : So, I would say that Senator Atake's interpretation ought to help us a great deal, that we ought to know in advance, five days in advance, so that the Senator concerned will not be absent on that day and he will bring all the information that he has in support of his Motion.

**The President** : Before I welcome one or two more comments on this, I am inclined to think along the lines of Senator Atake because this is a new Senate and we are setting precedents for the future. We should now begin to know what we should do. Even if that was not the case in the past, I think it is a better arrangement that the day the notice is filed should be distinct from the day the Motion is being brought forward for debate and Senators would have made their research and got their facts ready to enable them make a more meaningful and solid contribution to a Motion. So, I would go along with that.

The other thing the Senate will like to know from the Chairman of the Rules and Business Committee is how they are progressing with the new Standing Orders.

**A Senator** : Is that part of this?

**Senator Jalo Waziri** (Bauchi East) : Mr President, Sir, I told you a few days ago that we were going ahead with it but owing to lack of time, we have not been able to make much progress. However, if the time that the Rules and Business Committee has proposed to the Senate is accepted, then in the mornings, there will be time for Committees, including the Standing Order Committee, to do business. But as it is now, under the old Standing Orders, it is very difficult for the Committees to make much progress.

**Senator Ayoola Adeleke** (Oshun II) : Last time, the Chairman of the Rules and Business Committee promised a month. The other Committees do not depend on the sitting of the Senate to meet.

**The President** : He promised a month but it is just a week and a half since then. I was only curious to know how they are getting on, it is not that the time has lapsed yet.

**Senator Adeleke** : You have asked him a question and instead of him to confirm the former date he had given us, he is now trying to extend the time. We can meet in the evenings.

**Senator E. I. O. Akpata** (Bendel Central) : Point of information.

**The President** : Yes, Senator Akpata.

**Senator Akpata** : When a man makes a statement he makes the statement considering the environment or the circumstances prevailing at the time. At the time this statement was made, it was presumed that some time would be set aside for Committees to meet. Senators will no doubt remember that one of the things about late sitting was that people were frightened about being molested on the way back to Badagry Road. I am a little astounded when I heard someone not too far away from me saying that the Committees should meet at night. I did say the other day that arising from the decision already taken here I would not give up my lunch time for any Committee meeting. Therefore, if no time is specially allotted for Committees to meet, I am in full sympathy with the Chairman of the Committee referred to if his promise of one month can no longer hold.

**Senator Isa Obaro** (Kwara South) : Mr President, Sir, he has spoken my mind.

**The President** : I think we have heard enough now, let us go back to Senator Ojukwu.

**Senator Ojukwu** : Mr President, what has been said lend support to the Motion that I am going to move. It is said that no time is wasted if it is to achieve anything that is reasonable, anything that is good.

**The President** : I thought that you were going to comment on the basis of what you have heard our colleagues say this morning.

**Senator Ojukwu** : Mr President, a precedent has been allowed on the Floor of this Senate. Motions have been moved and seconded when they are on the Order Paper, this will not now be an exception.

Senator Jaja Wachuku (Aba) : Point of order.

**The President :** Order ! Order ! There is a point of order.

**Senator Jaja Wachuku :** Order number 20 (1), then 20 (5) and (6). Order 20, Manner of giving Notices, then you have 20 (1), then 20 (5) and (6), make it quite clear that the Senator's Motion is in order. I may read Order 20 (1) at page 17 of the Standing Orders.

*Where under any standing (order or the practice of the Senate) notice of motions or amendments is required, such notice shall be given on a day on which the Senate is sitting, by being handed in at the Table ; or by being received at the office of the Clerk within the hours prescribed by the President for the purpose when the Senate is not sitting. Now, I would read Order 20 (5) : Notices may be received during adjournment or recess up to five days before the date of re-assembly and all such notices shall be printed and made available to Senators on the day of re-assembly. The (6) : The Clerk shall indicate the day upon which a notice was handed, unless it be a notice for the next meeting of the Senate or an amendment to a bill. Then (7) : Any such notice shall be submitted to the President who shall direct—*

(a) that it be printed in the terms in which it was handed in ; or

(b) that it be printed with such alterations as he may direct ; or

(c) that it be returned to the Senator who signed it, as being in the President's opinion inadmissible.

Now, the point I am making here is the fact that—

**Several Senators :** Read Number (8).

**Senator Jaja Wachuku :** Now (8) reads : *Motions or Amendments sent to the Clerk shall be printed and circulated by him, even if they be matters for which notice is not required and, in the case of Amendments to bills, shall be so arranged so far as may be in the order in which they will be proposed.*

The fact is this ; when was the notice given to the Clerk or at the Table ? Even five days is in order because during recess under this order it can be given and circulated on the same day. If the Senate feels that the notice is short, it may postpone it to another day but the issue is, is the distinguished Senator's notice in order ? Most respectfully, Mr President, according to this Standing Order, I would say the notice is in order. But if distinguished Senators feel that they require time to do justice to it, it is within the authority of the Senate to ask that it be postponed to another day.

**The President :** I am inclined to think that the position is that we should file our Motions, give notices to our Motions which will be printed on the Order Paper, count five days then take the Motions. That would be the practice so that we should prepare for the Motions. (*Applause*) Order ! Order ! Item **Number 5.**

**Senator S. M. Ojukwu (Umuahia) :** Point of information.

**The President :** Senator Ojukwu, do you want to speak ?

**Senator Ojukwu :** Yes.

**The President :** Go ahead with your information.

**Senator Ojukwu :** Mr President, Sir, what has happened here is that the officials have not done their work as it should be. Printing and circulating the notice is not the same thing as putting the notice on the Order Paper. When the notices are on the Order Paper, they are on the Order Paper for the day on which they would be taken. Circulating the notice is entirely a different thing from giving notice to Senators about the Motions.

**Senator N. N. Anah (Anambra South) :** Point of order.

**Senator Ojukwu :** There is no point of order here. (*Applause*) Mr President, Sir, I am saying that if this Motion has to wait, it means that all the Motions on the Order Paper for the day will also go and then we have nothing to do.

**The Deputy President :** I would take Points of order.

**A Senator :** Mr President, Sir, under Order 25, I think there are two ways to take it. The President has given his assent, it remains that of the Senators. So, the President will put the question and say : *is it the general assent of the Senate that it carries on with this Motions?* when this is done, we would carry on ; but, for the future, we would be given notices of Motion. Whenever anyone comes on the Order Paper—they may be thirty—we would take it ; but for today you should ask Senators whether they want to debate all those on the Order Paper.

**The Deputy President :** Let me say this ; I think this touches on a very fundamental rule of procedure. So, I would want us to discuss this as extensively as possible so that in the end we could reach some agreement. Senator Fasanmi, you may speak.

**Senator Ayo Fasanmi (Ondo North) :** Mr President, Sir, I agree with you that this matter is very, very important but all the same we must make progress. I am appealing that we should grant Senator Ojukwu a special dispensation, particularly as his Motion relates to what we are discussing, that is, procedure, the Rules and Business of the Senate. We can postpone others until some other day. Finally, Sir, if you apply Order 25 which says :

*Notice shall not be dispensed with in the case of a motion or in respect of any other proceedings for which notice is required except with the consent of the President and the general assent of the Senators present.*

Mr President, Sir, if you give your consent to this matter and if we give our assent to it, then we can discuss this matter. It is just as easy as that. All the things that are to be discussed today concern Motions, if you give a ruling against Senator Ojukwu's Motion then you would have given a ruling against all other Motions following that and we have to go home. So, I am asking that Section 25 of the Standing Orders should be invoked in this respect, Sir.

**The Deputy President :** Senator Shitta-Bey, you may speak.

**Senator S. A. Shitta-Bey (Lagos)** : I am grateful for the permission granted. Mr President, Sir, there is on the Order Paper a list of about five or six Motions. I think we shall be wasting the time of this Senate if we continue to deal at all material times with Resolutions and Resolutions. The business of this Senate can be more effectively dealt with by Bills, and I call on the President to bring his Bills. We have not got Bills except one, and by now we should go straight to business. This is my view, Mr President. Bills must come in. We are not here to come and waste time. Resolutions and Motions are not effective here except occasionally. Bring Bills, and I must add that at the moment, we have no facilities to work on Bills. These are the facilities that ought to be provided so that we can move straight to business. So, I am calling on Mr President to bring his Bills here for us.

**The Deputy President** : Senator Dafinone may wish to speak.

**Senator D. O. Dafinone (Bendel South)** : On point of Order. Order 35 says :

*The President in the Senate and the Chairman in any Committee shall be responsible for the observance of the rules of order in the Senate and committee respectively, and their decision upon any point of order shall be open to appeal and shall not be reviewed by the Senate except upon a substantive motion made after notice.*

The point I am making here is that the President has already ruled on Senator Ojukwu's Motion and, in the circumstances, it is not therefore open to debate or argument in the Senate. We would accept the five day rule on this issue, and at that time Senators could have had the opportunity of deliberating and making various researches on the matter, so that when they come to the Floor of this Senate the responsibility attached to them and the weight of their contribution to the debate would be as effective as if they have had proper notice. Thank you very much.

**The Deputy President** : Senator Waziri may speak.

**Senator Jalo Waziri (Bauchi East)** : Mr President, Sir, I would wish to alert the Senate about the effectiveness of Standing Orders in the Senate; unless the Standing Orders are produced we shall continue to have this sort of confusion. Unless special time is set aside for the Standing Orders Committee to complete its work, the Standing Orders cannot be produced in time. For this reason I am pressing that the Senate give the Standing Orders Committee sufficient time to sit down and produce the Orders to clear this type of confusion. For example, in this Motion now if you knock down this Motion all the others automatically go down, and you will find no Motion unless you have special Motion raised on the Floor of the Senate to take in such Motions. In the old Standing Orders we used to provide certain days of the week or certain days of the month specifically for Motions. In the new Standing Orders this may take a different turn because the system we are operating is different.

**Senator Jalo Waziri** : I am, therefore, pressing that the senate gives Standing Orders Committee sufficient time to complete its work, and produce at least some thing to start with. After a year or two we can review whatever Standing Orders we have produced and make them final. But, I do insist that time be given to the Standing Orders Committee that Orders be produced at least for us to go ahead with, until such a time that a Senator could have all his ideas incorporated by Motion.

**The President** : Before I take further Orders and information, the Clerk has just placed before me the Motion which we are discussing. It was dated 27th of October and titled *Notice of Motion*. It was received by the Clerk on the 22nd of October.

So this Motion, therefore, would give us quite ample task, but I think that what the distinguished Senators are saying is that such notice should be printed and circulated.

**Senators** : Yes.

**The President** : I call on Senator Dafinone to speak.

**Senator Dafinone** : Mr President, we have ruled on this issue when you went out a few minutes ago and we can not bring it back.

**The President** : I would agree with you, the distinguished Senator from Bendel, but the point is that even if one made a ruling and in the process made a mistake which we think would not help this Senate, it could be looked upon again. I am not so dogmatic that I would insist that even a wrong decision that had been taken would not be subject to review. We should always take a look at things in such a way as to arrive at what is best, because there is a point raised by Senators that if we follow that ruling it might mean that all the other Motions would not be taken. It would mean also, that all others pending now would have to receive five days notice before we could take them. So what would the Senate be doing between now and the five days ?

**Senators** : Bring Bills.

**The President** : I am not sure that I have received anyone here yet. (*Interruptions*)

**Senator Odebiyi** : Mr President, Sir, may I make a suggestion so as to prevent this type of stalemate next time. All the Notices of Motion which have already been given to you, Sir, ought to be printed now in the order in which they came to you. Then, certain days ought to be devoted for hearing these Motions. What you have been doing so far is adjourning from day to day, hearing Motions and Motions just like that. Certain days must be allotted for private Members' Motions, and certain days set aside for Bills as the case may be. As a matter of fact the Senators should have what we call a calendar of activities covering the whole year. So, in the mean time what we are doing is...

terably Tuesdays and Thursdays, for hearing Motions private Members' Motions or Bills as the case may be.

Until we really have the Standing Orders something must be done. Judging from what Senator Jalo Waziri has said it would be necessary, Sir, that Senators review this question of hours of sitting. You should either agree that you would have your Senate sitting in the morning, and leave the afternoon for the Committees to meet which ever way you want to do it, you must find sometime for the various committees to meet. All our work here is only going to be done effectively by committees. The situation in which the Committees would meet and bring their report to the Senate, and we sit down here and begin to tear them to bits and pieces would mean, I think, that the Committee had not done anything at all. That ought to stop. If we had decided that we were not going to use the Committee system, let us say so. We are not supposed to ape the American system.

**The President :** We cannot say that because the Constitution is clear on that.

**Senator Odebiyi :** It seems to me, Sir, that we are working at cross purposes with the Constitution. It would appear that we accept the Constitution with the right hand and with the left hand we say no, we are not going to adopt the machinery for putting it into effect. All these things are necessary for us to determine as quickly as possible, so that we would not appear to the public as just sitting down here and not justifying our staying here. The sooner we do this, the better for everybody.

**The President :** Order ! Order ! I have heard the distinguished Senator and the UPN Leader. I am not too clear in my mind if he was saying that, pending the conclusion of the work of the Business and Standing Committees or Rule Committee, we should adopt some temporary measures, or is he saying that they should speed up their work ? I want a categorical response.

**Senator Odebiyi :** What I was suggesting, Sir, is that pending the time when the Standing Orders Committee would have produced the New Standing Orders, we must agree on certain things which would be binding on all of us. How many days per week are we going to give to private Members' Motion ? If it is going to be for two days or three days, let us say so. This idea of adjourning from day to day to hear Motions is not satisfactory. This is the point I was making.

**The President :** Order ! Order ! Let us consider these suggestions. By so doing, we can save some more time. Would it not be correct, if we want to prolong the matter, to ask the distinguished Senator to bring a substantive Motion along the lines he is suggesting ?

**Senator Andrew Abogede (Benue North-Central):** Mr President, the other day when we were meeting here, the Senate Committee Members met and deliberated on the Business of that Committee.

Committee leave this Senate, their absence would not even have any effect on the Senate. The Senate could still form a quorum without them. I am saying my mind. If they want to participate in the full Senate, let them participate. Mr President, Sir, I thought that—(Interruptions)

**The President :** Order ! Order ! I will call you back, Senator Abogede. (The President conferred with the Clerk of the Senate).

You may continue Senator Abogede.

**Senator Abogede :** I thought that if the Business and Rules Committee would want to speed up their work, they could withdraw honourably from this Senate to go and deliberate on the Business, and in course of time, they could bring the report back to Senate, so that we would debate their report.

Secondly, Sir, I would make it clear that the work of the Committees should not over-ride that of the Senate. If somebody should suggest that because the Committees are set up, when their reports are brought before the Senate, the Senate should not debate them, that should not hold because the Committee is responsible to the whole Senate. We should not deem it necessary that the Committee's decision would always be binding on the whole Senate.

**The President :** Senator Jalo Waziri may speak.

**Senator Jalo Waziri (Bauchi East) :** The Business Committee is not saying that because it might be sitting, the Senate should not go ahead. What was pointed out is that unless you have the rules, the regulations, whether the Committee is in the Senate or not, business will not go on normally. If the Committee withdraws and the Senate continues you would still have the same difficulty we are having now. So it makes no difference.

**Senator Abogede :** I am very grateful, Sir, for the enlightenment. If I would be given the opportunity by the other Senators who may have the inclination to oppose, if they could be attentive, they would probably be able to digest what I am trying to say. I said that the Business and Rules Committee could sit without hampering the business of the Senate. Should there be some Motion that requires their votes, they could be called upon to vote. Thereafter, they could retire to continue with their deliberations so as to produce the Standing Orders of which we are in dire need as of now. For somebody to suggest that that Committee should be given the whole morning to work effectively, and say that this Senate should sit in the afternoon is ironical.

Even if they quote all the relevant portions of the American Constitution, we should realise that America has a different system of transport and a different environment. We should not be totally committed to the presidential system of America. We should borrow what is good from there, and reject those things that are not good for us. I am appealing to you, Sir, Mr President, that we should not revert the afternoon sitting for the Committees to morning sitting, otherwise we would be deceiving

ourselves. We should not forget that the public are watching us eagerly, and if we do not give full support to the idea of the full Senate sitting in the morning, we should be deemed to have been wasting time.

**The President :** I recognise Senator Wachuku.

### ADJOURNMENT

**Senator Jaja Wachuku (Aba) :** Order 30 (1).

Mr President, Sir, I move that the debate be now adjourned. I bring this Motion under this order because having regard to what has been going on in this Senate, Senators would wish to have sometime to think over the matter ; and at least the adjournment would put Senators in good humour. We should adjourn this debate till tomorrow at 10 o'clock in the morning.

I think the probable consequences of this Motion being put away for five days, could have grave repercussions. It will make the Senators appear as if they do not want to do anything or that we are lazy people. But, if we, in the light of what Senators have said, take a reasonable measure, say by adjourning this debate till tomorrow, Senators should have had sufficient time to look at this matter and the other Motions. They would look at this one, and those who are interested in the other Motions on the Order Paper, would have had time to select the subject-matter they might wish to discuss, because it is not everybody that would want to speak on every subject.

As time goes on, you might find that Senators would have specialised interests and would become, more or less, specialists in their own fields. When matters in their specialised fields come up, they would take active part ; but, they might not debate matters which they feel are not their specialised fields. They would not like to waste the time of the Senate by rising to speak on matters that they did not want to speak on. They would actually want those who have something to contribute to do so.

So, Mr President, Sir, I beg to move that the debate be now adjourned till tomorrow at 10 o'clock in the morning.

**Senator Garba Matta (Pankshin/Mangu/Kanam) :**

I second the Motion, Mr President, because as someone has put it, we are tired of being jammed. We know from the experience of the past few days, that we had taken decisions just to come out later and say that it could have been otherwise or if we have had sufficient time, we might have voted otherwise. So, Mr President, I think it would be a wise thing to adjourn.

Besides, I do not subscribe to the views that there should be special days for Private Member's Bills and special days for Government Bills. I think that could balkanize the Senate completely, because people may have interest only in certain types of Bills and they, therefore, would be absent when certain Bills are introduced.

With this contribution, Mr President, I support that we should adjourn till tomorrow at 10 o'clock.

**Senator A. Adegoke (Oyo) :** Mr President, Sir, I oppose the Motion proposed by Senator Jaja Wachuku that this Senate stand adjourned till tomorrow. The reason for my opposition to

When the Rules and Business Committee had not completed their job, we had been managing the Standing Orders here. In addition, we have 17 Standing Committees. If there are Motions which we cannot argue, probably due to the fact that there are no sufficient facts at our disposal to argue, we could easily dispose those Motions to the different Committees for re-thrashing, instead of postponing the Motions. Once the Motions are out, this will really justify the idea of the Presidential system that we are practising. We have Committees already. When Motions are brought, if we think we have not got sufficient facts at our disposal to argue the facts, then we could get the Motions across to the respective Committees to treat them and by the time they bring them back to report to this Senate, we could have got sufficient facts at our fingers. So, by then we would be saving much more time and much more programmes would be coming to us to thrash in the Senate.

**Senator E. P. Echeruo (Okigwe) :** Mr President, Sir, I hope Senator Jaja Wachuku is not being misrepresented. He did not move for the adjournment of the Senate. He moved for the adjournment of the Motion, so that we could have more time to study the Motions ; study the implications ; get out data and statistics to either defend or oppose the Motion. We can adjourn till the afternoon session, and may be do some other thing in the afternoon. He is merely saying that we defer the Motion till tomorrow.

**The President :** What would happen to all the other Motions that are similar ?

**Senator Echeruo :** Well, when we can, we can have Motions for Adjournment and talk on them later. But he is not saying that we adjourn now. He is saying that we adjourn the Motion.

**Senator C. L. Adeoye (Oshun I) :** Point of information. My own information is to correct the misgiving which was stated by the previous speaker. We are not saying that we should adjourn and then give the job to the Committee to do. We are talking about principle here. What we are saying here is that when Motions are filed, there is need for the Motion to be circulated, so that the Senators could do their homework and be in a position to discuss it efficiently and usefully in the Senate. It is not a question of sending it to the Committee to do for us. Even if you send it to the Committee, they may be doing the wrong thing. What we are talking about is procedure.

**Senator S. M. Ojukwu (Umuahia) :** Point of information. It must be very clear that my Motion was filed in good time. What we are quarrelling about is that the Motions on the Order Paper for today were not circulated in advance to enable Senators to study and prepare for the debate. I will be prepared, Mr President, that my Motion along with all other Motions standing below it be adjourned

**The President :** What you are suggesting is that there should be a dividing line that all the Motions here today on the Order Paper should be adjourned till tomorrow and that subsequent Motions after tomorrow should come on Notices of Motion, and run the normal five days notice?

**Senator Ojukwu :** Mr President, Sir, it is a different thing. Filing a Motion and leaving it for five days in the office satisfies the rule. What has caused the trouble is that the Motions were not printed and circulated to allow Senators sufficient time to know about their existence, Mr President. Those Motions are filed and locked up in the Clerk's office. But as from today, when Motions are filed, they should be quickly printed and circulated so that after five days, when they are due, they could come on the Order Paper for debate. That would be all right.

**The President :** You see, the thing is this. Motions normally go to the office of the President of the Senate. They go to the President as a matter of fact. What he does is to go through them, and those he approves he later send to the Clerk of the Senate. The normal practice would be that the Clerk of the Senate should print these things and circulate them to the Senators, but this has not been done.

So Senator Ojukwu, I agree with you that after tomorrow, if we now agree that we should adjourn all these Motions until tomorrow, only Motions that had been circulated to Senators and run the normal five days should be debated. I hope that this is what you mean.

**Senator S. Sogbein (Odeda/Obafemi/Owode) :** Suppose tomorrow they bring another, are you going to adjourn till the next day? What we are saying is that Section 25 of the Standing Order takes care of this thing unless it is very controversial where you want figures, data and so on. Otherwise, if tomorrow, we do not invoke this Standing Order again, we would say the Notice is not up to five days according to this Standing Order. That is, you will agree that it will be taken and you will ask the Senate if the debate should go on on the Motion. Then that will be taken care of; otherwise, unless we have Government Bills, we would not have anything to do. We would just come here and adjourn. The public will then say that we do not do any work.

**The President :** Senator Ayo Fasanmi.

**Senator Ayo Fasanmi (Ondo North) :** Mr President, Sir, we have quoted this Standing Order before and if this has been sustained, there is no reason why we should not continue particularly with Mr Ojukwu's non-controversial Motion. Secondly, Mr President, this is not the first time we would be having a Motion on the Floor of this Senate. The Motion from Senator Ali came here without fulfilling the provisions of the Standing Order which we are now trying to invoke. I would, therefore, implore the President that he should invoke the Section of the Standing Order which we have quoted.

Leaders of the various parties of the Senate should be having meaningful meetings. Working in conjunction with the Committee on Rules and Business, they should be able to give us a calendar, whether on a monthly or yearly basis so that we would know, long in advance, what we are going to discuss on the Floor of this Senate. I would suggest, Sir, that we do not adjourn now. We should continue to discuss the Motion of Senator Ojukwu invoking Section 25 of the Standing Order.

**Senator C. L. Adeoye (Oshun I) :** Mr President, Sir, when Senator Ojukwu began speaking he said, what is worth doing at all is worth doing well. We have been told in this Senate that if there is any thing which is important to the business of this Senate, it is this particular Motion that the Committee is referring to. If you give your consent that we should continue, given the atmosphere in the Senate, you still need the assent of the Senators. I would, in the light of this, suggest that we adjourn for today and discuss the matter tomorrow. The fact that we have been taking Motions wrongly before does not mean that two wrongs can make a right. We are laying a Precedence and since we know that we have been doing the wrong thing, I think it is better now to do the right thing.

**Senator D. D. Etiebet (Ikot Ekpene) :** Thank you, Mr President. Mr President, a Senator is not a Clerk or a Messenger in the office. All he has to do is to submit his Notice of Motion, to be sure that it comes up in the Senate. The manner of sending that Motion to the Senate is not the business of the Senator.

Apart from invoking Section 25 of the Standing Orders, Senator Ojukwu's Motion has been in order according to Order 21 (1)—manner of giving Notice on Motion. The Motion has been filed, duly dated, duly submitted and apprised in the Office of the President of the Senate. I do not see, Mr President, why that Motion should not be discussed in this Senate. Why should Senate adjourn at the expense of a very little matter when we have no other thing to do.

Secondly, Mr President, as soon as this other one is relegated to the background, other matters on the Order Papers are frustrated and we have nothing to do. I am therefore, appealing to the Senate that it views with seriousness the implications of having to adjourn at this moment without doing anything, simply because of a little mistake that has not occurred from the misgiving of the Senator.

Senator Ojukwu's Motion was in order according to Standing Order 21 (1). Moreover, in order to help him more, the President of the Senate can invoke Order 25 if he does not want to invoke Order 21 (1). I, therefore, maintain, Mr President, Sir, that the Standing Order 21 allows Senator Ojukwu's Motion to be discussed. Further, a precedence had been created. We have been discussing serious Motions in this Senate without much harm being done to the intentions of the Motions themselves. It would be discriminatory if we have to disallow this, Mr President. I submit.



**The President :** Well, let me tell you what I intend to do. I intend to put the Motion since the Mover of the Motion himself, Senator Ojukwu, has indicated that we could adjourn till tomorrow. But before doing that I have a suggestion to make and that would be perhaps to the benefit of the Business and Rules Committee and the Senators as a whole. It is the practice in other parliaments and Senates the world over to resume sitting at 2.30 and work non-stop until 7 p.m. from Mondays to Fridays so that Committees can work in the morning. (*Interruptions*)

Senator Ojukwu please.

**Senator S. M. Ojukwu (Umuahia) :** Working from 2 o'clock or 2.30 is not universal. In the United States, they sit from 10.00. While they are sitting, Committees are also in session. Only Senators who are interested in the matter under discussion on the Floor of the Senate are present. We are in a hot climate country. I do not see how we can exhaust the morning when we would normally be sitting here to do useful work and defer this till the afternoon when we would be exhausted. I oppose the idea of sitting from 2 o'clock till any time. I want us to sit from 10 o'clock while the Committees can sit—

**The President :** But you should not forget that in Nigeria the Senate has only 95 Senators whereas, in the United States, it is more than that.

**Several hon. Senators :** No ! One hundred.

**Senator Isa Obaro (Kwara South) :** Mr President, Sir, the time of the sitting of the Senate is a very important history and because of its importance, I would very much appeal to Senators to consider the matter very seriously. Mr President, Sir, those of us who are appealing that the Committee be made to sit in the morning are not doing so for fun. We are relying on the provisions of the Constitution. The Constitution which we have adopted says under Section 53 (1) that the working of the Senate shall be by Committee system. It is clearly stated there. The makers of the Constitution did not envisage or think that by the provision of this Section it is intended for Senators to while away time. It is quite the opposite.

It happens, Sir, that I am a Member of the Rules and Business Committee and the opinion I want to express applies to any other Committee. It is desirable that the Committee sit in the mornings for at least one important reason. This is to enable the Members of the various Committees to avail themselves of the opportunity of getting hold of files in the office and of discussing with Civil Servants when necessary. If the Committees sit in the afternoon when the Civil Servants have closed, Members of such Committees will not have the opportunity to make references where they need such references. They will also not have Civil Servants to consult.

So, Mr President, since the decisions of the Committee are very important and relevant to the working of the Senate and since the Committees

We have even suggested that a Committee can sit as early as 9 o'clock in the morning and close at 12 noon or 1 p.m. It is being suggested that the Senate can sit thereafter from 2 p.m. to about 7 p.m. Mr President, Sir, we must not lose sight of one important factor. When the Senate starts serious work, we may have two or three Committees sitting at the same time. A Committee consists of at least eleven Members. If you have two, three, or four Committees sitting at the same time and you expect the Senate to continue in the open Chamber whilst these Committees are going on, two things will arise. The first one is the question of quorum. The second is that the Members of the Committees will thereby be deprived the opportunity of participating in the deliberations of the Senate.

**Senator F. J. Ellah (Rivers II (Ahoada/Ikwerre/ Etche) :** Point of order, Mr President.

**The President :** What order is it ?

**Senator Ellah :** It is Order Number 26 (2) which reads :

*A Senator must confine his observations to the subject under discussion and may not introduce matter irrelevant thereto.*

I am not sure what the topic is. Certainly, what he is discussing is not on the Order Paper. We have completely lost our bearings, I am afraid.

**Senator E. P. Echeruo (Okigwe) :** Point of order, Mr President !

**The President :** What order, Senator Echeruo ?

**Senator Echeruo :** It is Order 4 (3) please. It reads :

*Fifteen minutes before the time appointed for the termination of a sitting the President shall interrupt the business under discussion and, unless the closure is moved, its resumption shall be appointed for such day as the Minister in charge of such business shall name, and if the Senate shall be in committee at that time the chairman shall interrupt the business and, unless the closure is moved, shall leave the chair forthwith to report progress to the Senate.*

Mr President, Sir, I think you have got the point I am making. The appointed time for adjournment is 1 o'clock and we have less than fifteen minutes ; So, the business should be interrupted.

**The President :** This is what I intend to do, but I think I should put the question first unless Senators want to come back at 3 o'clock and continue with the debate.

**Senator Obaro :** Mr President, this very point does not arise. What we are advocating is that if the Rules and Business Committee is given the opportunity even this very rule 4 (3) which a Senator has quoted will be modified.

In winding up, Mr President is ...

opportunity to sit in the afternoon. The time of sitting can be decided upon. If we say it is from 1 o'clock to 7 o'clock or from 2 p.m. to 8 p.m., this will be a matter to be decided by Senate.

**Senator Andrew Abogede** (Benue North-Central) : Point of order, Mr President. When I was on my feet, Senator Jaja Wachuku moved a point of order and because of that point of order I sat down. A ruling has not been made by you when my colleagues went into action and deprived me of my contribution.

**The President** : I thought you had finished really. If you had not, then I am sorry, you may now continue.

**Senator Abogede** : Thank you, Mr President. What I want to say is that all the points made by the other Senators about morning sitting of the Senate is not conducive to our condition of life in this part of the world. Mr President, Sir, all of us know very well that morning hours are the best time that we can effectively do our job. Mr President, Sir, for some people to say that because one or two Senate Committees will be meeting, so a quorum will not be formed, is totally untrue.

**Senator F. O. M. Atake** (Bendel Delta) : Mr President, Sir, it is wrong to imagine that when Senate is sitting other Committees are sitting somewhere. Order 56 says :

*No special Committee shall sit during a sitting of the Senate—*

**An hon. Senator** : That Order applies to special committees.

**Senator F. O. M. Atake** : Yes, there are only two Committees in this place. Those mentioned specifically and all other Committees are called special. Under our Standing Orders Committees are mentioned specifically. All others are either special Committees or Select Committees and under Order 56 they cannot sit while the Senate is sitting. The same thing applies in Order 57 (6) which says :

*Except by leave of the Senate no Select Committee shall sit while the Senate is sitting.*

**Senator Jaja Wachuku** (Aba) : Mr President, Sir, the Motion before the Senate is that we should adjourn till ten tomorrow morning. This Motion comes under Order 31 of the Standing Order. *A Senator who wishes to postpone to some future occasion the further discussion of a question which has been proposed from the chair may claim to move*

*of the whole Senate "That the Chairman do report progress". If such Motion is agreed to, the resumption of the business shall be set down for the day named by the Ministers in charge.*

Clause 30 (2) states that *the Debate on any such Motion shall be confined to the matter of the Motion.*

I am asking the President to confine debate to the matter of the Motion.

**The President** : There has been a Motion that we suspend sitting till tomorrow and the Motion has been seconded. This is what I want to put to the Senate.

Senator Abogede may now wind up.

**Senator Abogede** : I know, Mr President, that once a statement of fact is going to be made there will be points of Order raised from all Sides. Some people may not really be interested in working in the mornings. They want to use these early hours for their own private matters. (*Interruptions*)

**A Senator** : Point of Order, Mr President. That is a wrong language.

**The President** : We have taken note of that point of Order which has been quoted over and over again. I think it is time to put the question. The question is that we adjourn all the remaining Motions on the Order Paper for today from Items 4-8 until ten o'clock tomorrow morning in other that Senators might have time to discuss and digest the substance of these Motions.

Before I put the question, I have just been informed that there is a meeting of the Standing Orders Committee at 3 o'clock this afternoon. This is for the information of Senators who are members of that Committee.

**A Senator** : Mr President, I have an Amendment on this Motion.

**The President** : This Motion has been moved and seconded. It has been debated and no Amendment was raised. It is now too late to raise one. I will therefore put the question.

*Question put and agreed to.*

*Resolved* : That the Senate stand adjourned till 10 o'clock on Wednesday morning.

*Adjourned accordingly at 1 p.m.*

SENATE OF THE FEDERAL  
REPUBLIC OF NIGERIA

Wednesday, 21st November, 1979

The Senate met at 10.25 a.m.

PRAYERS

(The President in the Chair)

**The President :** I recognise the distinguished Senator from Ilorin/Asa, the Leader of the NPN to speak.

PUBLIC BUSINESS

Presentation of Public Bill  
Police Service Commission  
Membership Bill

A Bill to make provision for the number of persons to constitute Membership (Excluding the Chairman) of the Police Service Commission as required by the Constitution of the Federal Republic of Nigeria presented by Senator Sola Saraki read the First time—

*Committed to the Judicial and Public Service Committee.*

NOTICES OF MOTIONS

**The President :** I recognise the distinguished Senator from Bauchi Central, Senator Rufai, to speak.

Recognition of Senate Party Leaders

**Senator A. D. Rufai** (Bauchi Central) : Mr President, Sir, thank you very much. I rise to move the Motion standing in my name on the Order Paper. Mr President, this simple non-controversial Motion seeks only the recognition, by the Senate of the leadership of outstanding Senators as contained in paragraph two of the Order Paper which reads as follows :

*That Senate Resolution (No. 7-79) of 11th October, 1979 be amended to read as follows :*

<i>Senator Sola Saraki</i>	<i>.. Leader of the Senate</i>
<i>Senator J. A. O. Odebiyi</i>	<i>.. UPN Leader</i>
<i>Senator Jaja Wachuku</i>	<i>.. NPP Leader</i>
<i>Senator Idrisa Kadi</i>	<i>.. GNPP Leader</i>
<i>Senator Ibrahim Barau</i>	<i>.. PRP Leader.</i>

As you are all aware, we have already, on the Floor of this Senate, accepted the leadership of these outstanding Senators. What the Motion is seeking to do today is to recognise Senator Sola Saraki as Leader of the Senate instead of merely being Leader of the NPN. For a long time, we have always been confusing the position or the status of Senator Sola Saraki in this Senate. Some of us call him the Leader of the Majority Party, some call him Leader of the NPN and of recent, the Leader of the Senate. So, I think it is only wise now

You will all agree with me that since we started the Business of this Senate, the role of Senator Saraki has been that of a Leader. Senator Saraki has been introducing the Bills from the Government. He has always been involved with the activities and programmes with regard to the business of this Senate.

With regard to the qualities of Senator Saraki as a leader, it is obvious that he has all the qualities that make a good leader, especially of this Senate.

Mr President, Sir, Senator Sola Saraki, you will agree with me, has won the admiration and respect of each and every Senator. He is, as you know, a very unassuming, level-headed, well-composed and well-collected gentleman. (*Applause*)

Mr President, Sir, I can see from the mood of this Senate that Senator Saraki has already been accepted as the Leader of the Senate. I am therefore, imploring the entire membership of this Senate to pass this Motion with little or no debate.

Mr President, Sir, I beg to move.

**Senator J. A. O. Odebiyi** (Egbado North/South) : Mr President, Sir, I beg to second the Motion. (*Applause*)

In doing so, I ought to make the facts quite clear. The NPN is the Party with the largest number of Senators, in this Senate, followed by the UPN. The duty of the Senate Leader is to lead the Senate in its deliberations and to serve as a liaison between the Executive arm of the Government and the Legislature. Under normal circumstances, any other Party other than the Party to which the President belongs should not be in a position to pilot Bills brought by the Executive arm of the Government to the Floor of this Senate.

Surely, the right person to do that is a member of the Party which has the largest number of Senators on the Floor of this Senate. In the circumstances, there is no gainsaying the fact that once the NPN has agreed among themselves that Senator Saraki is the one that they want, we have nothing more to do except to agree. On that basis, I am supporting the Motion. (*Applause*)

**Senator Ibrahim Barau** (Ikara/Zaria/Birnin Gwari) : Mr President, Sir, I rise to support this Motion. Certainly, in a distinguished Senate like this, there should be a leader in addition to the President and his Deputy. Where the NPN on their own decided to choose Senator Sola Saraki, I do not see any objection in having him as the Leader of this Senate.

In fact, we have been with Senator Saraki for, at least, six weeks now, and all sides of the Senate have had opportunity to know him very well, that he is an able person.

I therefore support his leadership of the Senate. (*Applause*)

Mr President, Sir, our distinguished Senator Sola Saraki, since we began the session and up till now, has set very good examples of leadership. He has been patient and tolerant and at the same time, has a way of command. At different times, he has been willing to compromise on many aspects. In view of this, I beg to support the Motion that he be the Leader of the Senate.

**The President :** Who is standing, is it Senator Obi Wali or Senator Anah? I would recognise Senator Anah because he caught my eyes first.

**Senator N. N. Anah (Anambra South) :** Thank you very much, Mr President. In supporting this Motion, Mr President, Sir, I would associate myself with the views expressed by the able Mover of this Motion, Senator Rufai.

There is no gainsaying the fact that Senator Saraki has actually won the admiration of all Sides of this Senate. His simplicity, his unassuming character, his devotion to duty and above all, his close contact with the President of the Federal Republic of Nigeria, really distinguish him as a person who should be accorded the singular honour of the leadership of the Senate. We are very sure that Senator Sola Saraki will carry out his assignments effectively and that he will continue to show the same devotion to duty as he has been doing before now.

So, Mr President, Sir, in associating myself with the views expressed by others, I whole-heartedly support the recognition of the distinguished Senator as Leader of the Senate. He has already been a *de facto* leader but we are now according him the *de-jure* leadership of the Senate. Thank you. (*Appluse*)

**The President :** Distinguished Senators, I would put the question. The question before the Senate this morning is that Senator Sola Saraki be recognised as the leader of the Senate.

*Question put and agreed to.*

*Resolved :* That Senate Resolution (No. 7-79) of 11th October, 1979 be amended to read as follows :

Senator Sola Saraki ..	..	Leader of the Senate
Senator J. A. O. Odebiyi ..	..	UPN Leader
Senator Jaja Wachukwu ..	..	NPP Leader
Senator Idrisa Kadi ..	..	GNPP Leader
Senator Ibrahim Barau ..	..	PRP Leader

**Senator Bitrus B. Kajal (Mubi) :** Point of information, Mr President.

**The President :** A point of information on the Motion we have just passed?

**Senator Kajal :** Yes.

**The President :** If you just give me a moment, I would come back to you. In passing that slight Amendment to Senate Resolution 7-79, distinguished Senator Sola Saraki becomes the Leader of the Senate, distinguished Senator J. A. O. Odebiyi remains the UPN Leader, distinguished Senator Jaja Wachuku the NPP leader, Senator Idrisa Kadi the GNPP Leader and distinguished Senator Ibrahim Barau the PRP Leader.

Kajal.

**Senator Kajal :** Thank you very much, Mr President. I would like to be informed, in view of our decision, which certainly cuts across party lines whether Senator Saraki will remain the leader of the NPN or the NPN will now look for a new Leader?

**The President :** I think it is common legislative practice in this system of government that he could not have been a Senate Leader if he was not the leader of a party that has the largest number of Senators. So, it is a combined office.

I recognise the distinguished Senator from Ilorin/Asa and Senate Leader, Senator Saraki, to speak.

**Senator Sola Saraki (Ilorin/Asa) :** Mr President, Sir, hon. Members—

**The President :** You should say distinguished Senators; hon. Members are in the other House. (*Applause*)

**Senator Saraki :** Thank you for the correction. Mr President, Sir, distinguished Senators, I find words inadequate to express my gratitude for the honour you have bestowed on me this morning. I wish I was not in the Senate to listen to all the good things you have said about me; but I am happy that all of you have this to say about me. You are my mirror; I cannot see myself except through you or by other people.

I would like to assure you distinguished Senators that I would try my best all the time to make sure that the dignity and the honour of this Senate are maintained. I would also like to appeal to you, distinguished Senators, that if by any means I make any mistake, please bear with me. By profession, I am a medical practitioner but by accident, I find myself in politics, representing Ilorin/Asa Constituency. I think, Mr President, Sir, distinguished Senators any mistake that I might make, I assure you, please, I am ready to accept corrections. I would like to say that any mistake I make is of the head and not of the heart, once it is not of the heart, it can easily be corrected.

Once again, Mr President, Sir, distinguished Senators, thank you very much for the confidence that you have reposed in me and I would strive not to disappoint you. Thank you.

**The President :** Order! Order! We would proceed with the business of the day. I call upon distinguished Senator Simeon Mba Ojukwu from Umuahia Constituency to speak.

### Standing Orders

**Senator S. M. Ojukwu (Umuahia) :** I rise to move the Motion standing in my name on the Order Paper—

That time limit of one year be set for the Business and Rules Committee of this Honourable Senate to prepare and present for approval Standing Orders for this Senate; and in doing so to consider

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the Standing Orders of the Senate of the United States of America and of the Senate of any other country which practises the Executive System of Government and where necessary to meet and have discussion with the Standing Orders Committees of the Senate of such countries.

Mr President, Sir, it is important to note that whatever is worth doing at all is worth doing well. This nation, as I said yesterday, has found itself practising a Constitution based on the Presidential System. Nigeria went in search of a Constitution realising that the Parliamentary System which we have been practising was not suitable. It took Nigeria three whole years to be able to arrive. Now the present Constitution which we are operating foresees that the Standing Order of the Senate under the Parliamentary System is inadequate and provides under Section 56 of the Constitution as follows: *Subject to the provisions of this Constitution, the Senate or the House of Representatives shall have power to regulate its own procedure, including the procedure for summoning and recess of the House.*

Mr President, Sir, it went further under Section 270 (1) to say; *The provisions of this section shall have effect until the National Assembly or a House of Assembly exercises the powers conferred upon it by Section 56 or 95 of this Constitution as appropriate.* And in Section 270 (4) it says: *The standing Orders shall apply in relation to a legislative house with such modifications as may be necessary to bring them into conformity with the provisions of this Constitution.* So, Mr President, Sir, the Constitution realises that we cannot effectively operate in this Senate without fundamental amendment to our Standing Orders.

Senators may wonder why the time limit of one year is set. This is the maximum period I am suggesting that we should allow the Committee to do its work. Enough time is necessary, Mr President, for the Committee to work and examine conscientiously the Standing Orders of other Senates that are under the Presidential System. It is also necessary that since the *modus operandi* under this system is strange to all of us the Members of the Rules and Business Committee should be able to meet and have first hand information and discussion with Members of the Standing Committees of the Senates that do operate the same system.

Mr President, Sir, distinguished Senators may say it will cost a lot of money for Senators to move round, see and meet Senators in other countries. Mr President, my answer is this. In this country we seem to look at issues from one angle only. If you build a house without proper foundation, anything you put upon it will collapse. So, any amount of money spent by this Senate to produce Standing Orders which will stand the test of time and make the working of the system very effective, is worth it. The Efiks have a parable which says that money produces a good soup. Also, our man of timber and calibre, Dr Mbadiwe, once said: *If you want greatness, you must finance greatness.* We would not want to rush over the production of Standing

to produce sound and effective Standing Orders that will enhance the best, the *modus operandi* in this Senate, any length of time could be spent in bringing that about.

When I was in England, I was asked by an Englishman: *Do you know what makes the British different?* I could not answer that question. Then he said: *It is the finishing touch.* The way we finish anything determines the quality of that thing. Anything that we spend time on in producing generally we should give it such a finishing touch that will ensure high quality. It may also be asked, for a period of one year, how will the Senate be operating? It is not difficult, Mr President. We have been trying to manage with the existing Standing Orders. The present Standing Orders can be suspended whenever we have a hitch until the Business and Rules Committee produces workable Standing Orders.

Mr President, Sir, I hope distinguished Senators would give support to this motion which does not, I think, require very long debate. So, Mr President, I beg to move.

**The President:** I will receive secondment before we discuss. I recognise the young distinguished Senator from Kwara in the person of Senator Obaro to speak.

**Senator Isa Obaro** (Kwara South): Thank you, Mr President. I must confess that I am really in the blue books of the President this morning.

Mr President, I humbly rise to support this Motion standing in the name of Senator S. M. Ojukwu. The Motion is very explicit. The purpose of my seconding this Motion is that it happened that this Senate has appointed me as one of the members of the Rules and Business Committee. It is very unfortunate that the Motion is asking that we should be given one whole year to accomplish our task. I said it is unfortunate because the Mover of the Motion is only appreciating the realities of the situation. The Chairman of the Committee has brought a Motion to this Senate that in order to facilitate the work of the Rules and Business Committee, it is desirable that mornings be allocated to all the Committees and the afternoons be set aside for the Senate to sit in the open chamber. Unfortunately, the Motion was not generally acceptable to the senate and it had to be deferred when it came in for discussion.

Mr President, I am respectfully saying now that this is an opportune time to reconsider the Motion so that the work of the Rules and Business Committee can be accomplished even at a much shorter time than the one year which is stipulated in the Motion. If that part of the Motion on the timetable for the working of the Senate is not considered and accepted, even this one year which is stipulated in the Motion would be too short a time for the Rules and Business Committee to accomplish its task.

I have said this, Sir, because for the Rules and Business Committee to properly set out the Rules, which will guide this distinguished Senate, is an

virtually everyday in order to be able to accomplish our task in time I once more, before I sit down, beg Mr President to permit the mover of the earlier Motion to re-introduce that Motion, the motion on the Sitting time both for the Senate and the various Committees, for the consideration of the Senate.

**The President :** I would accept to do that. *(Interruption)*

Distinguished colleagues, you may sit. I received a notice for an Amendment to be made to this Motion from distinguished Senator M. A. O. Abiru. I would now call on the distinguished Senator to speak.

**Senator M. A. O Abiru (Ikorodu) :** Mr President, Sir, my Amendment to this Motion is very simple. My Amendment seeks to suggest that a time limit of two weeks be set for the Business and Rules Committee of this distinguished Senate, to prepare and present for the approval of this Senate, the Standing Orders to be in operation for this Senate.

Mr President, you would agree with me that the Rules and Business Committee was set up before the recess. What we considered as at that time was that the substantive work of the Rules and Business Committee, would be the question of looking into the Standing Orders and the Rules governing the procedure in this Senate. Mr President, the Rules and Business Committee has got a base and data on which they could work. We have been supplied, much earlier on in this Senate, with a Draft Standing Orders prepared by the Clerk of the National Assembly, and we are satisfied that before ever that compendious work was prepared he had undertaken a tour of the United States with some of his personnel, and upon their arrival back in Nigeria, they passed these Standing Orders as a legal Draft to the Solicitor-General of the Federation who approved the legal drafting of the Orders. What is more, there was a conference of all the Clerks of the Assemblies in the 19 States on the Draft Standing Orders, and they came to an agreement as to the propriety of their application in the Senate of our standard, as compared with what obtains in America.

Mr President, I agree with one aspect of this matter, that is the fact that the only omissions I discovered have not been included in the Standing Orders which we are operating. Apart from the suggestions I had made on a Motion which I had passed over to the Committee for the Committee on Rules and Business as a guideline to what could possibly be an amendment the only omissions which I discovered could be the question of a series of calendars which should be the guiding principles of the working of this distinguished Senate.

Now what obtains in the United States is that they have the Executive calendar, which records all the nominations and Treaties of the Republic. They have the Union Calendar, which includes all the Public Bills that could be controversial. Again, they have the Congressional calendar by which, in fact, the President could present to this distinguished Senate, possibly every Friday, what could be the Business of the Senate for the following week. We should also have the Consent

private Bills which are not controversial could be settled without much ado on the Floor of the Senate.

Mr President, I would think that giving the Rules and Business Committee a period of two weeks within which to look into the Draft Standing Orders, make necessary amendments in line with what we have been experiencing as difficulties in this Senate, should be more appropriate.

**The President :** Point of information. I would allow information when the distinguished Senator completes his speech.

**Senator Abiru :** Mr President, Sir, it is my submission that a period of two to four weeks would be sufficient to do this job properly so that we could start off. It is quite obvious that the existing—

**The President :** Are you saying four weeks or two weeks ?

**Senator Abiru :** I revert to four weeks.

**The President :** You are making a further Amendment to your Amendment.

**Senator Abiru :** I revert the period to four weeks.

**The President :** Is it the wish of the Senate to accept his oral Amendment ?

**Several Senators :** Yes.

**Senator Abiru :** It is obvious that the existing Standing Orders on which we are operating is rather archaic and obsolete and that is agreed. For us to continue operating on it for the next one year would be out of accord with reason. So Mr President, I am submitting that the Rules and Business Committee, under the able chairmanship of Senator Jalo Waziri (*Bauchi East*) could get this job completed within four weeks. I beg to move.

**The President :** I received a further notice of Amendment from distinguished Senator Akintoye (*Ondo Central*) in regard to time scale. I think he has a slightly different time-scale.

**Senator A. Adegoke (Oyo) :** Mr President, Sir, I beg to second the Amendment made by Senator Abiru (*Ikorodu*) in connection with the time to be allocated to the Rules and Business Committee to complete its work on the Standing Orders. Like distinguished Senator Ojukwu had earlier said, that anything that is worth doing at all is worth doing well, there is a Yoruba proverb which says : *if it takes one year to start craziness, I do not know when the mad man would start biting.*

With the importance of the Standing Orders, I feel that it would require extra time for Members of that Committee to do the work and it must be obligatory on them to complete it in good time. They do not actually have much to do other than to go through the draft that has been circulated to Senators on the return from the United States of America of the Clerk of the National Assembly. If anybody would have to undertake further expenses

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to go to America or Canada or to any other country outside Nigeria to look at their procedures it would be money wasted. In fact, it would be like burning candles at both ends.

I, therefore, appeal to the members of the Rules and Business Committee to get this job done within four weeks.

**The President :** I recognise the distinguished Senator who is also a Professor, Senator Akintoye. I think this morning that I am tempted to put the question to the Senate to decide whether or not to accept this Amendment before we proceed any further. Otherwise, we shall have a series of amendments on our hands, and we may never know which one to go back to.

Distinguished Senators have heard the amendments proposed by Senator Abiru which has been ably seconded. Is it the wish of Senators to accept his Amendment ?

*Question put and agreed to.*

**Senator S. A. Akintoye** (Ondo Central) : I would have moved a time limit slightly different from that of Senator Abiru, but I am bound by the resolution that has just been passed. May I move another amendment to this Motion. I think that it is sufficient to make the Motion end with the word *Senate*. Let me read what I suggest should be the Motion.

*That time limit of four weeks be set for the Rules and Business Committee of this honourable Senate to prepare and present for approval Standing Orders for this Senate.*

I think that it is unnecessary for us, as a Senate, to explicitly prescribe where these people should go to collect materials for the Standing Orders. The rest of the Motion after the word *Senate* is seeking to prescribe such sources of information and I believe that the people who should prepare the Standing Orders for this Senate should be free to go anywhere they think fit to collect information for this draft.

Mr President, it is important to imply say :

*That time limit of two months or four weeks be set for the Rules and Business Committee of this honourable Senate to prepare and present for approval Standing Orders for this Senate.*

Thank you, Mr President.

**Senator A. Adeleke** (Oshun II) : While I second the Amendment, I would like to say that the time limit of one month given to this Committee to do its job and present its report to us is one thing but we have not even considered how the Committee is going to sit. Would the Committee sit in the morning hours while the whole Senate meets in the afternoon ? We have only said within one month but how is the Committee going to work ? This is very important. I support the Amendment but we

in our consideration of this Motion. What timetable should it follow ? Should it sit in the morning while the whole Senate sits in the afternoon ? Mr President, I think we should not dodge this matter ; it is very important ; it is vital for the quick completion of the work of the Rules and Business Committee. With these remarks, I support the last Amendment and thank you.

**Senator Abdulkarim M. Muhtari** (Sokoto East) : Mr President, I want to give an information in respect of the last Amendment. If we are to adopt the suggestion of the Mover of the Amendment, we would be contradicting our Constitution as we cannot copy the Standing Orders of any country. Section 270 (2) of the Constitution of the Federal Republic of Nigeria is clear on this :

*The Standing Orders of the Senate established under the former Constitution shall apply in relation to the proceedings in the Senate established under this Constitution.*

His suggestion, therefore, to bring another country's Standing Orders here is unconstitutional and this is the information I want to give.

**Senator E. P. Echeruo** (Okigwe) : Thank you, Mr President. I think that we should give a little more serious consideration to this motion. This is because if we are acquainted with the importance of Rules and Standing Orders in system that operate the kind of set up we are trying to operate here, we would then know that what happens subsequently would depend on the type of Rules we approve. I sincerely think that it is very necessary that the kind of Rules we would approve should remove all the ambiguities we have here. Somebody talked of Calendars; of course he knows the intricacies if he is well acquainted with the American system ; he knows also, that there has to be a Rule on how long the Committees are entitled to delay motions when they come up. A Rule on what points take precedence over others such as Point of Order and Point of Information. If we have a thorough understanding of what important role the Rules play in the conduct of the business of this Senate, then, I do not consider the time limit set by the motion or the other provisions superfluous at all. I think it will be necessary to study in very great detail, the provisions in the areas that adopt this kind of system.

The only alteration I would like to make is that, it will be less expensive if for example, the Committee invites an official from any of the countries that operates this system, if that country can spare a knowledgeable official, to sit with it for two to three days. Such an official could impart more knowledge than the Committee trooping to the United States of America, Canada or elsewhere. I think that in terms of saving funds, we could say that the Committee could invite experts to come and sit with them to help out. On the time limit which we have consented to here, I must say that it is really not conducive for elaborate work. Reference has been made to the Draft Proposals prepared. As far as I know, and having gone through the Draft, I think it is a mere modification of the

So, I really think that we should have an exhaustive and thorough revision of the Rules to reflect the new system. We have in the old system where the Council of Ministers took decisions and when Ministers came to the Senate they had the right of way and a lot of preferences. In this new system, we are supposed to generate as many Bills if not more Bills than the Executive. So, we have to adopt a system by which it would be impossible for any individual from his whims and caprices to suppress Bills. These things need intricate Rules and having been privileged to be acquainted with the system in the United States of America, I think that there is a lot of work to be done. In view of that, I would pray this Senate to give serious thought to allowing this Committee enough time to do a thorough work.

**The President :** What do you consider to be enough time ?

**Senator Echeruo :** Six months.

**The President :** You are making an amendment.

**Senator Echeruo :** If that would be allowed, Mr President, I would consider six months adequate but meanwhile we should approve—

**The President :** You can only make an amendment, on an amendment which has been placed before me, under notice.

**Senator Echeruo :** That is why I said if you would allow that.

**The President :** I was under the impression that the distinguished Senator was contributing to the original Motion.

**Senator Echeruo :** That is what I am doing, and I am calling distinguished Senators' attention to the fact that rather than limit the Committee to a time that would not be appropriate, we might as well go by the upper limit which is contained in the original motion. Many a time, we hurry about things here only to regret later. I remember that on Thursday last week, I pleaded that we defer a matter so that we could make the facts available and anybody judging us would judge us wisely, knowing fully well that we have put a lot of thought and work into it. I am still pleading with Senators ; the fact that we give them a maximum of one year does not mean that they cannot produce this work within a shorter time. As it is, they might come out with something which would take all our time here and we would end up not achieving anything.

Thank you, Mr President.

**The President :** Order ! Order ! We are going to save time in Senate proceedings today. We would not go into arguments and debates on one issue and give a moment to the other. The Senate is very busy, and I am sure that we cannot convince members of the public that it will take us six months to amend our Standing Orders.

I have before me an Amendment which I would allow the Mover to move because it is connected with the second portion of the original motion as

amended by Senator Abiru (Akroodu). I call upon distinguished Senator Jalo Waziri (Bauchi East). Senator Akintoye, when you hear Senator Jalo Waziri's Amendment you would know what it seeks to achieve.

**Senator Jalo Waziri (Bauchi East) :** Thank you, Mr President. I think that the motion as amended is a sensible one. I am supporting it and not only that, I am making an Amendment as follows : add at the end of the Motion :

*and in order to enable the Committee to complete its work time be set for the sitting of the Senate as follows :*

*Committees—10 a.m.—1 p.m.*

*Senate—3 p.m.—6 p.m.*

The Senate has just approved the Amendment proposed by Senator Abiru so that the Motion stands as amended according to the consent of the Senate. So, the motion as amended is further amended by the above addition.

**The President :** I think Senator Akintoye is trying to establish from what point the Amendment is made, and I may clarify the position. The new addition to the Amendment starts from where his Amendment stops and it is a continuation.

**Senator Jalo Waziri :** The essence of making the Amendment is that if you have given the Committee four weeks to complete its work, surely, you ought to give the Committee time within which to sit and scrutinise the work properly. At the end, you would have obtained better results than if you simply gave it one hour a day or something like that. It is for this reason that I wanted this amendment. It is not only the Standing Orders Committee that has business to do at Committee stage, but there are other Committees which would be busy at that time. Until the Standing Orders are produced before the Senate, I propose that the time of the sitting of the Senate and Committees be from 10 a.m. - 1 p.m., for the Committees and 3 p.m. - 6 p.m., for the Senate.

**The President :** I call upon the distinguished Senator from Bendel East (Senator Nosike Ikpo) to speak.

**Senator Nosike Ikpo (Bendel East) :** Mr President, I rise to second the amendment as moved by the distinguished Senator from Bauchi East (Senator Jalo Waziri).

Mr President Sir, originally, I was going to oppose this Motion in toto because it sounds ridiculous for a Committee to beg leave of this Senate to grant it a year's leave to study, prepare and present the rules and regulations for the conduct of the business of this Senate. It is ridiculous in the sense that already we have a guide in the nature of the existing Standing Orders which we inherited from the first Republic. Besides, the staff of the National Assembly



[SENATOR IKPO]

produced a massive document which was based on the old Standing Orders and the experience gained during their tour of the United States. I do not think that the Congress of the United States went to any other country to learn how to draw up its rules and regulations for the conduct of the business of its Senate. It is a sign of laziness to me for the Committee to have an excuse for not giving us the Standing Orders this week. In fact, I thought that the Committee was going to take advantage of the long recess to prepare the Standing Orders.

**The President :** Distinguished Senator, please make relevant contribution and wind up.

**Senator Ikpo :** For one week, Sir, I went through the recommendations of the Staff of the National Assembly and I made my own comments hoping that some day this matter would be brought here and we would make necessary Amendment.

I support the Amendment that the time be limited to one month as suggested by the distinguished Senator from Bauchi East (*Senator Jalo Waziri*).

**The President :** I would now go back to the original Mover of the Motion, distinguished Senator Ojukwu and, subject to his agreement, I would attempt to recast his Motion and put the question to the Senate :

That time limit of four weeks be set for the Business and Rules Committee of this distinguished Senate to prepare and present for approval Standing Orders for this Senate and add the following :

And in order to enable the Committee to complete its work, time be set for the sitting of the Senate as follows :

Committees of the Senate 10.00 a.m.—1.00 p.m.  
and Senate sitting in the Chamber 3.00—6.00 p.m.

I recognise distinguished Senator Abogede to speak on point of Order.

**Senator Andrew Abogede (Benue North-Central) :** Point of information and clarification. The Chairman of the Rules and Business Committee should let us know further whether this time applies to all the working days in Nigeria or Friday will take a different shape. I want him to clarify this before I make any contribution.

**Senator Waziri :** I think it will be easier to follow the trend we have already been having for Fridays, that is, 9.00 a.m.—12.00 noon for the Senate.

**Senator Abogede :** I think this is probably going to be temporary, that is, the period given to the Rules and Business Committee to produce the Standing Orders and after that we can start to debate the sitting time for the Senate.

**The President :** I take it that the Amendment for the time schedule, that is, 10.00 a.m. to 1.00 p.m. for Committee work and 3.00 to 6.00 p.m. for sitting in the Chamber is for Mondays to Thursdays and on Fridays there is a slight difference in the time schedule, that is, 9.00-12.00 noon. This arrangement

When the new Standing Orders have been drawn up, the new time schedule will be incorporated and will automatically replace this Amendment.

I am back to Senator Ojukwu.

**Senator Ojukwu :** It is very unfortunate that some distinguished Senators have misunderstood the point I am making. I do not see, with the greatest respect, Mr President, how we can within four weeks, that is, one month, produce comprehensive Standing Orders.

**The President :** You have a draft before you which you can make use of.

**Senator Ojukwu :** Although all the Senators who have already spoken referred to the draft, they also said that it did not contain everything. We have not got before us the Standing Orders of any other country.

**The President :** Order! Order! I would humbly ask the distinguished Senators to listen. I do not want to give the impression that I am talking too much this morning but I am very anxious to see that we get moving.

I would also like to appeal that we should let the Nigerian experience guide us in whatever we are doing here. (*Applause*) We may be operating a new system, but we should not let our experience be based entirely on foreign ideas.

I agree with a number of Senators who have spoken this morning that there is a comprehensive report which has been produced by the Staff of the National Assembly based on their experiences on other parts of the world and which should be our guide. We should limit our time schedule in order to produce a new time table. For your information, I am aware that there are lots of Bills from the Government and from distinguished Senators ; but unless we dispose of the question of the Standing Orders, we cannot deal with those Bills effectively.

I would also mention that in the very near future, I would announce the names of the Chairmen of the Committees which means we are already in business.

On the basis of this, distinguished Senator Ojukwu, I think you will understand the mood of the Senate.

**Senator Ojukwu :** Yes, Mr President. This is a democracy. In a democracy, one is allowed to air his views, but the majority can have its way. Mr President, Sir, the Senate is free to take any decision that is agreeable to the majority. We shall work if it is the wish of the Senate that the Standing Orders Committee should produce its work within one month. But in almost all that has been said about the existing draft, it has been found that many important provisions are not even in that draft. I would leave the Senate to decide what it wants.

Thank you, Mr President.

**Senator Andrew Abogede (Benue North-Central) :** I have a point of information.

**The President :** You have just given one informa-

there has been itching to speak and he will soon accuse me. I recognise Senator Nunieh from Rivers State.

**Senator C. N. Nunieh (Bonny/Bori) :** Mr President, Sir, I think it is better to say I have been standing here because the word itching is related to crawl-crawl in our language. I have only been showing keenness to speak and contribute to this very important topic.

I rise to support the latest amendment to this Motion. In doing so, I would say that our library is available for further materials.

**An hon. Senator :** Which library ?

**Senator Nunieh :** I am talking of libraries in Lagos, I am not talking of Senate Library. There are libraries in Nigeria and those of us who have been used to looking for facts know how to trace them, even when those facts have to be collected from other countries.

As has been said, we have got guidelines from the former draft and even in the United States where we intend to go, their rules say that each House, the Senate or the House of Representatives is to make its own rules. I do not see why here in Nigeria, we cannot make our own rules.

Our weather and our way of life can direct us. We have had these rules that we are following meanwhile. We have been carrying on for some weeks now and we are getting our experiences. There is no rule that we are going to make which will not, as the years go by, be subject to Amendment by mere experience.

That is why we are here today in this Senate making laws. There is a continuous need for either amending existing laws or making new laws. Our rules, of course, will also be subjected to varying and growing changes. So, I support the fact that four weeks is a very reasonable period for which something workable could be brought to us, and as the need arises we can also add any omission. Therefore, there is no need going on a Voyage of Discovery in order to get what we want to guide us in Nigeria.

The facts that we have already, plus the fact that some members of the Rules Committee are themselves lawyers who could write out certain things would be of immense benefit to us. After all, what we want to do is to write out how we are going to carry on business, economise time, avoid partiality and take what will be convenient for the operation of the business of the Senate. There is nothing coming from the moon.

In fact, if we travel to the United States, by the time we get used to their library, one month would have elapsed and we may not even be used to the things there. What we want to know is how to set out our Rules and Regulations for the operation of Senate. I think four weeks is a very reasonable period. We have just started. The Constitution says that we should use the present Standing Orders as the statutory rules to guide us, plus what we have been noticing and what the members of the Committee as lawyers and as experienced men in the other fields know.

weeks and that the Amendment made should also be supported. We should therefore save time and go on to do business.

**The President :** I recognise the distinguished Senator from Niger State, Senator Ibrahim Kolo, to speak.

**Senator Ojukwu :** Point of Order.

**Senator Ibrahim Kolo (Bida) :** No ! No ! I have not said anything. No Order has been broken yet !

**The President :** You may proceed, I have not recognised him yet.

**Senator Kolo :** I have been recognised, please sit down.

**The President :** He is saying that he is holding brief for you. I can see that you have conceded because you were smiling at each other.

**Senator Kolo :** No Order has been broken yet.

**The President :** You are making a very strong Point of Order. What is your Order number, Senator Ojukwu ?

**Senator Ojukwu :** There is a rule on the reply to a Motion. After the reply, there should be no further debate on the matter other than to put the question.

**The President :** I am putting the question shortly.

**Senator Kolo :** Mr President, I rise to ask you to put the question now.

**Senator Sola Saraki :** Mr President, Sir, distinguished Senators, I think this Motion has received enough debate. I would like to say that four weeks, if the work is to be carried out effectively, is enough provided we give enough time for the Committee to be able to accomplish what we want it to do. I must say the work is quite enormous and I am sure with a spirit of dedication, it will finish its work within the stipulated period.

Therefore, Mr President, I think the question should be put now so that we can allow the members to commence work forthwith. We have a lot of Bills and Motions in our files. We have not done much since the inception of this august Senate. So, I ask that the question be now put.

**The President :** The Motion which Senate will now pass is that the time limit of four weeks be set for the Business and Rules Committee of this distinguished Senate to prepare and present for approval Standing Orders for this Senate and in order to enable the Committee to complete its work, time be set for the sitting of the Senate in the Chambers as follows :

Committees of the Senate—10 a.m.-1 p.m.

Senate sitting in Chamber—3 p.m.-6 p.m.

This is for Mondays to Thursdays. For Fridays sitting in the Chamber should be 9 a.m.-12 noon.

[THE PRESIDENT]

*Question put and agreed to.*

**Resolved :** That the time limit of four weeks be set for the Business and Rules Committee of this distinguished Senate to prepare and present for approval Standing Orders for this Senate and in order to enable the Committee to complete its work, time be set for the sitting of the Senate in the Chamber as follows :

Committees of the Senate—10 a.m.-1 p.m.

Senate sitting in Chamber—3 p.m.-6 p.m. from Mondays to Fridays and sitting in Chamber on Friday should be 9 a.m.—12 noon.

**The President :** I have a very good suggestion here passed on to me by the distinguished young Senator from Kwara, Senator Tunji Adebayo. He says that Senators can pass all information they have, any idea or suggestion, to the Committee so as to make the Committee work faster. I subscribe to that suggestion.

### Joint Admission and Matriculation Board

Item No. 4. May I call on the Distinguished Senator from Ogun and Leader of the UPN, Senator J. A. O. Odebiyi to move.

**Senator J. A. O. Odebiyi (Egbado North/South):** Mr President, Sir, in view of the fact that I still have more facts and data to collect, I would want this particular Motion to be stood down until Monday when I would have got the necessary facts and figures in support of my Motion.

**The President :** The Motion standing in the name of distinguished Senator Odebiyi is being stood down. Is it the wish of the Senate? I recognise the Senate Leader to speak.

**Senator Sola Saraki (Ilorin/Asa) :** Mr President, Sir, distinguished Senators, I would like to say to my colleague, Senator Odebiyi, the UPN Leader, that he has brought this Motion before this Senate in a way that will not be acceptable to us. If it is brought in the same way on Monday, it might not be acceptable to us.

**The President :** I did not quite understand you. Are you saying that you have a power to veto my—

**Senator Sola Saraki :** No, if you give me some time, I will explain what I mean, Mr President.

The Joint Admission and Matriculation Board was established by law. If the law establishing this Board should be repealed, it should be by way of a Bill and not by a Motion. If you look at Section 274 of the Constitution subsection 1 (a) (b) and (2) and I would read it with your permission, Mr President :—

*Subject to the provisions of this Constitution, an existing law shall have effect with such modifications as may be necessary to bring it into conformity with*

(a) an Act of the National Assembly to the extent that it is a law with respect—

**Senator Odebiyi :** Point of Order, Mr President.

**The President :** What is the Point of Order, Senator Odebiyi?

**Senator Odebiyi :** The matter is not yet before the Senate. The distinguished Leader of the Senate is anticipating me. He should wait until I move my Motion before he interjects.

**The President :** I think that is the proper practice. Senator Saraki, why are you pushing the matter now when he has not moved?

**Senator Sola Saraki :** Mr President, Sir, I am only trying to assist my colleague that this matter should be in form of a Bill.

**Senator J. S. Tarka (Benue-East Central) :** Point of Order, Mr President.

**The President :** Yes, Senator Tarka.

**Senator Tarka :** I would pray the President to give a ruling on Senator Odebiyi's Point of Order which I support. The matter is not properly before the Senate and when it comes up, we can debate it accordingly.

**Senator Sola Saraki :** Mr President, Sir, as I said, I was trying to assist my colleague that was why—

**The President :** Order! Order! The Mover of the Motion has begged leave of the Senate to defer the Motion.

**Senator Odebiyi :** Mr President, Sir, yesterday you were talking, in fact, in terms of days and I was anticipating that I would be given five days. Unfortunately, because of the fact that these Motions have been long standing and no notice have been given, I agreed that the matter should come up today.

In any event, what I am asking the Senate to do is to give me permission to stand down the Motion till Monday for discussion. It should be deferred till Monday.

**The President :** I think you are making it much more difficult. There is nothing wrong with your refusing to move it today and representing it on Monday, whether you stand it down or adjourn it. If you adjourn it, it means that he is right to have been debating it; but so long as we have not debated it, that settles that.

It is the wish of the Senate that he does not move?

**Several Senators :** Yes.

*Motion by leave deferred.*

**The President :** I call on distinguished Senator

**Senator J. A. O. Odebiyi** (Egbado North/South): Mr President, Sir, I beg to move the Motion standing in my name on the Order Paper that the Development of Telecommunications facilities in the Rural Areas of about 5-10,000 population be given priority in the next Development Plan.

Mr President, Sir, the Army Regime, with great respect to Distinguished Senators who are ex-officers of the Army, took delight, during the Military Regime, in making innovations in respect of many things but failed to look after existing things. For instance, in an effort to bring innovation, we have made the existing telephone facilities in the country worse than they ever were. When Cities and Urban Centres have not got opportunities of telephone facilities, how much more difficult will it be for Rural Areas which constitute the largest percentage of dwellers in Nigeria? People in the Rural Areas contribute far more in terms of productivity to the National Coffers than those who are town dwellers.

Even here in Lagos, which is the present capital of Nigeria, telephone facilities do not work at all and what I am requesting, Sir, in this Motion, is not to commit government or the Executive to provide these facilities as of now. What I am asking for is that in drawing up the next five-year development plan, emphasis for development should shift from the towns to the Rural areas, particularly in the field of telecommunications facilities.

In drawing up this scheme, what the executive should do is to ensure that centres of Rural populations be given call boxes which could be used to facilitate communications in the Rural Areas.

One of the essential services which help trade, commerce and transportation in the Rural areas is the availability of telecommunications facilities. All the parties that are represented in this Senate are committed to making Rural life more interesting, happier and more enjoyable. The shift from Rural areas to Urban centres has been brought about by no other reason than the fact that the basic infrastructural facilities which ought to exist do not exist at all.

Take for instance roads which are a way of transportation. During the last Five-year Development Plan period, the Military Regime embarked on the construction of a large number of Federal trunk roads to the neglect of the existing ones. It is no wonder that it was only sometime this week that we read in the Newspaper that the Minister of Works has taken over some roads for repairs and has given them to contractors to execute. I hope our case is not going to be the case of a man who had a good soup prepared for him and he has no time to warm it up for eating. In the process what happens to the soup is that it becomes sour.

Mr President, Sir, I want to advise that those who are in-charge, even with the provision of existing telecommunications facilities, should not provide

a lot more damage is being done to existing facilities which people are already enjoying and, I think, Sir, that what ought to be their guiding principle is one step and then another. Having to tackle all these problems together at the same time can only lead to inefficiency and incompetence and sometimes, doing the thing in a rush and not getting value for money.

So, Mr President, Sir, in view of the fact that we ought to make life more comfortable, more pleasant and enjoyable for people in the Rural areas, we ought to inform those who are in-charge of the drawing up of the next Development Plan that they should ensure that most of the infrastructural facilities, including telephone facilities, should be included for Rural areas so that they themselves can march together to progress with those who are City dwellers.

Mr President, Sir, with these few remarks, I beg to move.

**Senator Ibrahim Barau** (Ikara/Zaria/Birnin Gwari): Thank you, Mr President. I rise to second the Motion asking for better telecommunications facilities for Rural areas. Communication, Sir, is one of the most important infrastructural facilities yet to be achieved in so far as development is concerned in this country. Sir, I wish that we had debated the Presidential address to the National Assembly a long time ago, because it contains the intentions of the Executive as to what the policy will be for the next four years including the vital priorities. Actually Sir, just as communication is important so is transport and the road construction. In fact, we ought to have identified, at this stage, the vital infrastructures which form the basis of production of finished goods which we so badly require in this country and which, in a way, will save this country from the dictation of the international trade.

Unless we do that, Sir, we will continue to be a nation of importers and we will continue to drain our foreign exchange, which we acquire only from our natural resources, and not out of man power production of a highly industrial State. In support of this Motion, therefore, I choose to highlight the important infrastructures which this country so badly requires, regardless of which party is in power and regardless of which ideology we pursue. Two of these infrastructures are communication and transport. By transport, I mean the construction of bridges and highways and feeder roads. Sir, there is insufficient energy in this country. There is insufficient water. By insufficient water, I mean that we have not been able to bring water to where we need it. I do not necessarily mean drought or flood, both of which, of course, are important to note. But the more important point is that if we are to develop at all, water is an essential commodity for development and it should be brought to the areas wherever the economic council of this country would choose to develop. The same thing goes for electricity or energy.

[SENATOR BARAU]

We really need to make sure at this stage, that a foundation is laid for the production of sufficient energy in the fields of electricity and research on solar energy. We have an abundant source of solar energy which only research can develop.

Again, Sir, there is also another vital infrastructure essential for development which needs to be mentioned. This is the production of cement and gravels. This may sound simple but it is very vital just as communication is, because, unless they are produced here our development will be slowed down, and we can only produce very small quantity, and largely depend on supply from foreign countries. This will be just too bad for the country if we mean to meet the requirement of eighty to ninety million people of this country. We can never meet the national requirement of this country unless we produce them here.

Another one, Sir, is the production of steel and Petro-chemical industries. These are areas where not less than one hundred factories can be established to provide for the finished goods that is so much badly required here in this country and for which we are very subjected to foreign industrialised states.

We also need the establishment of Pulp and Paper industries, which would absorb the raw commodities relating to paper. I do not have to enumerate the industries because we can name a number quite easily, ranging from the Printing to toilet papers; unless we do that, we have got to remember that we are eighty million and the demand is great. If this demand is resting strictly on import and strictly on what we can generate from natural resources, I think we would be wasting the time of the Nation at this stage.

With these remarks, Sir, I very much support the Mover of this Motion that when the time comes to draw the next five-year Development Plan of this country, priority should be given to these infrastructures regardless of who rules this country, and regardless of which ideology we adopt.

**Senator Jalo Waziri (Bauchi East)** : Mr President, Sir, in supporting this Motion which is probably better dealt with at Committee Stage before deliberation in the Senate, I would like to commend distinguished Senator Odebiyi for bringing this timely Motion on a matter which has been itching the minds of the people who live in the rural areas.

In fact, Mr President, Sir, in addition to towns or population within the range of five thousands and ten thousands suggested by the Mover of the Motion, I would also like to suggest to the Ministry of Communications to consider not only towns and villages of that magnitude; but all local government headquarters throughout the Federation. They should get automatic telephone exchanges. *(Applause)*

I happen to come from the rural areas, and I remember the bitter experience of those areas with

to be desired. An example is Bauchi State. Places like Azare, Gombe, Misau and the commercial places have been starved of this exchange; whereas places of equal status have already obtained theirs. Gombe, for example being the commercial and industrial center of North-Eastern State has been starved of an automatic telephone exchange.

**The President** : Order! Order! You actually stole the show. As the Chairman of the Rules Committee in this august Senate I thought that you were going to give us some really good direction on this Motion. But I could now see that you reverted to a proper Senator from Bauchi State. You are now speaking for Bauchi specifically. I thereby congratulate you and ask you to continue. *(Laughter)*

**Senator Jalo Waziri** : Mr President, Sir, I had thought there was no harm in trying to get Gombe an automatic telephone exchange which it deserves. Quite a lot of places of equal status have already got their own, and I understand that there was a proposal to establish one, but something happened; someone sat on it and it has not been forthcoming, just as television extension to Gombe has been delayed due to construction work at Bauchi which also has been delayed by a contractor. The same thing seems to have happened to the telephone exchange at Gombe.

Mr President, Sir, I would like the Ministry of Communications to consider setting up these telephone exchanges to all local government areas in the Federation including Azare, Gombe and so on.

I beg to support.

**Senator Ibrahim Kolo (Bida)** : Mr President, Sir, thank you very much for the opportunity given to me to speak. I stand up to support the Motion. There are three local government areas in Niger State where the dwellers have never seen a wire before with their own eyes! *(Laughter)* This is so serious, not to talk of taking some thing in their hands, putting it against their ears to hear somebody from a far-away place speaking to them.

During the election campaigns, Mr President, Sir, there were many places where I had to send to them and ask them to elect me as their Senator with the promise that if they did I pray God I would work so hard, that when I visit them next time things would be better. I cannot go now because there are no motorable roads, no telephone not to talk of other amenities. These people are in hundreds of thousands. They live in Gbako and Larun Local Government areas of Niger State.

Again, there is no telephone at Lapai. So, nearly more than 50 per cent of the local government areas in Niger State have no telephone. The telephones are only in Bida, Kotangora and Minna. That is all. Even these telephones are not functioning. They are just there. Therefore, if there is any State in Nigeria today which is in a state of

They have their hands today one hundred and one problems. They have the problem of the River Kaduna and River Niger being dammed at every angle with the result that the floods on which they live for fishing is not regulated traditionally as before. There is the Lokoja dam coming up which will flood nearly half of the total area of these local governments and the people may be rendered homeless, farmless and they would have to be pushed and re-settled in other places. Yet, there is nothing being done by the Federal Government to inform these people about what it is going to do and how that is going to affect them.

Their future, the peoples' future, is our concern today. They dare not see us come home without their coming to ask us : *What about us ? What are we going to do ? Where are we going to live ?* I feel, therefore, that it is the responsibility of this distinguished Senate, in the name of God, to come out strongly and help the people of Niger State.

They are people that circumstances have brought together, they live in the centre of Nigeria yet they constitute the less developed enclave in Nigeria. I use the word *enclave* because they are surrounded by highly developed States of Nigeria, yet nobody goes there. It is like the house of Hyena and Leopards ; there is no development there. All the tarred roads were tarred by the Sardauna of Sokoto, and since the Sardauna died there has been no coal tar on the roads again.

Mr President, Sir, I will wind up. With you newly elected to that Chair, I strongly urge the Senate to come to the aid of Niger State, the poorest State in Nigeria.

**The Deputy President :** Let me take the Amendments first.

**Senator Cyrus Nunieh (Bonny/Bori) :** Mr President, Sir, distinguished Senators, my Amendment is as follows : *That development of infrastructural facilities including telecommunication be given priority in the next 5 years development plan.*

Now, Mr President, Sir, I have chosen to pluralise the facilities so as to avoid future Motions, and to cover our problems because as one of the Senators has mentioned, in fact, all the manifestoes of the five political parties in this Senate did promise the rural areas that emphasis would be laid on rural development. I think that this is one of the Motions which cuts across party lines and it is for the interest of this country. We are grateful to the leader of the UPN who brought this Motion, which is also a priority issue in the manifesto of the NPN. I would say, Sir, that erstwhile or before now the money of this country had been centred in Lagos—

**Several Senators :** Urban centres.

**Senator Nunieh :** Urban centres, building flyovers, reclaiming land from the sea and the sea comes back to claim the land, (*Laughter*) whereas where the money comes from, for example, the riverine areas, are left in mangroove swamps. The same goes for other places like Bendel, the mines like the gold mines in the Plateau, the palm fruits and groundnuts

supported because we told the voters when we were coming that we will fight their cause. Most of us have never been in politics before but because of provocation of cheating the rural districts, we were moved, Mr President, to come into this Senate and tell the government of the day that in other countries of the world, the healthier, the cleaner and the neater areas are the rural districts, not New York City or London. If you go to Sussex, if you go to the countryside of England and other small areas, they are neater. In fact, when men retire they choose to go to the countryside.

Mr President, I say, that one of the causes of the troubles in the urban areas today, like the night marauders, including some of them who are armed, is the fact that in the countryside there is nothing that makes life different from being primitive. There are no hospitals, there are no ambulances, there is no water supply and, infact, you have to resort to cutting firewood. The difference between urban life and rural life is so wide that everybody shifts to the urban districts.

Mr President, I think that this is an issue that we have got to examine very seriously for the even development of this country. I would be very grateful if the Mover of this Motion would know that men are supporting him. I am saying, Sir, that this Motion is not only on telecommunication. What we are about to let the present government know is that in this country before now, if we are actually coming out of the colonial days, the white man was living in the townships, but today every clerk, every educated boy, every standard six boy likes to move into the townships as soon as he qualifies. This Motion is for Nigeria to grow so that we do not have civilisation confined to the urban areas.

I am moving, Sir, that this Motion be amended as I said, and this message be passed to the government of the day, that it is the mandate under which all the candidates and all the distinguished Senators were voted into this Senate, including the President of this nation, and therefore, we are passing it as one of our first Motions which affects rural development. We are all rural people and there is nobody really, except very few who can claim Lagos or Port Harcourt ; we are all from rural districts. So, I am moving that this Motion be given unanimous ovation to demonstrate to Nigeria that colonialism has come to an end and that there is no part which should be regarded as a minority area.

What worried us before was that because the Riversman was not the Prime Minister of Nigeria we did not expect a telephone in Ogoni. So, now that this thing is coming—

**Some Senators :** On point of Order.

**Senator Nunieh :** There is no Order that is coming to interrupt what is true. So, distinguished Senators, I beg to support this Motion.

**The Deputy President :** Senator Nunieh, could you read the text of that amendment again and let us see if it is acceptable to the Mover of the Motion.

**Senator Nunieh :** *That the development of infra-structural facilities in rural areas of the country be given priority in the next Development Plan.*

Thank you.

**Senator E. P. Echeruo (Okigwe) :** Mr President, I associate myself with the views expressed by a good number of Senators in this Senate. I think it will be incomplete when people are talking about lack of basic infrastructures in this country if the State that suffers most from lack of these facilities is not mentioned and that is Imo State, particularly the Okigwe senatorial zone.

I think it is very, very necessary in drawing up the next Development Plan that adequate arrangements are made so that there is no part of this country which remains inaccessible at the end of the programme, because today there are some areas of this country you cannot reach. This situation should not continue to exist in a country like Nigeria in the 1980s. I am particular in stressing roads and water supply because these are more important than telecommunication.

In talking about telecommunication, I would want to say that a lot more attention should be directed to the system we adopt in this country.

There was some time in the past when there was some discussion about aerofloats and things like that, that we were going to depend on balloons for our telecommunications in this country. I hope that idea has been shelved because I do not see how a country like Nigeria would depend on balloons which can be punctured any day for its telecommunications system. In developing telecommunications, we must make sure that we adopt a system that works.

There are areas like the capital of Imo State that is still not obtainable on the national network system. I do not think that, that situation should continue. There are so many towns in Imo State that have large populations that deserve the automatic telephone system, that should be linked up in the national grid.

So, with these observations, I beg to endorse whole heartedly the Motion on the Floor. Thank you.

**The Deputy President :** I would want to take on Senator Adegoke now.

**Senator A. Adegoke (Oyo) :** Mr President, what I really wanted to bring to the attention of this Senate earlier on was that towns with populations of five to ten thousand people do not have Post Offices. Some of them do not even have postal agencies not to talk of telephone. But that has been clarified with the Amendment by Senator Nunieh that this Motion on telecommunication development should include all forms of infrastructural facilities.

In supporting this Motion, I would want to lay emphasis on its workability. What I have in mind is that most of the 19 States that we have in this country already have their own plans for rural developments. Probably when the government is ready to fund

This is just what I want to speak on. Thank you.

**The Deputy President :** I would take on Senator Garba Matta. He has an Amendment.

**Senator Garba Matta (Pankshin/Mangu/Kanam) :** Thank you Mr President. I wish to propose an Amendment as follows :

*That the provision of basic social services in rural areas of about five to ten thousand in population be given priority in the next Development Plan. (Interruptions)*

I would not want to hear someone talking about telephones in rural areas when we do not have water supply. (Interruptions) I am going to explain why I am insisting on basic social services rather than infrastructural services. By infrastructural services, I mean, things like electricity, roads—I do not consider water as part of infrastructural facilities. I consider it as part of social services.

Mr President, I would want to have that which in effect includes all the basic things that the rural areas would want. We want our priorities straightened out. We do not want to talk about telephones in areas where swamps have driven away the people. In such areas, the people have no homes and you want to talk of erecting telephones, that is not their priority. If you are going to talk about telephone in villages of five thousands people when telephones in Lagos do not work, it is no use.

Someone has just said here that there are telephones in Bida, Kontangora and Minna, in Niger State, but the telephones are not working. Why are we deceiving ourselves? What has the rural man got to do with telephones when people in the sophisticated areas cannot use the telephone?

Mr President, I would want us to talk about all that the rural people need most at the moment. What they need most is water. They want to have water to drink. They want to be accessible. As one gentleman has said, they want to move their products from the farms to the market.

Mr President, we are talking about rural people and we should consider what affects them and not what we here want because if I start talking about telephones, I am talking about myself and not about my father on the farm.

I had wanted to bring up a Motion myself along the lines of this Motion. If we want to bring the whole thing as a package and deal with it once and for all, then we have to consider all these things. Thank you, Mr President.

**Senator S. A. Akintoye (Ondo Central) :** I want to second the Amendment as proposed by Senator Garba Matta. I think that what is needed is that we should join his words *social services* with what we already have and which Senator Nunieh suggested, and which I think has been accepted by the Mover of the Motion that we should say *infrastructural*

[SENATOR AKINTOYE]  
social services, that we should say *infrastructural facilities and social services*. I think that takes care of everything.

What we have this morning, Mr President, is a very important thing. We are in short asking for a deliberate re-ordering of the priorities of this country. We are asking that this country should now change the direction of development from concentration on the urban centres to the concentration on the rural areas. This touches on a very large number of things. It touches on the quality of life in the rural areas. It touches on the development of agriculture.

I would say, Mr President, that, Prof. Lewis, a man who has given a lot of thought to the problems of development in tropical Africa in the last three decades, has suggested that failure to develop agriculture makes it very difficult to develop anything else. It is my view, Mr President, that failure to develop rural areas, failure to improve the quality of life in the rural areas, makes it impossible to develop agriculture. The failure to develop agriculture has resulted in terrible distortion of the development process in this country. The tendency has been that most of the available resources have been concentrated in the urban centres while the rural areas just deteriorated and large numbers of people, young minds, educated young minds, the minds that can develop the rural areas, have been compelled to flee their homes and go in search of jobs they believe exist in the urban centres.

They come to the urban centres and find that the urban centres do not have the jobs that they were looking for. It is a question of head you lose and tail you lose. The rural areas lose by losing the best minds educated there. The urban centres lose by having jammed into its large numbers of inabsorbable people from the rural areas. The quality of life in the rural areas deteriorates. The quality of life in the urban centres also deteriorates.

I think, Mr President, that unless we deliberately in our development planning change around and begin to concentrate on the development of the rural areas, we cannot in this country develop at all. There will be unplanned growth. Unplanned growth produces the type of terrible things that we have in a city like Lagos.

Mr President, some people might say that some of these services are to be provided not by the Federal Government but by the State Governments. We are not talking about the areas of responsibility of this or that Government. We are talking of the total orientation and direction of development planning. We are saying that development planning in this country has concentrated too much for too long upon developing the urban centres. We are asking that that should be changed around and that the resources derived from this country should not be devoted more to the development of the rural areas. Those of us who come from the rural areas, who do not come from the major cities, particularly feel this thing more than those who come from the urban centres.

very small minority of Nigerians who live in the urban centres, the larger percentage of the people who produce the wealth of the nation do not live in the urban centres but in the rural areas. It is time we turn around and begin to devote a larger percentage of the resources of this country to developing the quality of life and also developing the development potential of these people living in the rural areas. Thank you very much, Mr President.

**Senator Mahmud Waziri (Adamawa)** : Thank you very much, Mr President. To me, the whole question of development which we have been talking about in the rural areas amounts to even development in the country as a whole.

First of all, I want to start with communications. We all know that for the past few years millions of naira have been spent in building our communication system in the country. I hope the distinguished Senator from Benue, Senator J. S. Tarka, would enlighten us on this as he was a Commissioner for Communications for some time. So much money had been wasted in the whole country in the name of modernising and constructing a new communication system.

**Senator Akintoye** : The question, Mr President, is that an Amendment has been moved by Senator Garba Matta and I have supported and suggested that it be tagged on to the Amendment already moved and accepted by Senator Nunieh. The question now is to ask the original mover of this Motion whether the Amendment is acceptable to him before we go on to further debate the Motion.

**The President** : I can see that this Motion is growing into an omnibus Motion really. Senator Odebiyi will have to listen carefully. Each time it is seconded you want to indicate whether this is acceptable to you or not. Do you want to work with Senator Odebiyi ?

**Senator Akintoye** : Yes, I have accepted that.

**The President** : I can see the Motion expanding now.

You can continue Senator Mahmud Waziri.

**Senator Waziri** : Mr President, Sir, billions have been spent on telecommunication but that is a wrong priority. Instead of using the money to build various factories to manufacture telecommunication equipment, we squandered the money. At present, most of the equipment in the country are not standardised. I was even told that some of those who got the contracts ran away from the country.

**A Senator** : They did not run away, but they gave the money to Nigerians.

**Senator Waziri** : I hope you were a witness when they did that ! (*Laughter*).

Mr President, Sir, we talk about heavy industries, that we are going to build Petro-chemical Industry and that we are going to build Iron and Steel Complex, but our own people have no water to drink, they have



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no shelter over their heads and there is no food for them to eat. We could even see this in our own capital here in Lagos. I cannot really understand what we are doing. Are these things for our own people or for the minority elites in the country?

Mr President, Sir, I want to appeal to the President of the Federal Republic that in considering his Development Plan in respect of rural areas, Petrochemical and the Iron and Steel industries have no meaning whatsoever. What we want is water. He should give us shelter so that after four years, we would bring him back to office.

My President, Sir, I would like to draw your attention to the fact that the cheapest means of transport in the world is water. We have seen this demonstrated in Europe and in the USA. In all the Development Plans we have had in this country so far, nothing had been said about the Rivers Niger and Benue in order to improve navigation on them or even to dredge them. If Rivers Niger and Benue could be dredged, I am sure, people in Benue, Gongola and Borno States and even Plateau State, to some extent, would have cheaper goods to buy. That would reduce the heavy transportation costs and help to contain inflation in these areas.

Mr President, Sir, coming back to telecommunication, in Lagos alone, I am sure we are losing billions of naira a year because of lack of communications. I am also sure that half of the cars on the roads today would not be on them if we have an efficient communication system. In all the nineteen State Capitals in Nigeria only Yola is not linked with Lagos by direct communications, that is, by direct dialling telephone system.

**Senator Victor Akan (Eket)**: What about Calabar?

**Senator Waziri**: The distinguished Senator from Eket (*Senator Akan*) asked me about Calabar. I would say that from Lagos to Calabar is only an hour flight but from Lagos to Yola will take you two hours on a jet plane. Let us not forget that even from Yola to Mambila is a distance of 400 miles. When people talk about having telephones, what we in Gongola State want is water to drink. We also want to link our State Capital with Lagos, thereby linking us with other parts of the country.

I would like to hear what happened to so many billions of naira we have spent on telecommunications. What are we doing to improve the navigational system of our rivers?

In conclusion, I would like to say that the Committee on Telecommunications should be very active and should look into the question of standardisation of our communication systems. It should also look into the various Development Plans which were drawn up by various governments on telecommunications, of which we have not seen anything.

Mr President, Sir, I beg to support the Motion.

**The President**: May I say that my Deputy made some notes which I am reading through

I now call on the distinguished Senator from Benue-East Central (*Senator Tarka*) to speak.

**Senator J. S. Tarka** (Benue-East Central): Mr President, Sir, whilst I would not like to hold brief for the Ministry of Communications, a colleague, a distinguished Senator, dragged my name into his contribution to the debate.

**A Senator**: You were the Commissioner.

**Senator Tarka**: I am a Senator. (*Interruptions*) If the Mover of the Motion would give me a hearing rather than running commentary, I would be of great use to him.

**The President**: If the Mover of the Motion said you were the Commissioner—

**Senator Tarka**: I was.

**The President**: I expected an answer like that but you said you are a Senator and I agree. You are now speaking like a Senator.

**Senator Tarka**: May I say that I whole-heartedly support the Motion. The question of telecommunications or communications in general is the basis for economic development in a developing nation like Nigeria. Communications should not be replaced by telecommunications alone because they go side by side and they mean transportation, in other words, water, land and air transportation, but basically the Motion seeks to promote in the smaller towns—the most unfortunate areas—the projection and development of telecommunications; namely, you call me and I answer back or *vice versa*. The smaller towns, the size of which distinguished Senator Odebiyi seeks to protect in this Motion are the most important towns in our country. These are where the economy of this country begins and spreads to the main towns.

It is true that over a period of years, successive governments, right from the colonial days, have made efforts to develop telecommunications. At present, the most effective communication network is the magneto system which we all inherited from the colonial age and it is the only one that has not developed any known fault.

But it is so backward that the use is limited to a given area. The new system which had been introduced by various companies had major constraints by various interests such as the interest of the contractors and the interest of the principals. The contractors have a means of manipulating the principals to a certain extent for capital gains. The principals have lent themselves to the game of manipulation by the contractors themselves, and that is why several contributors to this Motion have mentioned the fact that the country has been unduly exploited by various contractors.

Secondly, Sir, there has been no visible standardization of the telephone, telecommunication and telegraph equipment in this country. We have a jamboree of contractors all seeking to carve out of our national cake and that is one of the principal handicaps. The supply of spareparts, maintenance and other things

The engineers we have trained have been trained in the use of various equipment in various countries by the suppliers, and they seek individually and severally to protect the interest of the people that are very well known, and the kind of equipment that they are used to. So you have a mass of contractors and suppliers and installers of equipment such as Ericson, J. C. Marconi IT and T and Marubeny.

**Several Senators :** It is ITT.

**Senator Tarka :** That is IT and T. I see that you are in love with it—IT and T and several other companies that have flooded into the country. Lagos in particular, which is the very hub centre of all the telecommunication network in the country, has suffered adversely in the hands of various suppliers. It is a cut-throat business in which if care is not taken, we will continue to be taken for a ride in the foreseeable future.

It is, therefore, pertinent to make brief suggestions on what one can do to improve on the telecommunication network throughout the country. You cannot isolate, these smaller towns from the capitals of the various States, and you cannot do so especially when you relate such towns to the capital of Nigeria, Lagos, and also to the future capital of Nigeria, Abuja.

Mr President, Sir, the question of standardisation becomes very imperative in this way. The equipment as we know them are supplied by the various countries, some of the equipment are new and limited to use—

**The President :** Distinguished Senator Tarka, you have a fortune of always being interrupted when it is time to interrupt the business of the day or the business of the Senate. The Senate will now rise for break until 3.00 p.m.

The following distinguished Senators should immediately meet in my office : The Deputy President of the Senate, the distinguished Senate Leader, the distinguished Leader of the UPN, the distinguished Leader of the GNPP, the distinguished Leader of PRP, and the distinguished Leader of the NPP who is already informed. Thank you.

*Sitting suspended : 1.00 p.m.*

*Sitting resumed : 3.30 p.m.*

**The President :** We may now resume sitting and I call upon the distinguished Senator from Benue State (*Senator Tarka*) whom we interrupted before we had the short break for lunch to continue his speech.

**Senator E. I. O. Akpata (Bendel Central) :** What of Prayers ?

**Senator A. A. Adesanya (Ijebu North/East) :** Do not cause confusion ; you do not say prayers in the afternoon. He is just coming back from Bendel State and he has forgotten all we have been doing.

**The President :** Just as you do not carry the Mace in the afternoon, so also you do not say prayers in the afternoon.

**Senator Adesanya :** He has forgotten what we have been doing.

**The President :** Are you saying that in Bendel State, they do not know what is happening in other parts of the world? I think the distinguished Senator Akpata will raise a very serious objection to that.

**Senator Tarka :** May I, Sir, continue where I left off before I got caught up by my colleagues from the *Owegbe* cult! (*Applause*)

**Senator Akpata :** Do not look at me ! (*Applause*)

**Senator Tarka :** Mr President, Sir, I do not claim perfection in the affairs of Telecommunication, Radio Station, and Telegraphs; I am just lending my small knowledge of a passing phase in one's life in a most unenviable situation otherwise known as Minister of Communications. It is one of the most difficult positions or situations that one has held, and I am sorry for the present and future holders of such offices because all that is done in the development of telecommunications will never be known by people outside the Ministry. The development of telecommunication takes place within the factory, and within the four walls of an exchange room and the only visible thing is the wiring outside or the digging of the roads which we all object to because we lose our drinking water.

I also say, Sir, that the standardization of equipment can hardly be achieved in the foreseeable future except we do one of these two things, namely, we can standardise with the most modern equipment or standardise with the existing modern equipment which is the cross-bar system. The most modern equipment is the electrical telephone system which was developed at a very great cost by the Swedish Government Commission. Hitherto the magneto system was always the equipment that was commonly used by the British Post Office, hence our use of it here as an extension of the then British Post Office. The cross-bar equipment has been developed by the British Post Office and other Post Offices, and it has been used by Marconi, GEC, IT and T, Japanese Companies, Zimmels, the Germans and others.

The old equipment, which is magneto, was designed by the British Post Office and developed by the General Electric Company. The new equipment was designed by the Swedish Government Commission, the Scandinavian countries for a Common Market of their own, and developed by their own company known as Erickson. It was sold on commission or on licence to Zimmels, Marubeny and various other Post Offices.

Well, this is just a rough history of what took place. Unless we are able to standardise on the cross-bar system, in which case we shall also be threading on the toes of those who have developed other systems such as Northern Electric of Canada, which was a non-starter in this country. Their system was mainly used by Tunisia and developed for Nigeria and we thought it a waste. So, while we look forward to the future, I know there are quite a few Senators here, some of who served on the UN agencies, who will be able to assist me with a little brief on what was going on in Brussels on the development of the Nigerian telephone systems based on Bell System.

The Bell system is an extension of ITT which supplies hand sets and equipment that was developed over a long period of time. Unfortunately, it would cost us a lot of money to do exactly what the Motion says. We shall be throwing good money after bad money and we have spent a lot of money already in the development programme for telephone services. But I think one can look at this particular case in this way. It is only sensible to suggest, Sir, that at the appropriate time the Senate Committee on Telecommunications and Public Service should look into this matter very carefully and make recommendations to Senate on the basis of which we shall have a full debate in the form of another Motion, or by a Bill introduced by a Senator, or a Bill through the use of Government Ministries. This one is called the modernisation of telephone and telecommunications services up-to-date.

There is only one country in West Africa which has the most modern telephone system and that is the Camerouns. In every village, as touched by the distinguished Senator Odebiyi, there is a telephone service in the Camerouns and some of us are ashamed to accept the fact that one was constrained either by way of funds, or by the unco-operative attitude of Administrative Officers, or by the unco-operative attitude of technicians who sought to protect the interest of the people who trained them on a particular machinery and equipment and could not, therefore, expand or develop as rapidly as one could have done within a given time. When one had attempted to put up some element of resistance, the resistance was misunderstood and one either got jettisoned, or one had to go, or one had to get his head chopped off. You had an option. You are to choose whether to stay on and get destroyed with the equipment, get out and get vilified by the media, or stay on and eventually get kicked out by the current of events, the end of which nobody can foretell. So, I suggest very strongly that while we look at distinguished Senator Odebiyi's Motion and the able way in which he presented it, we should look into the future and accept the fact of realism that whilst we are developing we should accept the fact that the future of telecommunications lies in the electrical equipment. They may be expensive. If we buy them now, we save money. If we wait, we will pay double. This is what we can do. We can establish the new system by a programme designed by expert—expert design without strings attached either by commissioning an independent company or organisation, or UN agency to do a complete survey that covers both the cities and rural areas, because there are home centres. During our time, we had to divide Nigeria into five, not the territorial integrity of Nigeria into five, but to make it easy for each of the big companies to operate. You had to deal with five geographical zones—keep one contractor in a particular zone and know whether it will fail and then cut him off with his failings. Put Nigerians in the exchanges and continue to train them within the exchanges and if it fails then you hand over to the nearest zone to continue to do the maintenance work. Such was what we designed and that is what

been favoured and that lot. Well, it is the nature of our own system. Sir, whilst we build the new exchanges side by side with the old ones both in the rural areas and in the urban areas, we can then complete the new system, cannibalise the old system and expand what is useful for the new system and then scrap the old system by throwing it into the sea, or give to copper lovers to make earrings, or whatever they want to do with it. That is the only answer ; there is no other way out of it. It is very expensive. If we wait, the longer we do wait, the more expensive it grows because of the inflationary nature of the economy of the countries that are developing these things.

I must warn, Sir, that in developing the telephone and telecommunications system in our country, we must, of necessity, ensure that some aspects of it are manufactured locally. In other words, we will be saving ourselves the jobs and labour which we are buying from outside. When you buy wholesale equipment from abroad, then you are buying labour from those countries against your national interest to which your own people are unemployed and you give employment to other people around the world. Buying technology is a very easy thing if you can make sacrifices. Buying technology is like buying a licence. If you buy a licence and employ services of technicians elsewhere to establish along with your citizens, you are not only being patriotic, you are being economically sensible and this is what Nigerians should pursue not only in this sector but in other endeavours of economic development. Mr President, Sir, I do not think I should treat Colleague Senators as being in a classroom even though I am a teacher by profession but a politician by calling.

Therefore, Sir, I would like to commend distinguished Senator Odebiyi's Motion for adoption because, with all the due respect to President Ahidjo and his Government, in countries that are less fortunate than Nigeria, countries that are not as affluent as Nigeria, countries that are not as populous as ourselves with nearby villages, the Cameroon, being one of them, has got distant villages spread all over the place with a lot of diversity like ourselves, with unsettled population of Fulani cattle rearers, farmers in the southern part of the Camerouns, Timbermen, Urban workers, people who are Franco-phone in their nature, and they all have telephones in even villages that are of 1,000 population. A telephone line can be hooked into an ordinary tree outside and you want to pay and dial by five digits to get anywhere in the world. Why can we not do the same thing ? It is because some of our technicians are so unpatriotic. Some of our Administrative Officers who are very good had been tuned to follow instructions from outside the sphere of the Ministry of Communications and they have to take instructions from interested persons to the extent that they cannot work properly.

The pressure on the Public Service—our Public Service is one of the best in the world, in fact.

Colleague, Chief Olu Akpata. So, we must assist not only our technicians but also build our economic resources into a modern system that we can be proud of.

The radio system can also be used for television services and the cables which can be used for the same services are now being installed throughout the country. But where does this take us? It takes us to an age where we will be stagnant as slaves to certain contractors *ad infinitum*. Is that what we want? I think we should re-evaluate our systems. We should do this not only with telephone or communication system, but we should re-evaluate the way of life of Nigerians and build a new society for the citizens. We should build a new place where we get good services, be it water supply, cable and wireless, or in road construction where our priorities are being misplaced. We should get our priorities right in housing and, in fact, in all fields of endeavour so that Nigerians get the maximum out of the minimum value that is placed on their own money. The premium depends on all of us especially the law-makers and on us as Senators, who have responsibility not only to our constituencies, not only to our Senatorial districts, but to the entire nation.

Mr President, Sir, I thank you very much for giving me the opportunity. I think I have strayed a little bit, but one could not help it. I support the Motion in its entirety, and the expanded version which Senator Chief Odebiyi has shown me. I think at one stage, I hope, he would be able to expand on that aspect of it so that we would be able to benefit from the expansion of the scope of his Motion.

I beg to support, Sir.

**The President :** Distinguished Senators, before I call on Senator Akpata to speak, please grant me the indulgence to speak for one second. The more you listen to the debates on the Motion by Senator Odebiyi and Senator Oke on telecommunications, the more you feel that, except we are just talking for debate and debating purposes only, this Motion should have been a Bill so that the decisions that we would eventually take would be far-reaching and could be implemented. But I am sorry to say that this afternoon, I spent one hour with the Solicitor-General and the problem of draftsmen is our headache. We should at the moment have had draftsmen in the National Assembly, but we have not got any. We know that Bill drafting is a specialist subject, and and it is not just any lawyer that can draft Bills. I know that among us are distinguished Lawyers. So, that is the problem which, I think, I should highlight in the Senate Chamber.

Most of the Motions we are discussing should normally, under the Executive Presidential System, come in the form of a Bill so that the decisions that we take would be far-reaching, become law and become binding on the Executive. I am tempted to think that the more I listen to the contributions from Senators, especially the contribution of the last speaker, distinguished Senator Tarka, who

as a Federal Commissioner for Telecommunications in the Federation, the more I am inclined to believe that Chief Odebiyi's Motion should be put to the Senate as a Bill. I may be tempted to ask Senator Odebiyi whether he contemplates having a second look at this idea.

**Senator Chief J. A. Odebiyi (Egbado North/South)** Mr President, Sir, as you will notice from the wording of the Motion, this Motion is to be approved here and in the House of Representatives, and then passed on to the Executive so that when the National Economic Council is getting the next Five-Year Development Plan ready, it can be incorporated. You do not have to pass a Bill for that purpose. So, I think, Sir, that this type of Motion is called for, particularly because of the intention to have it included in the next Five-Year Development Plan. A Bill will not serve the purpose intended here because it is only advisory.

**Senator Obi Wali (Rivers I (Phalga)) :** Mr President, Sir, I just want to make some comments on the explanation given by the Leader of the UPN, Senator Odebiyi, and to say that it is too late. I consider this Motion very important that we do not have to wait for the imaginary Four or Five-Year Development Plan to pass it. This Senate exists as of now and I associate myself with the explanation of the Senate President, that this Motion should be in the form of a Bill and become law whether there is a Four, Five, or Ten-Year Development Plan or none at all, and it becomes part of the reality of the country.

I am only in sympathy with him because I come from an urban area. I do not come from one of those places you call rural areas. I come from Port Harcourt and there are telephones there. I know that largely, most Senators are from rural constituencies and they worry about all these things. So, Mr President, I just want to explain that particular aspect. In addition, I have to warn him about accepting meaningless phrases such as infrastructural facilities, social services and so on. What we mean here should be spelt out concretely and be itemised because if you go through the history of parliamentary debates of this country, you will see more fiery and emotional speeches on rural people than this but, unfortunately, I cannot share the same views with them, as I am not a rural man myself.

Thank you very much.

**Senator Odebiyi :** Mr President, Sir, the point I want to make is that, if you want us to bring a Bill for this purpose, then you rule out the possibility of a resolution going to the Executive that the provision be included in the next Five-Year Development Plan. The danger is not that the Executive has not planned for these things. Already, even the money which you are supposed to be paid is not included in the Current Estimates.

**Senator Bitrus B. Kajal (Mubi) :** My point of information Mr President, Sir, is that—

**The President :** If your point of information is for the Senate you may hold on until when you come to make your contribution.

**Senator Chief E. O. Akpata (Bendel Central) :** Mr President, Sir, science and technology can never stand still. What is modern today could be virtually out of date tomorrow. When we talk of telecommunications and when we talk of developing our rural areas, we cannot divorce from it the development of our own technology, the ability to maintain sophisticated equipment and the ability to carry out some research to adapt these equipment to meet our own needs. Until we can provide facilities for these, until we can train our own young men and women in science and technology that they can maintain our equipment, most of the developments we seek would be vain and idle search.

Mr President, Sir, I believe that it is essential that telecommunications or communication in general, in our rural communities, must be developed. In some of the countries which it has been my privilege to visit, the telephone system and other forms of communications have turned out very useful, indeed. For example, in Bulgaria, if there is a very serious case of ill-health that requires an operation, it is the doctor or the hospital that moves to the rural area rather than the patient being carried to the hospital in the urban centre.

In other words, you are able to communicate with the specialists based in the urban areas so that at a moment's notice the specialised nurses and surgeons can get to the rural area in a jiffy.

**Senator Ali (Benue West) :** Point of information.

**The President :** Are you giving it on Senator Akpata?

**Senator Ali :** I am giving the Senate an information on Senator Akpata's speech.

**The President :** Order! Order! I have been thinking with great concern the amount of interruptions we are having on information. The standard legislative practice is to interrupt a speaker on a point of order. As we may now wish to enforce the correct approach, I hope that the distinguished Senators would not take offence if I am sticking much more to a point of order than a point of information because I have found out that when distinguished Senators seek to give information they are in a way contributing to the debate.

I am very sorry that it so happens in the case of a very close friend of mine that I have to make this announcement. But I remember that I just stopped somebody before him. I think any distinguished Senator who has information to give should make his note and when he is called upon to speak should during the process of his speech, include the information so that we can now stick to a standard and only

**Senator Akpata :** Mr President, Sir, I am always willing to learn. My brother Senator who interrupted me is a doctor by profession. I happened to be an Administrator in the Ministry of Health with many years standing.

**A Senator :** Forestry Specialist.

**Senator Akpata :** I know how to cure trees when they are ill. But this is not a matter of curing a diseased *Iroko* tree. This is a matter of seeing that the people living in the areas where the *Iroko* trees grow live there comfortably and are entitled to as good a life as people who profit from the *Iroko* trees that they grow in their areas.

I also want to mention that when we move Resolutions here, we are quite conscious of the fact that with all the good-will in the world, we are at the moment unable to find the personnel to draft Bills for us. Therefore, some of the talking that we do can only be considered as preliminary and that we are taking various points of view anytime so that when it comes to drafting the Bills we will have a fuller understanding of the issues involved. I see that associated with the original Motion, we have all other infrastructural developments which appear rather nebulous in scope.

I think, one thing at a time and that done well is a very good rule, as many can tell. It used to be the old nursery rhyme. Therefore, Sir, I think we must put this emphasis on telecommunication whether it is in the development plan, or in fact, we have to introduce it in a Bill. It is one of the things that can assure good life to our brothers who through no fault of theirs live in the rural areas, who feed us, who make it possible for some of us even in the most arduous conditions to be able to wear two or three shirts in four hours and, indeed, to be able to have a complete change of our dresses after every meal.

Indeed, it is a matter of great pleasure for me to find that people in the rural areas are remembered because for many years, I lived and worked in different rural areas in this country. Indeed, thinking that I was in a forest is a confirmation that I lived in the rural areas. When I see some of the development going on, I remember *Oliver Goldsmith's* deserted village. But this is not a place to talk of that.

What we have to say now is that we have the administrative experience which one of our Colleagues has certainly got. We have the practical experience of the inability to talk to the various Local government headquarters and some of us have the shocking experience of finding things not only in the development plan but some of them actually started and were suddenly abandoned.

One should also perhaps refer to the abortive television project in some parts of this country not too far from the homes of one or two people sitting opposite me and the non-starter of a telephone in areas not farther still. As for places where bicycles still have to be used for campaigning, we will in time, let them see a few wires and a few poles so that they

Senator Thomas Popwi (Ikeja) : Mr President, Sir, Senators, it is unfortunate that what I really wanted to say was stolen by the President. Hon. Senators, what I was trying to say here was that the Mover of the Motion actually did a good job but it was not brought in a proper way which I had thought of. The Motion could have been brought in the form of a Bill so that this can be debated very well and action taken on it.

Nevertheless, Mr President, Sir, this Motion is a very important Motion in the sense that one cannot help trying to be very sectional in this case. I come from Plateau State—Keffi and Nassarawa constituency I regard these two areas as the most backward areas in communication. I feel deeply touched and moved and I am very happy.

Mr President, Sir, as I was saying before, Keffi is the next door neighbour of the new Federal Capital. To my mind, first and foremost, telecommunication facilities should be introduced as a matter of urgency in that area in the sense that they will serve a very quick communication link. Without doing so, I do not think that it is proper.

Mr President, I support some of the ideas of my Colleagues here that LGC Headquarters should be provided with telephones. I think this is important. In Plateau State we have a lot of LGCs and there is no better communication between them. I would have thought that if this idea is implemented, it would help quite a lot, to project the image of our State and facilitate quick action on any matter relating to the government.

Mr President, Sir, I do not think I would say much more than this, but I would like to draw your attention to the fact that Lafia is there and has no telecommunication facility. If action is taken very early and very quickly to instal this facility in the local government areas of Plateau State as a whole, I think we shall be very happy. I support this Motion very vehemently because it is a good idea.

**A Senator** : Very vehemently ?

**Senator Yepwi** : Yes, I support it very vehemently (*A Senator rose*).

Distinguished Senator, why are you standing when I have not finished. Please sit down.

**The Deputy President** : Senator Yepwi, you may continue, if you do not yield.

**Senator Yepwi** : Mr President, I do not have much more to say. Thank you.

**The Deputy President** : I have Senator Dimis here since morning but I do not know if he has spoken in my absence. Distinguished Senators may sit. I recognise only Senator Dimis to speak.

**A Senator** : Only ?

**The Deputy President** : For now.

**Senator Ibrahim Dimis** (Bauchi South) : Mr President, Sir, the Senate has already taken a decision to make Nigeria modern not only in Africa or in the Commonwealth but in the whole world. I cannot see how under the present circumstances this can be possible without proper steps being

taken. I can give an example with the hometown of the late Prime Minister, Alhaji Sir Abubakar Tafawa Balewa. May his soul rest in peace. From here, Mr President, one can telephone straight and get the hometowns of other respected leaders of our country, but you cannot telephone Tafawa Balewa now and you cannot even go to Tafawa Balewa during the rainy season because there is no road. When you are talking of communication, you must talk of other infrastructures. Whether we appreciate this or not some Senators have, spoken in support and some against, that is how it is. So, Mr President, we would like to see in our efforts to develop, concrete steps being taken to turn the whole land in this Federation into arable land for food crops, cash crops and industrial establishments and so on and so forth. It is because of this I would submit that telephone service is most important as a link between States and the local government areas, in particular, and the district headquarters, in general. These rural centres which we are now planning to turn into industrial centres, Mr President, I want to say industrial modernisation—

**Senator Jaja Wachukwu** (Aba) : Point of order.

**Senator Dimis** : What is your Order number because I will not sit down on point of Order without the number.

**The Deputy President** : He does not yield.

**Senator Dimis** : Mr President, Sir, we would like to have telephones. I had an experience when I was going from Tafawa Balewa to Bauchi. There was a pregnant woman who was very ill and when I got to Bauchi, there was no telephone and there was no way for me to go back to Tafawa Balewa.

**Senator Amadu A. Ali** (Benue West) : Point of order.

**Senator Dimis** : Order number what ?

**Senator Amadu Ali** : Mr President, we are not here for story telling.

**Senator Dimis** : Mr President, Sir, we are here to contribute to the Motion on Telecommunication and infrastructures and if someone says it is story telling, then it is very unfortunate. Mr President, I would like the road network to start from Bauchi to Tafawa Balewa—

**A Senator** : To Gombe.

**Senator Dimis** : Gombe has been taken care to by distinguished Senator Jalo Waziri. So, do not worry, that has been taken care of.

So, Mr President, if we can get what we see, especially, when coming to Lagos after Ilorin in Toro, Das, Demenchi, Alkalari and Bauchi, that would be very wonderful indeed. With these few remarks, I support the Motion that this be included in the next development plan. Thank you, Mr President.

**The Deputy President** : Thank you Senator Dimis. I think following the trend of this Debate, we have heard the case of Bauchi. Senator Adeleke may speak.

**Senator A. Adeleke (Oshun II) :** Mr President, I thank you for recognising me. We have been talking about the Rural Areas. I happen to come from the rural area and there is no doubt about the neglect of rural areas. When you talk of telephone, it affects us in Oshun Division and only telecommunications but also roads. The whole of Oshun in Oyo State lacks good network of roads and feeder roads. We need all these in Oshun.

Not only that, concentration of industries by the former administration has hindered the development of our area very much because it has led to school leavers drifting to urban centres. There is lack of employment opportunities and this has caused a lot of problems. There has been a great drift of people from rural to urban areas. So, we would like to have not only telecommunications but also good roads and other amenities in the next financial year.

**Senator C. O. Adebayo (Kwara Central) :** On point of order, Order 26 (ii) says : *A Senator must confine his observations to the subject under discussion and may not introduce matter irrelevant thereto.*

**Senator Adeleke :** No. It is what should be done by the Federal Government all over the country that I have cited. There are certain responsibilities that should be carried out by the Federal Government. There are also others that should be carried out by State Government. I am talking about those to be cited in my area by the Federal Government. These areas are in Oshun, Ede, Oshogbo, Ifelodun, Illa, Odo-Otin and so on, all in my senatorial district.

**The Deputy President :** I think Senators tend to forget that once you are elected, Nigeria becomes your constituency. This debate is such that it is deteriorating to the level of a State Assembly. I think some Senators are playing up to their constituencies.

Senator Ogunleye may speak.

**Senator E. K. Ogunleye (Ondo East) :** Mr President, I like to support the Motion by the UPN Leader and Senator for Egbado North/South (*Senator Odebiyi*) and especially other speakers like the Senator for Benue East-Central (*Senator J. S. Tarka*) who have given us a most analytical approach to the problems of telecommunication in this country. Unfortunately, there is nothing we can do about it now.

There is one important aspect which has escaped Senators in this Senate and this is our Postal Services. Mr President, Sir, our Postal Services in this country are not only shameful but disgraceful. It is one of the worst Postal Services we have in the world. Anybody posting a letter to my Senatorial District is wasting time because it would take two weeks for a letter to travel from Lagos to my Senatorial District. So, it is better to send a boy on a bicycle and, worst still, to trek before the letter reaches that place. Telecommunications also take as long if not longer time than letters. Mr President Sir

Mr President, Sir, it is my humble contribution that the present system of Postal Services should be improved to give Nigeria a pride of place in the comity of nations. Distinguished Senators, Ondo State is the gate way to many States. I remember when there was a break down at Ore bridge people from the Cross Rivers, Imo, Bendel, and Anambra States passed through this place.

**Senator D. O. Oke (Ondo West) :** Mr President, Sir, Order 25 (4) says : *During a sitting all Senators shall be silent or shall confer only in undertones.* I wish to observe, Mr President that the Senator for Orlu is conversing in the language of the dream world. (*Laughter*)

**The Deputy President :** You can wind up, Sir.  
Order ! Order !

**Senator E. K. Ogunleye (Ondo East) :** One of the most annoying aspects of telecommunications in this country can be seen in the last elections. I think the results of the elections took two to three days before they reached Lagos. This is not encouraging enough. Some people had to come by camel, some by boat, and others by donkeys, to submit election results. I think if there had been efficient telecommunication system, this might not have happened and the result of elections, perhaps, would have been different.

**The Deputy President :** I recognise Senator Mangga.

**Senator Ja'afar Mangga (Borno South) :** Thank you, Mr President. One would like to make contribution to such an issue which relates to development. I would not be ashamed to sit down on my seat without contributing anything on a subject which is highly above my understanding. One may not be a teacher, but one must at least, as a teacher, have a little bit of knowledge above his people. So, I think what we have been talking about all along, in my mind, is debating generally on communication, rather than dealing with specific issues as they affect us in this country in the development of telecommunication or communication systems. To me, even though we need this development mainly in the rural areas, it is not just enough to say that one wants telephones to be in one's village or constituency. It is important to look at the possibility of development not only in the field of communication, but generally within the context of African development. When we were talking earlier today, somebody said we would have telephone in Ogun, Ondo, Cross River, Bauchi or Tafawa Balewa. We had no means of knowing exactly to what use telecommunication would be put in those areas.

The paradox of development in this country and particularly in Africa generally, is that we do not tend to keep to our priorities. Are we now in this Senate honestly saying that we need telephones in our villages ? If the answer is yes, then you do not need roads ? I am sure that some of us still go to

The fact is, let us concentrate on opening roads as far as telecommunication is concerned. To my mind, I would consider the roads first. Some States are richer in roads in this country than other States. If we agree on this, we could then put the suggestion to the Mover of this Motion. But, we can only suggest these things, and the technical advisers in the Ministries or the Executives could come up with a different thing altogether.

Therefore, as the representatives of the masses, we need to direct our minds to the common needs which are priorities, like roads for example. If we come to telephone, it does not function well in Lagos. Do we have to ask the Federal Government to waste the whole money on improving the telephone system in Lagos, before it goes to the States Capitals, or do we start right here in Lagos and go to the Local Government areas before going to my village? So, let us not debate on things which will take any precedence over our actual requirements.

**Senator J. S. Tarka** (Benue East-Central) : Point of information.

**The Deputy President** : He has yielded. Senator Tarka you may now speak.

**Senator Tarka** : The information is this, Sir. While you have the telephone services in Lagos, with the best of intentions, if the telephone services are very efficient in Lagos and they are not linked to the rest of the country then you are marooned by telecommunications and confined to Lagos. If you have good telecommunication in Lagos, and you have telecommunication in the rest of Nigeria, then you have telecommunication, otherwise you have Lagos Telecommunication Exchange Bill.

**Senator Ja'afa Mangga** : I would suggest that if all these things are specific priorities, then if telephone is efficient in Lagos today, we would ask the Federal Government or the Executive to extend it to our State Capitals and not a single State should be deprived of it. From each of the capitals of the States, it could go to the Local Government areas without delay. It is after then that I would make up my mind as to whether I should request for it in my village.

Finally, to conclude this contribution, I would suggest that the issue should be passed to the Committee on Communications so that they could sit down and analyse it, seek advice and come forward with a report to this Senate for approval. Thank you, Mr President.

**The Deputy President** : I recognise Senator Sabo Bakin Zuwo.

**Senator Sabo Bakin Zuwo** (Kano Central) : In supporting this Motion, I would like to warn distinguished Senators that even if the Government is going to implement what we have decided today or will decide tomorrow in connection with telecommunication, we must be very, very careful in awarding the contract to the company which is competent and not one with a bad reputation.

During the previous regime, about ₦800 million, contract was awarded to ITT. It appears to me that that money being paid to them actually is rather a

could be spent on telecommunication in a country like Nigeria and yet you would not be able to speak from here to Aba, or from here to Birnin Kudu or from here to Zaria? Mr President, losing ₦800 million is rather a national calamity. Mr President, Sir, if the Government is actually going to implement what we have to decide today, I think we have to be very careful in awarding the contract.

It is not only the telecommunication that the common man needs in the rural areas, but he also needs health services. For instance, in Nigeria today we have been invaded by the mosquitoes. We learnt that the Government spent millions of Naira in importing Nivaquine injection and Nivaquine tablets. Why can we not mount a campaign to eradicate mosquitoes and to make a total elimination of it in this country, because mosquito is the one circulating the malaria disease to the common people in this country. People who are highly placed enjoy air-conditioner in their own houses while the people in the rural areas are suffering from poverty, ignorance, diseases, *et cetera*.

Mr President, I support the Motion.

**Senator Tony Anyanwu** (Owerri) : Mr President, Sir, in supporting this Motion, I want to thank the Movers of this Motion, distinguished Senators Odebiyi and Oyero very specially for the pains they took in preparing it and I want to draw the attention of the distinguished Senators present here to the fact that it is not telephone alone or even telecommunications alone that we should talk about. What we are saying is that the present telephone or telecommunication system in this country is useless. I got a telegram this afternoon which was sent from Owerri since the 15th of October but it has just got to me. Mr President, Sir, what we are saying is that, as far as I am concerned, the Motion should, as a matter of fact, come as a Bill. When we talk of telecommunications, with what are we going to service them? We would want the Federal Government or the Executive arm of the present system to set up Federal Industries in the Local Government Areas of the Federal Republic of Nigeria. In that situation, school leavers shall work there, the inhabitants of the Local government shall work there and they will be able to tap telephone connections to their respective houses and pay telephone bills. It is not enough to say that they should extend telecommunications to Local Government Areas, there must be people who will be there to earn good living so that they can be able to pay their telephone bills.

I want to say that in this country, I understand that you can only dial directly from Lagos to Kaduna but you cannot dial directly from Lagos to Port Harcourt in Rivers State, or to Calabar in Cross River State, or to Owerri which I have the humility to be its Senator, and you cannot dial directly to Aba which is the commercial city servicing, as a matter of fact, the three XYZ States in that area commercially. You cannot also dial Enugu or Onitsha directly which is another commercial centre servicing those States. I want to speak here in this vein and I do not want to talk as a Senator representing



Owerri, I want to talk as a Senator of the Federal Republic of Nigeria having Nigeria as an entity that must be developed so that if we travel to any part of the country, we can get these services. If I want to shift from there, I want to say this and I make no ego about it, that in Owerri, for instance, Mbaise, where I come from, is the most populated area of that Senatorial district in the whole of black Africa per square meter and this is on record in the history of this country. What I want to say is that we must create a situation here and I would request the distinguished Senators who proposed this Motion to put it into a Bill so that when we take a decision here, it becomes a law, not just simply passing it as a Resolution. It will be one of our greatest achievements because all the Political Parties had all these things in their manifestos and it is not peculiar to one Political Party. If we make it a law, the Executive shall perform. If we just pass it as a Resolution, they may or may not take it, the bureaucratic red-tapeism might set in and for the next ten years, we shall still be talking on the face of this paper. Nigerians now do not want to get their priorities on the face of newspapers or radio and television, they want actual practicality—they want you to set the machinery in motion and it thus happens.

So, Mr President, Sir, I am thankful to you for allowing me this opportunity to speak on this Motion. With these remarks, I support the Motion.

**Senator Amadu A. Ali** (Benue West) : Mr President, I thank you very much for giving me the opportunity to speak on this Motion. I wholeheartedly support the Motion moved by Senator Odebiyi on the problems of telecommunications in Nigeria. It is true that when we talk of telecommunications, there are more things attached to it than just simple wires as my friend from Niger State has said. For a long time since 1977, a contract was awarded for the construction of a Post Office and telecommunication equipment in Idah, the headquarters of a great Local Government in Nigeria, but up till now, nothing has come out of it. The whole of Benue State is totally disconnected from the Federation and when we talk of telecommunications, people tend to think of only wires and telephone box. There is more to it than that. Sometime ago, we were told about the award of a contract for satellites or balloon method of telecommunications and, after that, you could dial to anywhere in Nigeria or the television can be anchored and you could tap Sokoto and get it or tap Gongola and get it, but I have not heard anything ever since.

I am somehow, highly impressed by the brilliant expose given by the former Federal Commissioner for Communications, Senator Tarka. That has really thrown a lot of light into the problem of telecommunications in this country. But the problem is not that we cannot afford the equipment. Mr President, Sir, from the oil money that we have had, we have been able to buy so many gigantic equipment but we have not been able to maintain them. Mr President, Sir, what we need in the problems of advancement is to

This then brings me to the problem of technical manpower training which is a gigantic problem which the Federal Ministry of Education has embarked upon in the past, for training technical manpower all over the world to provide people who can man the equipment in the remotest parts of the Federation.

You train a young man from Epe and he does not want to go to Borgu to go and man the post office or a NEPA station there. So what do you do? Get a young man from Borgu to go on a technical crash programme, and that is the programme that can really make our technological personnel stay and work. We have got all the equipment here, we have bought them but we cannot operate them.

Mr President, Sir, I am so happy about this Bill, because there are so many other ramifications to the Bill. It is not just buying the equipment, Mr President, that is essential to the matter here.

I heard a friend trying to talk about efficiency and the problem of telecommunication in a smaller country than Nigeria, a country in Eastern Europe, Bulgaria. I was trying to ask Mr President to give me a chance to speak on a point of information. Bulgaria is a country I have known and I have been there several times. It is true that they have a smaller population than Nigeria, that is number one. Number two, they have more doctors *per* unit of population than Nigeria. They produce hundreds of doctors every year for their population. So, really the concentration of doctors *per* unit of population is so heavy. We are far below.

So, on the question of saying : you tap a doctor and he comes, it is inevitable that they have to come because they are there *in quantum*. We have one doctor *per* almost three hundred thousand here. It is not the problem of Communication as such, Mr President. I believe that the problem we have in this country is the problem of getting the correct equipment for the technological development of our age in Nigeria and getting enough technical manpower to man our equipment.

I, therefore, support this Motion and support an easy method of communication even if it is by bush fire between Bendel and Benue States between Kwara and Benue States. It may be more effective than a series of wires none of which we can handle or repair. Thank you, Mr President.

**The Deputy President** : I recognise Senator Uba Ahmed. But before I forget let me remind Members of the Business and Rules Committee that as from tomorrow they will be meeting at 10.00 a.m. daily.

**Senator A. Adegoke** (Oyo) : Mr President, Sir, I have a point of Order.

**Senator Uba Ahmed** : What point of Order, when I have not even started.

**Senator Adegoke** : Order 31 (1) : *After a question has been proposed a Senator rising in his place may claim to move "That the question be now put"*.

**Senator Uba Ahmed** : No, No, No !

**The Deputy President :** Any way before we take a decision on that I had better ask Senator Uba to speak.

**Senator Uba Ahmed :** Mr President, Sir, I really feel that this is a very important topic we have before this distinguished Senate. Communication, but more especially telecommunication, if it is efficiently installed in any society, has the effect of improving the efficiency of the economy. It has the effect of improving social contact and relationship. It has the effect of relieving the society of traffic jams, and these are problems we are facing as a result of bad telecommunication system in this country.

Now if we take Lagos as an example, a lot of traffic jams we are experiencing on the road today would not have happened if a subscriber from Lagos can conveniently dial Ikeja or Apapa and discuss his business and finish with it. Therefore, he will be in his office all day working and we would have less cars on the road. But in the absence of efficient telecommunication you will find that it becomes necessary for one to drive all the way from here to Ikeja, and may be you are not even going to meet the man you are going to talk business with. Therefore, it costs the subscriber the time of going to Ikeja, it costs him the fuel he is burning to go to Ikeja, it costs additionally the personal energy and effort he is putting into going to Ikeja. So, his business suffers, the demands on our roads increase Hence the cost of it is heavy economically.

Therefore, Distinguished Senators, as we are all fighting today to create a great country, a great country with great economic hopes, we could only hope to succeed if we are able to start the right thing first, and this right thing is infrastructural facilities.

One of the most important of this infrastructural facilities is telecommunications. It is in this respect that distinguished Senators who have contributed in one way or the other throughout this debate have made a great effort. I want only to emphasise certain factors and points that have been raised by previous speakers in certain ways.

Now it is true that Nigeria had invested heavy sums of money in telecommunication machines, but yet with all the investments in these machines, the results have been very disappointing. As my distinguished colleague, Senator Amadu Ali said, you cannot just go on investing money on machineries without making provision for adequate technical manpower that will provide satisfactory maintenance. Because you have got a scheme to produce this technical manpower; it is hardly economically wise to invest money on these machines before acquiring them because in today's world of technology, every year you see new things and machines become obsolete almost six months or one year after they have been produced.

technician to come out, and only for them to come out and find that the machines they are supposed to work on are obsolete.

So, Mr President, I feel the suggestion that Senator Odebiyi has made in the sense that the question of our telecommunication system should be included in our next five-year Development Plan is a very valid one. It is a valid suggestion in the sense that this development cannot be achieved over night. You have to build it in stages, spacing out all the training programmes for your personnel, and when these technicians come out, you space out the purchase programmes of your machineries so that as each machinery comes out, you achieve the maximum utilization and, therefore, obtain optimum results and satisfaction.

If we are to pass a Bill today and say that we want efficient telecommunication tomorrow, this Senate is in a position to pass the Bill, but will it be possible for the Executive to implement such a Bill? No, it will not be possible. So, the sensible thing which we should do is to try and bring out suggestions and Motions which can help the Executive, so that they can examine how they can put the suggestions into the next five-year Development Plan. It would be spaced out so that we would be able to put the best that we can in our planning efforts in order that at the end of all our plans, we would have been able to come out with even development to the satisfaction of all and sundry.

Now, Mr President, I have a little suggestion to add. In suggesting this Motion there is an oversight of the importance of external telecommunications in this country. Mr President, Sir, NET is a let-down to this country. There have been several occasions when various capitals in the world have suspended Nigerian lines simply because on making telephone calls no one takes it up at the Lagos end. I have known, for example, that during one Christmas in London, Nigerian line was put on suspension for three hours because Christmas time is a heavy time for making personal and business calls and when you make a telephone call what the telecommunications company sells is its time. The number of minutes you use on lines is what you are charged for and if external countries want to get in touch with Nigeria and they call and no operator cares to take the line and they have to wait for two or three minutes, it is a waste of revenue and economy to the people on the other side.

So, Mr President, along with this Motion I would like the Senate to view seriously the neglect, the very rude and negative attitude of most of our telephone operators in this country. They are not only careless and carefree but even rude and irresponsible whenever you come on the line. Mr President, Sir, you can have all the machines and efficient lines in this world, if the operators that are supposed to make the thing work do not have the right attitude to get it working, you will still end up and continue to have frustration and disappointment.

I also feel that a complete training and re-orientation of the telecommunications staff in this country is long overdue. In fact, this is the sort of thing we should put first before the purchase of machinery. We should prepare the minds of the operators and the maintenance crew so that they realise and accept the importance of the jobs they are doing. At this moment, if we start re-training and re-educating our operators and other junior staff, you will find that we will improve the telecommunications in this country by thirty-three one-third *per cent*. Therefore Mr President, I would like us to take the factor of training of personnel in telecommunications as one of the most vital aspects of improving telecommunications in this country.

With this, Mr President, I wish to thank you for giving me the privilege to contribute but I want also to thank more importantly the distinguished Senator who thought it fit at this date and time to bring in this Motion because I believe it is for the greater good of this great country.

Thank you, Mr President.

**Senator Jacob Madawaki** (Kachia/Jemaa/Saminaka): Thank you very much, Mr President, for giving me the chance after standing for about twenty times. I particularly have first to register my thanks to the Mover of this Motion because of its importance and I feel almost every Senator will agree with me that about 95.5 *per cent* of us are from the rural areas. I would like to speak on this Motion as amended by the previous speakers, laying emphasis on the rural areas rather than the urban areas. I would like to emphasise that in the five-year development plan the rural areas should be given attention in the planning for development. I would actually like to consider what the need of the people in the rural areas is. In my view the greatest need is not telecommunications, as we have it. That can come as a secondary necessity. The most important things that people in the rural areas need are road construction, bridges and waterworks. I feel we have to emphasise very much to see that in the next development plan, attention is given mostly to the rural areas on construction of roads, bridges and water works.

People would like me to speak as a Senator for Nigeria. I wish I had known all the problems of some areas as mine. I know very much of my own area, how we have been long neglected, how our roads are not motorable, how many rural areas having the stipulated population here and even more than that are crying and dying of lack of water supply and lack of medical care. So, I would like us to recommend that in the next five-year development plan attention be given to the rural areas more than anything else. When we talk of telecommunications, we cannot avoid restricting ourselves to urban areas or semi-urban areas rather than the rural areas. Let us pay attention to what is actually needed.

If I can go further, Mr President, Sir, a few of us here know my area. I am from Southern Zaria and if you go to Southern Zaria, you will actually feel

other facilities that exist in these areas, you will discover that they have not a single facility. Most of our young boys and girls rush to places like Kaduna and Zaria seeking jobs and, moreover, the sick people are dying in large numbers daily because of lack of medical facilities. So, in my own contribution to this debate, I would like to lay emphasis more on the development of roads and bridges as well as the provision of health services and education in the rural areas than on telecommunications even though I am not ruling it out of order.

When we talk here, I would like to know how we shall have our decisions implemented. We may agree here in this Senate that whenever this Five-Year Development Plan Programme is drawn up attention should be paid to rural areas. The implementation of this decision is another thing. If we speak here and we pass our Motion or Bill and it becomes law, we will be sitting here and people who are to carry on the drafting of the programmes are elsewhere. So, when the programmes come out, we may discover that instead of paying attention to the rural areas greater attention is focussed on the urban areas. How can that be checked? Unless we have a means by which that can be checked we shall continue to sit down here discuss, listen, clap our hands, take decisions and nothing will be done for these rural areas.

As far as I am concerned, almost every government from the first Republic to date talked of the rural areas and the need to improve the ways of life of our people. Even the military government felt they were going to do something to improve the quality of life in the rural areas and they talked of all these things but nothing whatsoever was done. We have heard of and we have seen the Federal Government's intentions to cater for some roads in this country. Of all these roads, I am very sad to say that we have some Federal roads in my own area none of which was mentioned. They are all neglected. Most importantly, we have a road from Gidan Waya right down to Jagindi. We have another road from Gimi which runs up to Womba. None of these roads was mentioned. So, Mr President, I feel that if there is a way or means by which this honourable Senate can put pressure to bear on the Executive to carry out our decisions here, that will actually be helpful but if there is none, then I do not know what could be done to help the situation.

Mine is a humble request that we should find the ways and means of ensuring that our decisions here are implemented.

With these remarks, Mr President, Sir, I thank you very much and I also thank the Mover of this Motion before I take my seat.

**Senator S. A. Akintoye** (Ondo Central): Mr President, Sir, I move that the Question be now put.

**The President**: I am sorry, I have already promised to allow Senator Rufai to speak on the Motion.

**Senator A. D. Rufai** (Bauchi Central): Mr

bringing this Motion to the Senate at this time. I believe Senator Odebiyi was able to read our minds because this is what has been agitating our minds for quite a long time, especially my humble self. I have always been worried because all the developments we have had in this country have always been concentrated in the urban areas instead of the rural areas. My home is a victim of such neglect by previous government of this country.

I am glad that this Senate is now considering changing the old order to bring it to new and proper order. The old order has been very anomalous because the people in the rural areas are the producers of the foods that we eat and which make us survive are completely neglected. I know, in my own home that a few miles into some villages, you will see villagers trekking for about three or four miles in search of water. They trek such long distances in order to get water from the streams and ponds. They take water from where the sheep and cows take their own water. You can imagine that. This is the type of life these our brothers and sisters are experiencing. Whereas the policy makers are enjoying all the good things of life and over-looking the people who make them what they are. What I mean by this is that it is these villagers who pay the tax that the policy makers enjoy. They are taxed very heavily and they are overlooked when it comes to the provision of essential basic amenities. The most important thing is that the Government should direct its attention to the basic necessities necessary for human survival. Firstly you must eat to survive. You must get good water before you survive.

I suggest, Mr President, that agriculture should be given priority in the development of this country. If agriculture had been developed in the rural areas all the drifting of the population from rural to urban areas would have been prevented. The drift has continued for so long because these people in the rural areas are experiencing a hell of time. Life in these areas is boring. They have nothing to do. In certain parts of the north during the dry season, the farmers do not have water for their farms and so they have no work to do. Therefore, they drift to the urban centres to look for jobs and when they come to the urban cities they congest the cities and the cities become over-populated. Thus the problem of accommodation becomes acute. Shortage of food stuff becomes glaring. So, if they are encouraged to be busy and to get something doing all the time, I am sure they would not like to leave their homes to go to urban cities. They are being forced by circumstances beyond their control to go to the urban centres and for that reason the priority and emphasis which the Government should place on the development of agriculture should be in the rural areas.

Mr President, Sir, on the question of telecommunication facilities, I would like to say this. As one distinguished Senator has said, a few minutes ago, and I think it was Senator Uba Ahmed who said so the most important thing is for us to find ways and means of improving the standard of living of our employees, the workers of this country.

Kastina in 1937 that if I wrote a letter home I used to get the reply in a fortnight. Today, if you write from Kastina to my home you will only be lucky to get the reply in six months time. Whose fault is this? It is the fault of the workers. There are more vehicles now which convey the mails to the various towns than before. Formerly, there was only one vehicle per week. For this reason, it is also very important to ensure that the standard of our workers is improved.

Mr President, Sir, many people have spoken about their homes having been neglected. I do not think any of you here is able to check and find out what is happening in Bauchi. It is the most neglected and dejected State.

We do not have anything there. We do not have even the scheduled flight to Bauchi. We have only one small aerodrome. The Nigerian Airways promised us last May that they were going to start scheduled flights from Lagos to Bauchi twice or three times a week. This is entirely forgotten.

**Senator Chief Odebiyi (Egbado North-South) :**  
But you have a very good prison yard. (*Laughter*)

**Senator Rufai :** Mr President, Sir, I am taking this opportunity to ask for a fair distribution of the basic necessities of life in this country. I do not say even distribution or even development. It is impossible to make it even but let us make it fair. Where Lagos, or Kano, or any of these big cities get something worth ten million naira, we should also get something worth a quarter million, proportionate to our size, population and need.

So, Mr President, Sir, I would like to have it on record that we, from Bauchi State, are appealing to the Nigeria Airways to re-number either by accident or by design and to introduce scheduled flights to Bauchi, at least, once a week.

Secondly, Sir, the time has now come that we want to improve the standard of education all over the country, regardless of any section of the country, I think this is the time that those states like Imo, Bauchi, Gongola and Ogun should have universities immediately. Otherwise the uneven development may continue and if the *status quo* continues, then, this will breed complaints, jealousy, and even develop to bitterness which we do not like.

Mr President, Sir, I thank you very much for allowing me to speak in spite of some opposition from some of my Friends. Thank you very much, Senator Odebiyi. I hope that you will continue to bring us such a useful Motion.

**The President :** I intend to give more Senators opportunities to speak but there has been a point of Order to the effect that the Question be now put. What is even more is that the original Mover of this Motion, Senator Odebiyi, thinks that from his own personal observations of the debate, the original intention as been watered down and he would wish to stick to his original Motion. For this reason I think it is time that I put the Question.

**Senator Onyeabo Obi** (Anambra West) : Point of Order. Order 31 (1) says : *After a question has been proposed a Senator rising in his place may claim to move "That the question be now put", and, unless it shall appear to the chair that such Motion is an abuse of the rules of the Senate or an infringement of the rights of a minority, the question "That the question be now put" shall be put forthwith and decided without amendment or debate notwithstanding that the Mover has had no opportunity to make his reply.*

I think that if the question is now put, it will infringe on the rights of a minority including myself who have very material points to put before this honourable Senate before it decides to express its feelings on the Motion.

If Mr President looks at the front Benches, he will find, at least, ten Senators itching to speak. On the other Side of the Senate, the Leader of the UPN wishes to speak. I think that the Motion has not been sufficiently ventilated (*Interruptions*) to give the minorities like us a chance to contribute to the debate.

**The President** : Let me seek the views of Senators on this. Actually, we have about twenty-five minutes to the time of interruption of business. I think we should give Senators time to debate this Motion until that time, otherwise twenty-five minutes will just be wasted for nothing.

**Senator Nosike Ikpo** (Bendel East) : Point of Order. Order 30 (1) *A Senator who wishes to postpone to some future occasion the further discussion of a question which has been proposed from the chair may claim to move "That the debate be now adjourned"*, Mr President, Sir, many of us would like to speak on this Motion because it is a very important Motion affecting the lives of our constituents including those who come from the urban areas. By the time we speak on the Motion they would realise that communication affects everybody. With the time available to us we cannot do justice to this Motion.

So, I move that the discussion be adjourned till tomorrow when we shall continue to debate it and debate it adequately.

**Senator Isa Obaro** (Kwara South) : I beg to second.

*Question put and agreed to.*

**The President** : This Motion is suspended until tomorrow. The debate would continue tomorrow by three o'clock.

**The Deputy President** : Order! Order! The Deputy Clerk of the Senate has just reminded me that in accordance with Section 18 of the Standing Orders we have three or four Motions on the Order Paper for today. The normal procedure is that the Movers of these Motions should seek leave that they be stood down for tomorrow ; otherwise, they would appear to have lapsed. So, the Movers of Motions 6, 7, and 8 should please so indicate if they wish them to be stood down.

**Senator Odebiyi** : Mr President, Sir, I beg to

**A Senator** : I beg to second.

**The Deputy President** : Is it the wish of the Senate that the Motion be stood down until tomorrow?

**Several Senators** : Yes.

*Motion by leave deferred.*

**The Deputy President** : The next one is in the name of Senator M. A. O. Abiru.

**Senator Odebiyi** : Mr President, Sir, I would also like to move on behalf of Senator Abiru, that the Motion be stood down for debate tomorrow.

**The Deputy President** : What is your authority for that since Senator Abiru is not here?

**Senator Isa Obaro** (Kwara South) : It should be struck off.

**Senator 'Lere Adesina** (Ibadan) : I am the seconder of the Motion.

**The Deputy President** : I am inclined to accept that since the Business and Rules Committee has not finished its job. Any seconder?

**Senator Uba Ahmed** (Bauchi South-East) : Mr President, Sir, I want to move on his behalf that the Motion be withdrawn! (*Laughter*)

**The Deputy President** : Senator 'Lere Adesina, are you seconding Senator Odebiyi's Motion?

**Senator 'Lere Adesina** : Yes.

**The Deputy President** : The question is that Senator Abiru's Motion be equally stood down until tomorrow.

*Question put and agreed to.*

*Motion by leave deferred.*

**The Deputy President** : Motion number 8 ; Senator F. J. Ellah.

**Senator F. J. Ellah** (Ahoada/Ikwerre/Etche) : Mr President, Sir, I beg to move that Motion number 8 standing in my name be put back on the Order Paper tomorrow.

**The Deputy President** : Any seconder ?

**Senator Sabo Bakin-Zuwo** (Kano Central) : I beg to second.

*Motion by leave deferred.*

### Joint Committee on Remuneration

**The President** : I have a notice for a Motion which is very important. I think the Senate ought to take this Motion. If it requires further discussion it will continue tomorrow. The Motion has been filed by a distinguished Senator from Gongola in the person of Senator Mahmud Waziri. Senator Mahmud Waziri, you may speak.

**Senator Mahmud Waziri** (Adamawa) : Mr President, Sir, thank you for giving me recognition.

that have arisen between the Senate and the House of Representatives, on the recommendations of the Committee's report dated the 12th and 14th of this month.

Secondly, that the Senate directs that the Committee should co-opt the President of the Senate and his Deputy, the Leader of the Senate, the four Party Leaders together with the Speaker of the House of Representatives, his Deputy and the Party Leaders in that House.

Thirdly, that any recommendation—

**A Senator :** For the purpose of considering the differences ?

**Senator Waziri :** Yes, for the purpose of considering the differences.

Thirdly, that any recommendation made by the Joint Committee together with the co-opted Members should be finally referred to the Senate and the House of Representatives for information purposes only.

**Several Senators :** No.

**The President :** Order! Order! Senator Mahmud Waziri, you are protected.

**Senator Waziri :** Thank you, Mr President. Mr President, Sir, we all know in this Senate our legislative competence to prescribe salaries for the public officers as mentioned in the Constitution. This Senate, I am sure, is alive to its responsibility in prescribing salaries.

Furthermore, the debates that came out on the 15th November, in summary, pressed for prudence and care in the management and spending of funds. So, I believe that having these personalities of the National Assembly together with the Members of the Joint Committee on Remuneration they would be in a better position to sort out the differences and make recommendations to the Senate and the House of Representatives respectively so that this matter can be disposed of. As it stands the matter of remuneration is an unfinished job. So, it is surprising to see all the comments that have been made outside when this job has not been finalised by the National Assembly.

Mr President, I beg to move that this Motion be supported by all Sides and that the Joint Committee's Recommendations on the differences regarding the deliberations of the Senate and the House of Representatives, the two Houses, should be by unanimous consent whenever we receive them.

Thank you very much.

**Senator Bakin Zuwo :** I am seconding the Motion with very few remarks.

I am supporting the Motion because it is very important. Wide publicity has been given to this argument about remuneration. Yesterday, on the television, there was a lot of accusation against the Members of the National Assembly simply because we fixed salaries for ourselves. This accusation came from Chief Harold Sodipo.

**The President :** Order ! Order ! Do not discuss personalities that cannot defend themselves on the Floor of the Senate.

**Senator Bakin Zuwo :** Mr President, this gentleman argued with a distinguished Senator on the television ; but he forgot that his construction company was awarded a contract in the Satellite Town which was not performed. Mr President, Sir, there is also another company owned by him, Bits Construction, which failed to comply with Government's instruction. His companies have a bad reputation. Therefore, I think, his criticisms are not constructive.

Secondly, Mr President, Sir, this gentleman lost the nomination of his own political party in his town during the general elections. Actually, somebody defeated him and he could not come to this Senate.

Mr President, Sir, when I heard over the radio that the President of this country has rejected the decision of the Senate, I was not happy because it appears to me that—

**The President :** Order ! Order ! On that point that you are mentioning the President, I think you should be cautious because the President has not been advised up to this moment of the decision. *(Interruptions)*

**Senator Bakin Zuwo :** Mr President, Sir, if somebody in Nigeria declares himself to be a nationalist and thinks that he has the interest of this nation at heart, once the remuneration is paid to him, he can surrender it to a charitable organisation or he can give it to beggars. Mr President, Sir, we do not want any controversy between the Legislature and the Executive. We can only compromise with him. We can also show him our respect and loyalty. Mr President, Sir, those who say that we are irresponsible and we have no work to do, do not know what they are saying. We are responsible people. We have got our homes. We have got our children. People are criticising us simply because we fixed salaries for ourselves, but considering the position—

**The President :** Order ! Order ! That is a constitutional right you are exercising.

**Senator Bakin Zuwo :** Well, criticisms must be constructive. We know somebody who is earning ₦60,000 in a private company. Mr President, even those who do not adopt polygamy have large families. We have no shelter in Lagos. We have nobody to look after our welfare and we are still spending our money. They should not expect us to steal money. They should not expect us to go about begging. That is why we must fix our salaries according to what we feel will satisfy Distinguished Senators.

Mr President, Sir, some people are jealous that we are now in the Legislature. Why did they refuse to contest the elections against us ? Let them come out in the 1983 elections to challenge us in the

[SENATOR ZUWO]

political arena. When people say something, I think, it has to be reasonable. Mr President, Sir, I think my Colleagues in the NPN, the UPN, and NPP agree with me.

Mr President, Sir, finally, the destiny of a man born by a woman will never be changed ; what will be will be. Mr President, Sir, without fear, I must say that the Senate is right and it must go on fighting for its constitutional right. Those who are challenging us are now in comfortable houses. They have no limited expenditure.

Mr President, Sir, with these few remarks, I beg to sit down.

**The President :** I recognise Senator Uba Ahmed to speak. Did you say you have an amendment ?

**Senator Uba Ahmed (Bauchi South-East) :** Yes, Mr President, Sir, my Amendment here is :

Whereas I agree that the National Assembly has acted within the Constitutional provisions of Sections 74 to 78 of the Constitution of the Republic of Nigeria in fixing the remunerations that they have hitherto done, whereas I also agree that a Joint Committee needs to sit immediately and iron out the differences in these salary structures, the differences should be specifically mentioned and in this case the salaries decided in the Senate and in the House of Representatives.

(2) That whatever decision the Joint Committee has taken is subject to approval and ratification by the National Assembly.

That is my Amendment. Thank you.

**Senator Shitta-Bey (Lagos) :** I think we have to call a spade a spade. The image of the Senate is at stake, the image of the House of Representatives is at stake. In other words, the image of the National Assembly is at stake. Mr President, Sir, this issue cuts across party policies, party alliance, party allegiance, and party principles. I must say with due respect that once a decision has been taken by the Legislature of this country, particularly when the subject matter has been fully debated and the conclusion arrived at as a result of that debate, this Senate should not feel shy of it. That is, it should not feel shy of sustaining its own decision. I am supporting the amendment by Senator Uba Ahmed that what should be referred to this Joint Committee is the difference in the salaries fixed between Senate and the House of Representatives. Anything beyond that shall be outside the task of that Committee, and it shall not be competent to decide on that, because that is the decision of this Senate and the House of Representatives. That is very essential. That is number one thing.

The second thing is another one mentioned by Senator Uba Ahmed that this report must be submitted to this Senate because the Legislature is not afraid of anybody. We were voted in. We believe we are

I know Chief Harold Shodipo very well and I am surprised that he could talk the ways he did. He took a lot of contracts from the last military regime. He is a friend. I know him very well. He is a very close friend and a brother to Gen. Obasanjo. In fact, I do not want to say that there was a lot of contracts and a lot of businesses between him and the former Head of State, Gen. Obasanjo. People cannot fool us in this country. I assisted him actively to become the chairman of the Island Club, when he wanted to be the chairman of the club. I was, in fact, the man who led his campaign in the club. So, I know him very well. I am saying this to show you that I know him very well. I am surprised that people can continue to deceive others. I do not believe in it.

Mr President, Sir, the time had gone when any Executive would rise and do whatever he liked. That is the essence of the principle of Separation of Powers. The Legislature is the Police Force as far as the Executive is concerned. When I say the Police, I mean it is the watchdog of the Executive. The President of the Senate is the distinguished Inspector-General of the Police. The Speaker of the House of Representatives is the Deputy Inspector-General of Police. We must know this, whether the Executive likes it or not. Under the present Constitution we shall function. We do not want any thing from any body. We are out to do a job.

We are not equally talented. When I say we are not equally talented, I mean that I may know something about law, my brother there may know something about quantity surveying and the other one may be a businessman. What I am saying is this. We have to ensure that our lives are not unnecessarily tampered with. On this note, Mr President, I would like to say this. Somebody said earlier that there are some private companies. I do not like to do this but at the same time I should exercise restraint. I do not intend to go into personalities in this country who earn well over ₦30,000, ₦36,000 and ₦60,000, notwithstanding their criticisms against us. If we are forced to do that we shall do so. What I am saying is this. We will not go and beg anybody. We do not want the National Assembly that will comprise beggars. We want to operate independently of the Executive. Maybe the Executive will want the people who will not have the courage to say what they want to do. If they want people like that and if they can pay them very small salary so that they can control them they will have them. The days are gone when the Executive controlled the Legislature. Our superiority shall be maintained.

**Senator Jaja Wachuku (Aba) :** Mr President, Sir, in connection with this remuneration question, distinguished Senators have been called thieves, rogues, robbers, and every type of despicable epithet has been applied. Men who have distinguished themselves in their respective professions who worked hard to establish themselves as professionals or business men or distinguished intellectuals, under the

you add some Committee's periods you find that we will end up by sitting for more than 200 days in a year.

The lawyer or the solicitor will throw away his practice. If he wants to keep his Chambers going on, he has to hire many people and he has to pay them much. If he is a surveyor and if he wants to keep up his business, he may require others to take up his job. If he is a business executive and he wants his business to function, he must make sure that he has recruited very competent staff and to get competent staff, he has to pay. Taking into consideration the sum of ₦17,000 and not even pounds, before five months it is gone. When the tax is taken from it there is nothing left. Who are the people crying, *Wolf, wolf*? The very people who are grudging are the people who emptied the Treasury. How much does a *Daily Times* Director earn? Certainly, it is more than ₦30,000. How much does the gentleman spend in a year? Yet, that man will grudge a Senator on ₦17,000 in a year. He has forgotten that the Senator is the elected representative of the people of this country.

Mr President, Sir, we have the list of 184 parastatals and there may be more of them. These are bodies and institutions owned by the Government and headed by certain people.

What I am going to do is to submit a list and this Committee will work on it. This is its duty and if possible, it may set-up a sub-committee to get information on their salaries, entitlements and facilities, right from the *Daily Times*, the *Punch*, the *New Nigerian*, the Chairman of the NTA and everyone of them and the list of those who have occupied positions in these various Corporations owned by the Government within the last five years to know how much they received and to know whether anyone of them received up to ₦60,000.00 or the like. This Senate should know how much they received and whether their salaries and facilities were equivalent to those of the truck-pushers.

I do not want this Senate to act as irresponsibly as those who have been calling us names as we do not want to be called names. We do not want to say that they are telling falsehood or what great Churchill called terminological inexactitude. We want to answer with facts and figures and when we should have collected all those facts and figures, we shall publish the names of the people concerned and even those in the very newspapers which are government-owned. Then we shall let the ordinary people of this country judge. I think that is the only way we can silence these hypocrites.

I stood and said that I did not represent the Lagosians and that their representatives are those people in the House of Assembly and they should know their sufferings, pains and try to find solutions to them. The main job of the Senators here is the national problem and how to find a solution that will be beneficial to every State and through the States to the various districts and so on. They want to deny us of the little they want to give us to make us a little comfortable for the time we spend to think and rack our brains to do what is best for this country.

impossible conditions? I did not want to speak on this subject but when we have been battered, knocked about, kicked and virtually reduced to a nonentity and we are being punched, one must say something.

Mr President, Sir, with these remarks, I beg to support.

**The President :** The debate on the Motion filed by the distinguished Senator from Adamawa (*Senator Waziri*) continues tomorrow at 3.00 p.m.

I have the following for your information. There was a letter received by me from the former Head of the Federal Republic of Nigeria, General Olusegun Obasanjo, on the 15th of November and to which I have given a reply. The letter was addressed to me personally as the President of the Senate and it was in respect of some points raised on a Motion for Adjournment by a distinguished Senator in this august Senate. I have since informed him of what the Senate did and the issue is, therefore, regarded as closed. (*Interruptions*)

Order! Order! I recognise distinguished Senator Odebiyi to speak.

**Senator J. A. O. Odebiyi** (Egbado North-South) : Mr President, Sir, I think that since the letter has been addressed to you as the President of the Senate and since you have replied on behalf of the Senate, then the matter ought not to have been brought here at all. Once it is brought here, then, of course, the Senators become privileged to know the contents of the letter and that of your reply. At that stage, Sir, you can then rule out any debate on it. I think that the Senators are entitled to hear the contents of the letter and your reply thereto.

**The President :** Thank you. I mentioned this because I thought it was for information purposes. I am not doing this as an after-thought; I am doing it at an opportuned moment but if the distinguished Senators want to hear the contents of the letter and the reply, I shall read them.

### Nine-ton Nigerian Currency Notes

*Dear President of the Senate,*

*I am constrained to write to you this letter after reading the Report of the Senate Proceedings of the 13th November, 1979 in which one of your Senators, Sabo Bakin-Zuwo of the PRP from Kano Central urged the Senate to invite me to explain the nine-ton Nigerian Currency Notes allegedly captured by General Idi Amin in Uganda last year. It benefits neither the nation nor its highest legislative body when its member levied unsubstantial charges of so serious a nature on the Senate Floor. Such charges must not go unchallenged. I will, therefore, urge you to establish Special Committee of the Senate to investigate them thoroughly on the basis of careful accumulated evidence and the testimony of appropriate witnesses in Nigeria elsewhere.*

*I am forwarding a copy of this letter to the President, Alhaji Shehu Shagari for information.*



The President :

20th November, 1979

General Olusegun Obasanjo

My dear General,

I must thank you for your letter of the 15th November, 1979 in which you reacted quite rightly, in my view, to the allegations by Senator Sabo Bakin-Zuwu, from Kano Central Senatorial District which appeared on the Senate proceedings of Tuesday 13th November, 1979.

In accordance with your request, I have communicated contents of this letter to Members of the Senate. I am sure you will have noted that the allegations by the Senator was made in a speech for Motion on Adjournment and in accordance with the relevant Standing Orders of the Senate, no debate whatsoever arises as a result of the Senator's Speech and consequently the Senate did not resolve to take any action on the matter. I want to assure you, General, that the Senate will never wish to discuss any unsubstantiated charges serious or not against anybody as it did, in any case which has been the main subject of your letter.

Finally, I want to assure you that the Senate has the highest regards and admiration for you as former Head of State, and an important Nigerian citizen and will do nothing intentional to ridicule or embarrass you personally or the Government of which you were the head.

Once again, thank you for your letter.

I have sent a copy of this letter to His Excellency, the President of the Federal Republic of Nigeria.

JOSEPH WAYAS

**Some Senators :** What was the day it was sent ?

**The President :** The letter was sent this afternoon.

**Senator Odebiyi :** Mr President, Sir, when you read the letter to us, you said you sent copies to us.

**The President :** I did not say so. This letter was sent this afternoon.

**Senator Odebiyi :** In any event, Sir, we do not intend to flog the dead horse. The distinguished Senator from Kano Central, (Senator Barkin-Zuwu) made some references to what was alleged to have happened, and my own attitude to a lot of these things is that if people make statement which I consider do not affect me as such, my reaction to it is just to discountenance it. Surely, if the General reacted so much to Senator Bakin-Zuwu's statement like that, he is likely to have more embarrassment as time goes on

they believe he knows anything about, he does not know anything about, he does not even think about, they will raise them in his name.

He was a ruler, and if any body got married in his regime and they had no family, they would, say *It was Obasanjo who did it*, If anybody got gilded, they would say *It is during the regime of Obasanjo* that he got gilded. If some people had so many children, they would say it was during the regime of Obasanjo that they had so many children. If some people became bankrupt, they would say it was during the regime of Obasanjo that they became bankrupt. If some people made money, they would say it was during the regime of Obasanjo that they made money. As a rule, if anybody became a Commissioner like Senator Ali, he would say it was during the regime of Obasanjo that he became Commissioner. So, everything that happened during his period, good or bad, is bound to be attached to his name and he just has to take things in their strides.

We have a proverb in Yorubaland which says :

*Any ruler in whose period some good things happened will have his name for ever written in the hearts of the people. Any ruler in whose period things that were had happened, will also have his name written in bold letters in the hearts of his people.*

I think that is all about this thing. There are people who will not talk about him and there are people who will talk about him for ever and ever.

There may be issues which may come here later of which we may have to get some information from him. It does not mean, in effect, Sir, that we are probing the Army.

**Senator Amadu A. Ali :** But we cannot differentiate.

**Senator Odebiyi :** Well he was the Head of the Army. In any event, if by talking about them here, we shall be surrounded here one day, history will decide whether we have been surrounded properly or not.

**A Senator :** You have to ask Senator Akintoye.

**Senator Odebiyi :** I do not depend on Senator Akintoye as he is a historian just as you are. But, the point is this, Sir, we will be making references to this thing, when we want to get information, to know what is going on. We do not intend to vilify anybody or to malign anybody. When we want to get information, we shall have to consult them to get information.

**The President :** Order! Order! This, as I said, was purely for information. We shall continue the debate tomorrow on Senator Waziri's Motion and take more Motions on Adjournment tomorrow. For the time being, the Senate stands adjourned till 3.00 p.m. tomorrow.

## REPUBLIC OF NIGERIA

Thursday, 22nd November, 1979

*The Senate met at 3.40 p.m.***PRAYERS**

(The Deputy President in the Chair)

**The Deputy President :** Order ! Order ! This is for your information. Distinguished Senators may be aware that the President of the Senate is today attending the meeting of the Council of States. This is why he is unavoidably absent this afternoon.

**Letter from the President of the  
Federal Republic of Nigeria**

The other thing is that the President has received a letter from the President of the Federal Republic of Nigeria. I would ask the Clerk of the Senate to read it now.

**Clerk of the Senate :** Mr President, Sir, a letter dated 21st of November 1979, is from the President of the Federal Republic of Nigeria and is addressed to honourable Dr Joseph Wayas, President of the Senate, National Assembly, Tafawa Balewa Square, Lagos, honourable Mr Edwin Ume Ezeoke of the House of Representatives, National Assembly, Tafawa Balewa Square, Lagos. The caption of the letter is : *Remuneration for Public Officers.*

*I have had the opportunity to read through the Proceedings of the National Assembly and to confirm reports that the assembly had considered Motions on the emoluments for various public officers. After a study of the outcome of the deliberations of the Assembly I feel constrained to let you know how concerned I am about the manner this subject has been handled.*

*The Constitution of the Federal Republic generally vests in the National Assembly the power to authorise expenditure from the Consolidated Revenue Fund of the Federation and under Section 78 the Assembly may prescribe the salaries and allowances to be attached to certain offices. In exercising these powers sight should, however, not be lost of the provisions of Section 75 which places on the President the responsibility for preparing and presenting before the Assembly the estimates of the revenue and expenditure of the Federation. In this light, it is my earnest opinion that for the legislative and executive arms of the Government to exercise the functions prescribed for them in a complementary manner both arms have to act in consultation and avoid the temptation to take action in isolation of each other as seemed to have happened in the recent steps taken by the Assembly.*

*Following on this, I should invite your attention to my earlier indications that I do not intend to put forward proposals for supplementary appropriation during the*

*current financial year. I had arrived at this decision after taking account of the provisions and proposals already made for, among other things, the remuneration for all elective officers, and the need for fiscal discipline in the management of the economy. Implementing the proposals of the National Assembly would, however, call for an additional appropriation of considerable funds and give rise to a supplementary budget exercise. The exercise by the Assembly should not have been undertaken outside the frame-work of an estimates exercise and the impression should not be created that any arm of the Government could, on its own volition, seek to evade the rigours of fiscal discipline. Such an impression would hardly help the Government to evolve or maintain any credible fiscal policy.*

*Finally, I should invite your attention to the need to ensure that the relativities between various public offices are not unduly distorted as a result of an exercise carried out in isolation of existing realities. I have, as an annexure to this letter, a schedule of the salary relativities pre-1966, as proposed for 1979-80, and as now recommended by the National Assembly. As you would observe the recommendations of the Assembly would so distort past and existing relativities to such an extent that the repercussions in terms of agitation for adjustment in the public sector and even in the private sector of the economy could be hard to contain and could lead to claims for a salary review. Industrial peace and harmony as well as good fiscal management require, for instance, that the relativities between the Secretary to the Government of the Federation, the Head of the Civil Service of the Federation, Ministers, the President of the Senate and Members of the Judiciary are not unduly altered and that the salaries of Members of the National Assembly are not altered vis-a-vis those of officers in the Public Service for whom the salary of the Head of the Civil Service of the Federation is a reference point. In my humble judgment the time is not opportune to undertake changes of the magnitude being recommended by the National Assembly.*

*Mr President of the Senate|Mr Speaker of the House of Representatives, I have addressed this communication to you to appraise you and through you the Honourable Senators|Honourable Members of the House of Representatives of the consequences if we handle the subject of the salaries and the allowances in a way that could deprive any arm of the Government of public trust and confidence. It is my intention to formally present my proposals on the subject to the National Assembly and it is my earnest hope that the proposals when presented would be considered in the national interest and against the background of the information I have conveyed in this letter.*

Yours very Sincerely,

ALHAJI SHEHU SHAGARI,  
President of the Federal  
Republic of Nigeria

**The Deputy President :** Well, there is an annexure to that. All it comprises is a table of figures of relativity in terms of salaries that obtained pre-1976, during the military interregnum and the figures projected by the National Assembly last week. So, if you so desire that this should be read out too, then, he could do so.

**Several Distinguished Senators :** Read it out.

**Clerk of the Senate :** The annexure is under three or six headings. The first one is the title ; the second, pre-1976—Federal ; the third is Regional ; fourth, Proposed 1979 by government—Federal ; followed by States ; and the last one proposed by the National Assembly—Federal. *President pre-1976*—this has been evaluated in pounds—£7,150. (*Interruptions*)

**The Deputy President :** Order ! Order ! I think the tables are very involved and realising that we started late this afternoon I would suggest that since later on we might reproduce that for Senators, we should save time. I recognise the Leader of the Senate.

**Senator Sola Saraki (Ilorin/Asa) :** Mr President, distinguished Senators, I would like to say that we should make photocopies of the letter and the table available to distinguished Senators. We would then write to the President to thank him for the letter. Thereafter, we should fix a date to debate the letter. (*Applause*). Let us carry on with our business for today.

**The Deputy President :** Is there a contrary view ?

**Several Senators :** Yes.

**The Deputy President :** Senator Odebiyi may speak.

**Senator J. A. O. Odebiyi (Egbado North/South) :** Mr President, Sir, in order to do justice to the President's letter we would have to have more information. Such information should include salaries of parastatals controlled by the Federal Government, including government companies, majority of whose shares are owned by the government or fully owned by the Federal Government.

Whilst I do not want to comment on what the President has done, I can only say that it is a great pity that the hon. President refused to give necessary guidance to this Senate when this matter was being discussed.

In any event, we should have plenty of opportunity to debate it next Monday. In the meantime, before any debate is held at all, we want to be in a position to appraise the whole situation all over. Whilst we would insist on knowing what the figures were in respect of 1966, we also want to know what relevant figures are being used now, as at today, so that when we are really discussing this matter, we would be doing so with the greatest sense of responsibility and maturity that it deserves.

I would not even suggest that Monday will be the best time to debate this. Once beaten twice shy is an

need hardly say that it is a great pity that the President did not give us necessary guidance. In any event, whatever may be the personal views of individuals here on the matter, the Senate has taken a decision rightly or wrongly and it is the duty of every distinguished Senator to defend it to the best of their ability. I think that is important. Whatever our personal views may be on the matter is a different matter. Once the Senate has taken a decision, we are all bound by it. There is no question of anybody opting out. The whole National Assembly has been castigated and to be able to do a good job of it, we ought to have those facts.

Thank you, Mr President.

**The Deputy President :** The Senate Leader can speak again.

**Senator Sola Saraki :** Mr President, Sir, distinguished Senators, I do not think we should start to debate this matter ; we should leave it as it is. The Clerk of the Senate should make copies available to each and everyone of us with the table attached thereto. As the Leader of the UPN in the Senate has just said, we require more information from the Executive. I would like to assure distinguished Senators that I would do all in my power to see that all this information is made available to you.

I do not think we should be ruffled in this matter. We are all honourable men, and I am sure we would keep to our stand and protect our good names which is very important and more honourable. May I move, Mr President, that we go on with the Order of the day, please.

**The Deputy President :** Considering that this letter was addressed to the President, I would suggest, if distinguished Senators are of the opinion that the suggestion made by the Leader of the Senate be accepted, that it should be seconded and put to vote.

I recognise Senator Hoomkwap to speak, please.

**Senator George Hoomkwap (Shendam) :** Mr President, Sir, I disagree with the suggestion made by the Senate Leader that we should reply the President, thanking him. I think to thank him will be a wrong decision for this Senate to take. We can acknowledge its receipt but not to thank him. As Senator Odebiyi has said, it might not even be necessary for us to ask the President to get us the necessary data which we shall use against him. I think it is our duty to make sure that, when we want to comment on this, we shall get the date that will be used in making comparison for the general public to know why we took the decision which was taken. If we ask him and he fails to give us the information, it will delay things. So, I support the idea that we should set aside a day to discuss this matter but it is our duty to get all the necessary data to really buttress our case and make the general public know who is right or wrong. Thank you.

**Senator Sabo Bakin Zuwo (Kano Central) :** Mr President, Sir, I agree with the suggestion that

**SENATOR WACHUKU**  
in 1976, the price of sugar in 1966, the price of other commodities and compare with the present day prices. Mr President, I think we are not here to waste our time. If we are serious with this matter, I would rather suggest that we discuss it straight away. This is because we have a comprehensive report of 1976. We know what was going on in 1976 concerning all commodities and the affairs of this country even up till now, 1979. Therefore, Mr President, I would suggest that this matter be discussed right now.

**The Deputy President :** I now ask the Leader of NPP, Senator Jaja Wachuku, to speak.

**Senator Jaja Wachuku (Aba) :** Thank you, Mr President. I would suggest, along with what the Leader of the Senate has said, that we should acknowledge receipt of the letter of the President of the Federal Republic of Nigeria with thanks to show that we still regard him as the President who is entitled to all the honour and respect that his office commands.

We have no hard feelings, but one, to ask him to help us supply the details of the salaries and emolument pre-requisite of the senior executives of the parastatals—and there are many of them—and Government controlled companies and two, to give the salary pre-requisite of various Nigerian Ambassadors holding posts in different parts of the world.

With these figures, we should be able to know and compare properly and more accurately having regard to the new system that has been introduced by the new Constitution which is quite different from the system before 1966 and the system that ended on the 1st of October, 1979.

I support a debate on that but I am not so sure that Wednesday will be adequate. It will be too early. Let us remember that the Senate has given instruction to a Joint Committee to which we have co-opted the President of the Senate and his Deputy, and the Party Leaders to do certain things. While they are busy with that, the Senate will not be able to treat this matter effectively. The time is too short. We must appreciate that the President must be very, very busy, and to get us all these facts will take a little time. So, I would suggest that the debate on this may be put off till about Thursday or Friday. That is my own view.

**A Senator :** Friday is half day.

**Senator Jaja Wachuku :** Then, Thursday will be all right. Mr President, Sir, I do not know whether it would be worth my while now to read out this document I have. I got this document in connection with another matter. I think it would be a waste of our time to read it now. We know all the parastatals owned by the Federal Government.

**Several Senators :** Read it, read it.

**Senator Jaja Wachuku :** The names are too many. I got this document for a different debate which we have not yet finished with.

**A Senator :** Read it, Sir.

**Senator Jaja Wachuku :** Not now. I will read that in connection with my speech which I hope to deliver on the other debate.

**Senator Gani A. Mohammed (Kwara North) :** Mr President, Sir, my contribution is going to be very short. All I would want to be appended in the projections to be made is the new job evaluations and what the Constitution also has provided, especially in the tasks to be performed by the President, the Legislatures, that is, the House of Representatives and the Senate. I think that this is going to be very important in the discussions to be held, and I would want the job evaluations to be as detailed as possible to show the different responsibilities that these people are going to carry in the performance of their duties. This should include the President of the Federation right down to every echelon we are going to discuss, including the Ministers. This is very important. Thank you.

**The Deputy President :** Before I recognise further speakers on this subject on the Order of the Day, I was of the opinion that we should first take up Senator Odebiyi's Motion of yesterday which we stood down. Of course, we have this other Motion on remunerations—the Motion of Alhaji Mahmud Waziri. His Motion is similar to the letter we have just received from the President. So, if he would not mind, he should request the leave of the Senate that it be stepped down for Thursday.

**Senator Mahmud Waziri (Adamawa) :** I have no objection, Mr President.

**Senator S. A. Akintoye (Ondo Central) :** Mr President, Sir, the President of the Federal Republic of Nigeria has said that he would be making proposals to the Senate on the salaries for Legislators and so on. That is how I understand the letter. Are we going to discuss the matter before we received his proposals? I would suggest that in discussing the emoluments and salaries for Legislators, the President and other Public Officers, it would be a good thing to have as one of the supporting documents for our discussion, the recommendations by the President of Nigeria.

Secondly, it is important that we have all the information we can collect about the comparable remunerations, for comparable officers in the Public Services of Nigeria, and it is necessary also, as a Senator has suggested, to have some ideas of the comparability in the functions of the present day Legislature under the new Constitution and the Legislature under the old Constitution, because I have a feeling and I believe that people still make a lot of mistakes comparing the present-day Legislature with the Legislature under the First Republic. I have a feeling, Sir, that to be able to do all of these, to be able to bring together all of these information we will clearly need more than a week. I would, therefore, suggest, that we set a longer date for this discussion than has been set now.

Also, Mr President, I have the feeling that it is important that we as public men should try to be responsive to the mood of the public. Just now, because of the way the matter is being reported and

handled before the public by the press, there is a general feeling that we are more interested in discussing and approving our own remunerations than we are in doing other functions that are placed before us by the constitution.

In such a situation, the best solution would be, in my view, that we now put this thing aside for some time while we are collecting these information. We should let the dust settle so that we can take the matter at some appropriate time and settle it once and for all in the midst of less noise and less heat. There is too much noise and too much heat just now, and I would suggest that we put the matter away for quite a time.

Therefore, Mr President, I would suggest that to be able to do this and to be able to collect all the information and help the public to settle down in this matter, and to be able to discuss this matter in the midst of less heat and less dust, we would need more than a week or two. In fact, I would suggest that we discuss this matter in January. (*Interruptions*) May I just complete what I was saying. I would suggest that surely, this should not be sooner than the middle of December. But, I believe that it would be better still, if we could take it within the first week of January.

Mr President, Sir, while saying that, I think it is important that now that we are starting operating with a new Constitution, it is important that we should get things correct in the matter of communication between the President and the Senate of Nigeria. I do not know how the President has come to receive information about decisions that were taken in this Senate.

**Several Senators :** We are not debating the letter yet.

**Senator Akintoye :** All right. I am ready to wait and make my own submissions on that later, but I am rather disturbed by a situation in which the President of Nigeria reacts to reports in the press about what is happening in the National Assembly. I think that the President of Nigeria ought to wait for an official report of the deliberations in the Senate before reacting, and I believe that in this matter he has not waited for any official report. Thank you, Mr President.

**Senator Sola Saraki (Ilorin/Asa) :** Mr President, Sir, I thought that we were not ready to debate this issue, and in order to get all the necessary documents, it has been decided to put off debates on this matter until a future date. If I am right, the Federal Government has from thirty-six to forty Corporations and before we can get information from all these Corporations it will take us a couple of weeks. So, I would like to agree with Senator Akintoye that we leave this matter till early January, the first week in January.

**Senator Victor Akan (Eket) :** Mr President, Sir, I want to associate myself with the views

Members of the other House, have held a conference to agree on a definite date. So, frankly speaking, until we do that I cannot really see us holding this debate and being in a position to reply to the President.

In supporting Senator Akintoye's suggestions, I think we can not do this and proceed to hold meaningful discussions before January, if one is to take account of the information contained in the list prepared by the distinguished Senator from Aba, Senator Jaja Wachukwu.

So, my suggestion, Sir, is that we should fix a date, taking into account the Senate calendar for the rest of the year, sometime in January. We might want to ask the Senate Business Committee what it intends to do with the Senators who might want something for Christmas.

**A Senator :** That has been taken care of.

**Senator Akan :** I do not know that that has been agreed by the Senate.

**The Deputy President :** Senator Akan, would you wind up, please.

**Senator Akan :** Mr President Sir, we should first arrange a Conference with the other House so that we can have solid figures with which to work. Thank you very much.

**The Deputy President :** Senator Akpata may speak.

**Senator E. I. O. Akpata (Bendel Central) :** Mr President, Sir, we all know the country in which we are. I would rather not have information about parastatals than wait till January, because everyday you wait, to that extent, people would think that you had no basis for the sum you fixed before, and that it is only now that the President has sent a message that we are beginning to run helter-skelter to get information.

As a matter of fact, the amount of propaganda that would go on from day to day would be such that maybe by the time you start in January, there would be nothing for you to say. If we are going to work on the basis of whatever information we have got now, we must work with despatch. I do not see why it should be later. We have the Committee. The Committee is working. It has not finished. Now the President somehow has read the *Hansard*, not from the newspaper, and has sent us a long letter, comparing the Westminster system with the Presidential System. We have got that letter, and as if we had never done our home work, we say we are going to wait till January before we reply.

On my part, I do not support that, because if we are to delay till January, it would mean that the exercise we performed was done hastily, and that we are only just beginning to wear our thinking caps.

So, my view is that many of us are old enough. This borrowing of money from here and there is enough. If we have no case to make, let us surrender.

**Senator Onyeabo Udi** (Anambra west) : I thank you, Mr President. First of all, Sir, I think that we should acknowledge the right of the President to make his views on this subject clearly known to the Members of the National Assembly. The only thing which I think went wrong is that instead of coming to this Senate in the first place, recourse was made to the news media. I think that the proper approach would have been for the President to make his comments to this Senate first.

**A Senator** : You are debating.

**Senator Obi** : I am not debating. What I would like to suggest is that we have a Joint Committee charged with this subject. It is not for the whole Senate to obtain information on which we can debate this subject. I would suggest that the President's letter should be referred to that Committee.

**Some Senators** : No.

**Senator Obi** : The members of the Committee having heard the comments which Senators made as from yesterday and the day before, and having obtained other relevant data from Parastatals and Government owned Companies would then table a report before the Senate. That report would then form the subject of the debate on the President's reaction. It would also give us the basis for taking a fresh look at our earlier decision, either to affirm it or to reverse it, in the light of the President's comment and the general public feelings on the subject. If we should wait till the information is collected and brought openly to this Senate, we would be defeating the Committee system which is the bastion of the Presidential System of Government. It is the option of this Committee to invite even experts or officials who might have this information to testify before it and answer the relevant questions.

I would then say that at that stage, we would have had enough basis and materials to discuss this matter completely.

Thank you, Mr President.

**The Deputy President** : Senator Adebayo.

**Senator C. O. Adebayo** (Kwara Central) : Thank you very much Mr President. My contribution is going to be very brief. It is over the issue of time. I think that the previous charge given to the Joint Committee on Remuneration, to the effect that the comments and feelings of Members which were expressed during our debate on their report earlier on submitted, were to be incorporated into the next or subsequent meetings where the job was to be completed. Nothing that anyone has said has gone deeper than that ; whether they will invite experts or they will go into libraries, this is all part of gathering information.

We must remember that the job has not been completed. The President merely had the chance to peep into our thoughts, a privilege which we do not have, because we are not one man like he is. We have to debate in public and he has heard us even before we finished.

I think also that all we need is more time any longer than it takes to get the material which the Committee requires to finish its work. Furthermore, Sir, I think the reply to the President should include acknowledgement with pleasure of the fact that he happens to be thinking about remuneration! (*Laughter*)

**The Deputy President** : I am sorry, GNPP Leader. I did not catch your eye the other time. You may now speak, distinguished Senator Kadi.

**Senator Idrisa Kadi** (Borno North-Central) : Mr President, Sir, in supporting the idea that was suggested by one of my colleagues that the letter be referred to the Committee, I want to appeal to any Senator here who might have any information relevant to this issue, to submit it to the Committee. That would help to minimise delay. If we should debate the information, it would take a very long time. Any information relevant to this one should be submitted to the Committee for discussion. (*Applause*)

**The Deputy President** : Distinguished Senator Kolo may speak.

**Senator Ibrahim Kolo** (Bida) : Mr President, Sir, we have been debating whether we should wait for three months or for two weeks. I want to say that our stomachs cannot wait ! (*Laughter*). You have got to have something to eat ; because the stomach would not wait ! (*Laughter*).

Therefore, Mr President, I strongly support the last speaker that if among us here, there is anybody or there are some people with figures of these Parastatals who earn fantastically, let us put them on the Floor of the Senate straight away. We have got information and, I believe, after comparing those pieces of information, it could be seen that what the Senate decided here was absolutely economical. (*Applause*)

**The Deputy President** : Senator Dafinone, you may speak.

**Senator D. O. Dafinone** (Bendel South) : Mr President, Sir, I would support that this matter be debated on Monday next week because the majority of the information which we now seek and which most Senators think they are not aware of, are all contained in the Udoji Report. I will make my own personal copies available to the Committee to aid them in their deliberations.

There are two relevant points in that letter which I am not going to address my mind to. The focusing point in the determination of salary as expressed in that letter is the Secretary to the Government and if you look carefully, it is the Westminster pattern of Government in which everything is subordinated to the Executive. We are fortunate enough to have adopted a system which has entrenched the separation of powers. Consequently, this Senate and the House of Representatives will never, as long as we are here, subordinate ourselves to the wishes of the Executive.

In the determination of salaries, there are very cardinal principles involved ; the principles of comparability, the principles of skill involved, and in terms of non-pensionable posts, the principles of

contract employment. Most of the Senators here are on a contract with their constituencies which expires in four years, and, subject to good performance, they will be returned but alternatively they will not be here.

I am going to speak in detail on this debate because what is being paid and what is in dispute at the moment is the amount paid to the Legislators for the preservation of freedom of the press, the freedom of the individual, because in our respective Constituencies we have got to maintain an office and maintain all other parastatals. (*Interruptions*)

**The Deputy President :** Order ! Order ! We should listen to distinguished Senator Dafinone in silence, please.

**Senator Dafinone :** In the circumstance, since we are going to debate this Motion on Monday, and I feel it should be on Monday, we are going to provide the Committee with all the relevant data and establish the salary we should be paid. If you take the incidence of tax into consideration, the starting point and all other requisites and pre-requisites paid to the other functionaries, the Senators of this Senate are paid little or nothing. We have to take this opportunity in establishing the precedence in this Federation. Without that precedence, we would be nowhere.

With these short comments, I would like to move Motion that the debates on these proceedings be commenced in this Senate on Monday.

**Senator A. Adegoke (Oyo) :** Mr President, Sir, I would like to draw the attention of the distinguished Senators to Section 78 of our Constitution, please.

**The Deputy President :** Read it.

**Senator Adegoke :** I may read it : *There shall be paid to the holders of the offices mentioned in this section such salaries and allowances as may be prescribed by the National Assembly.* My emphasis is on the National Assembly and not anybody else in conformity with the separation of powers that should be practised by this system which is, the Presidential system.

Mr President, Sir, what I just want to stress in this circumstance is that this August Senate owes it a duty to throw overboard the type of bureaucracy that goes with the Executive. If we succumb to postponing this debate till any other day, or till any other hour after this one, it means that we are succumbing to the type of bureaucracy which has caused a lot of backwardness to this country as a whole. We should debate it because first of all, even before the letter came from the President, he had addressed all of us through the information media and all these things have been misconstrued

What I really want to stress on this matter, is that if we postpone the debate to Monday, Tuesday, or Wednesday, it means that we are going back on our words. It means that we did not think very well before we to ok that decision. This is my point, and this is the reason why I want this debated. We should not succumb to bureaucracy and for the benefit of doubt, bureaucracy means dragging things, going up and down.

What I just want to say is that whatever relevant documents should be presented should come under a debate on the lift of the ban on wage freeze which will affect the members of the public, in general. People cry of wage freeze, because they think it is a very difficult thing. It is not difficult and it would not cause any problem, rather it would bring a healthy rivalry between the Executive and the private Sector, I mean the public service and the private sector. In fact, you would find that there would be more progress in this country. I want us to dilate very much on this point. Wage freeze is an item that must be tackled as soon as possible because the members of the public will be affected directly. Then all this tying ourselves to the apron strings of 1976 or 1966 data will be off.

With due respect, this is my own contribution and I want us to view it seriously.

**Senator Obi Wali (Port Harcourt) :** Mr President, Sir, I have a very short contribution to make. I think that I find it difficult to appreciate all the emotions and the sentiments on this matter because there is really nothing that we have decided for ourselves. There is nothing before this Senate as salaries, even as houses, and all these things. All these things are tactics to intimidate this Senate into not having what belongs to it. We are talking of salaries, there is no resolution that we have accepted in this Senate. We have set up a Committee and that Committee has not finished its work. We looked at the figures and we have set up a Committee to reconcile them. I think that when we have these figures, when we have proposals before us, then anybody can say finally these are the salaries or allowances which the Senate has prescribed for itself. There is no such thing now.

**Senator S. A. Shitta-Bey (Lagos) :** Point of vital information.

**The Deputy President :** There is no point of information. There is no such thing, so, you might wish to speak after Senator Obi Wali.

**Senator Obi Wali :** Thank you very much, Mr President. What I am saying is this, that we are spending our time worrying, answering critics, answering back, and looking at other people because there is nothing we have accepted for ourselves by way of allowance and remuneration. Frankly, I do not see how we can even debate what is not before us. I do not know what is my salary here as a Senator because there is no resolution on that. Whatever the President might have pre-empted or not pre-empted, is purely a political means. We are politicians and I think

have accepted something as the salary, I think that is the time for anybody who has any good information, or can even do anything, to say that this is what the Senate has prescribed for themselves or whatever it is. There is nothing before us now. So, the sooner we do that the better. We have no houses. All these things are merely accusations which do not belong to us. The only thing we have today are those one bedroom flats. Yet people in this country are being made to believe that we have already got houses and we are living there. Whatever the impondiments by way of action to preserve ourselves, because that is the real thing, whatever lawyers may think (and I think there are many lawyers here), about the handicaps in this thing, they can tell the Committee because, frankly, I am tired of arguing about things that do not belong to me ; everything is by inference. Well, the people are attacking me now because I am supposed to earn seventeen thousand naira a year.

As a matter of fact there is no such thing because no such resolution has been passed by this Senate according to the Constitution of Nigeria. Mr President, when this exercise is complete, then, of course, we shall know that when we are answering back or when we are worrying about these matters we have something legal that we have done. Right now there is nothing before us and the sooner we did that the better and the less we cry about papers and people accusing or not accusing us.

Thank you very much, Mr President.

**Senator Amadu A. Ali (Benue West):** Mr President, I think it is essential to remind ourselves that the exercise is still on. The Committees are still meeting. Even what we discussed here did not correspond exactly with what the House of Representatives discussed. That means there is nothing that is accepted or agreed yet.

Mr President, Sir, I think this exercise is still on ; we better hit the iron when it is hot. There is no need waiting till January. The exercise is on. Whenever they are ready we just go straight on and discuss it. Let the Business and Rules Committee come out with the final of what they have agreed between the two Houses on the remuneration. But let us accept basically that the Press has already created an impasse on this issue because most of the totality of Nigerians are not aware that we have not taken a decision.

I would also like anybody who was given any document like the figures that were published as being remunerations of Mr President of the Federal Republic to make them available also to the Committee because relativities are essential in all these things. There have been inflationary trends from the time that the Military took over power and now. These have to be interwoven. The responsibilities of the Legislators of those days have changed. The Ministers we had then were real honourable Ministers. They were people who contested elections and won. After that, among themselves they chose people to be Ministers. Even the Prime Minister came from among the Legislators. By the present

impertinent for any paper to write the type of editorial that the *Daily Times* wrote. We have been malignd by all sorts of crankish ideologues in the Press and on the streets, not to talk of people who are supposed to know but who do not know like the *Imalefalafia* group of people—publishers of the *Tribune* who write about what they did not read in the —Hansard. They are even able to write editorials. We should not bother about such crankish ideologues. Let us just go on with our business.

Mr President, we have not finished this issue. The issue is under discussion and once it comes before us, even if it comes tomorrow, we shall go right on it and take a decision. I do not think the President can get our co-operation by going to the Press. Thank you very much, Mr President.

**The Deputy President :** I intend to give you another five to ten minutes so that Senators could emit fume a little bit more. As I said before, there is nothing like *on point of information* but I would allow Senator Shitta-Bey to give his information.

**Senator S. A. Shitta-Bey (Lagos) :** Mr President, at this stage, I will now contribute to this debate. Mr President, I would like to say that we have to be careful not to give a bad impression to the public about this matter. The matter is so important that I think we must ensure that no adjournment or postponement should be tolerated till January. If we have no answer, let us tell the public that we have no answer. If we have answer, let us go with the trend and give the answer. Mr President, we are not afraid. This Constitution is very clear. The power to settle, or authorise, or fix salaries of this nature is one that is completely within the powers of the Legislature and not the Executive. Mr President, Sir, I would like to suggest that this matter be taken up next week Wednesday, when we will be in a position—

**Senator Uba Ahmed (Bauchi South-East) :** Point of Order, please. I have an Amendment here.

**The Deputy President :** I think that is an Amendment to the original Motion.

**Senator Uba Ahmed :** Orders 22 and 23, Mr President.

**The Deputy President :** Read it.

**Senator Uba Ahmed :** There was a Motion on this yesterday by Senator Mahmud Waziri and I proposed an Amendment to that Motion. It was seconded and that Amendment was never put back to the proposer of that Motion to know whether he would accept that Amendment or not. That is the procedure, Sir. If he does, then the question would be put to this Senate for accepting the Amendment. This very Amendment I have given is very basic and fundamental. What we were discussing this afternoon is a letter with relevance to the Motion that was carried forward from yesterday's debate.

**The Deputy President :** Senator Uba the present position is that the original Mover of that Motion, distinguished Senator Mahmud Waziri, has asked permission of this Senate to postpone it till next week. This has been carried.



**The Deputy President :** You may continue, Senator Shitta-Bey.

**Senator Shitta-Bey :** Mr President, we have to be very careful about postponement because I would not like to be a party to those fixing salaries of Senators in the New Year. The Public will not be happy about this. We must ensure that in the New Year we are going straight to other business other than our salaries. That is my point.

Mr suggestion, therefore, Sir, is that Wednesday be fixed to discuss the issue raised by the President and that all the information required be submitted before us on or before that day.

**The Deputy President :** I recognise Senator Garba Matta.

**Senator Garba Matta (Pankshin/Mangu/Kanam) :** Thank you, Mr President. While seconding the Motion just proposed, I wish to add that although we have decided not to debate this matter, it is such a tempting thing that wishing not to debate it we sometimes find ourselves unavoidably seeing these things amounting to debate actually. I will not support, as the Mover of this Motion has said, that we should carry forward this matter to the New Year unless, of course, we are saying in effect that we are not aware of our right as bestowed on us by the Constitution.

We should go right away, in the first instance, to set out the salary we agreed on with our colleagues in the House of Representatives. It is when we are conveying this decision to the President that we would have an opportunity to convey our feelings to him about this particular matter. I feel it is wrong that we should be slapped from behind while we are still struggling to help the President.

So with these, Mr President, I hope Senators will accept Wednesday as the most convenient day to debate this. Monday will rather be a bit too early.

Although someone has said that he has the Udoji Report which he can make available, I feel that when we consider the parastatals they do not strictly go by the Udoji's Report. That is why you will not be surprised that you will find the salaries they set for themselves twice as much as that recommended by Udoji. If we are going to go by Udoji's Report, we will be disappointed. I will rather say that members of the Committee dealing with this matter get in touch with the General Managers or the Accountants of these parastatals or whoever deals with pay.

We have a list here already by Senator Jaja. They should call them and interview them and get the facts out of them before Wednesday so that when we debate this matter I hope by then the Committee would have harmonised the differences existing between the Senate and the House of Representatives. We can then deal with this matter conveniently.

Thank you very much.

**The President :** I recognise Senator Anyanwu.

**Senator Tony Anyanwu (Owerri) :** Mr President,

I do not see what we are going to defer. I do not see what we are going to postpone. I am sure I am stating the minds of all sides of this Senate. We are interested in the stability, peace and good government of this Federal Republic, but we do not want to be pushed around.

I want to say that Section 78 of the Constitution is very clear on this one. Section 75 that has been quoted has been overtaken by Section 78 because you set out salaries and remuneration before you gazette them or before they are presented to the revenue or the expenditure. You have to fix the salaries and Section 78 is very clear that it is the National Assembly that should do that. He did not say that we have to find out how much money is given to parastatals before we decide how much money or how much salary we have to prescribe for the offices as detailed here. I would want us, Sir, to deal with this matter now because if we defer it to next week it might create the impression that we did not know what we did or we do not know what we can do.

In my own opinion, Mr President, we set up a Committee to deal with this matter. We have confidence in the ability and knowledgeability of the Committee and personalities that make up that Committee, and they have been able to come out with a report which was tabled in this Senate.

We have not been able to agree on ₦17,000 recommended for Senators because some of us feel that it is too small. I personally feel that it is too small but my main concern is that if we do not deal with this matter now and postpone the debate till next week, we shall be giving the impression that we are not in a position to know what we are doing and that impression cannot promote the personality and dignity of the Senate.

Therefore, I would request that this matter be dealt with now. We have the time, we have about one hour more and I do not see anything we can talk on this matter that would last for more than one hour after which a decision should be taken.

Thank you, Mr President.

**The President :** I understand that you want the question to be put. I think that that would have to be contested because I want to know what I am putting the question about.

I recognise distinguished Senator Abogede to speak.

**Senator A. Abogede (Benue North-Central) :** Mr President, Sir, my own contribution to this debate is very simple. Some people are saying that there was no Motion before this Senate on the question of salaries. We should remember that the Committee on Remuneration had earlier placed a report before us and we did adopt that Report. It is true that the Report in some way conflicted with the House of Representatives and so, we asked the members of that Committee to resolve the issue at another joint meeting. I believe that I was a party to those

should be ₦17,000. If I go back to my Constituency I would tell them the reason why I associated myself with that decision.

Mr President, Sir, it is ironical for somebody who contested the last elections and lost to stay outside and say that every decision we have taken since we came here is for our own self interest. If that fellow had been fortunate to win the election, he would be in the same boat with me.

Mr President, Sir, we have to move with the history of the time. Some of us learned about an American President whose name I have forgotten who, when his salary was fixed at \$100,000 increased it to \$200,000. He directed that a substantial portion of his salary should remain in the office of the President because he wanted people of talent, ability and high qualification to enter the White House. We are not here to fix the salary of any person but we are here to fix salaries for offices. If somebody at the helm of administration now thinks that a salary of ₦50,000 is too much for him, he should slice out what he wants from it and leave the rest for us.

If any Senator wants to achieve cheap popularity in his Constituency by saying that ₦17,000 is too much for him, he should slice out what he wants from it and give the rest to charity.

Mr President, Sir, I see no reason why we should postpone this debate. If we are not deceiving ourselves and if the mass media of this country are sincere to themselves, they should answer these questions. What does the Managing Director of the Daily Times Group of Companies earn? What does the Chief Editor of the Daily Times earn?

**A Senator :** You should send for him tomorrow morning.

**Senator Abogede :** We should face the facts of the day. Those of them who think that whatever Legislators do is for themselves are just joking and this is what I believe. A Grade Level 09 officer will not be contented with a one-room apartment and a verandah.

I know that some Permanent Secretaries and Managing Directors resigned their offices to contest the last elections but most of them lost. These are the people who have now turned round to say that we are catering for ourselves. We are for the masses and the masses believe in us. No matter what the Press of this country say, we have the mandate of the people and we are their accredited representatives here.

Mr President, Sir, I think people are joking and playing with this matter. They say one thing today and tomorrow they say another. When we talked about accommodation, the Press reported the reverse side of our story; when we talked about salaries they reported the bad side of it to the public. We are all equal to the task. We shall be grateful to the soldiers and to God if we finish this term of office and then we would ask these critics to meet us at the different Constituencies. Even if this Senate is dissolved tomorrow we want to meet them at the elections and they would suffer defeat.

was ₦17,000 for the President. If the President likes that figure, let him take it but if he does not, he is not forced to take it.

Mr President Sir, we should pass an Act of the National Assembly to ask people in the Companies fully or partly owned by the Federal Government such as the Peugeot Company or the Volkswagen of Nigeria to come before us and testify on what their successive Chairmen or Managing Directors and others were earning. We would thus be able to ascertain whether some people are paid more than what we have recommended for the President of the Federal Republic of Nigeria. I hope that when these are known they will not be under a shadow anymore.

Mr President, Sir, I really do associate myself with the views expressed by the other Senators that this debate should not be postponed for the following reasons. The first reason is that a Committee has already been set up to iron out the areas of differences between the Senate and the House of Representatives. I believe that the Members of the House of Representatives are not stepping backward as they will want to come forward. This is why I am saying that there is nothing wrong in it even if they do not meet us as that will be a sort of honour to the Senate that the Senate wanted ₦17,000 and the House of Representatives did not receive the same amount.

I will at this juncture express my own belief that it was very bad for the President or whoever recommended that the Ministers of the Federation and the Commissioners for States are placed on higher salaries than Senators. It is neither to the taste of the man who proposed it nor to the public who would hear it. The members of the public would be very much astonished to hear that elected Senators are going to receive less pay than the Commissioners in the States or the Ministers without Cabinet Rank.

**Senator Onyeabo Obi (Anambra West) :** Point of Order! Order 31. If this speaker carries on we will be forced to give him dinner.

**The President :** Is it stated in the Order that they should be given dinner? Would you read Order 31.

**Senator Obi :** I looked at Order 31 but I did not see any clause for a stimulant. So, I was worried that we might extend it to include a dinner.

**The President :** Order! Order! Distinguished Senators, though we are very humorous about the subject matter, I want us to still realise that we are dealing with a very serious subject—a subject which can hamper our political stability. Therefore, we must pay a very serious attention to it.

**Senator Bitrus Kajal (Mubi) :** Point of Order! Order 19, *Unless the Standing Orders otherwise direct, notice shall be given of any Motion of Amendment which it is proposed to move with the exception of the following.*

**[Senator Bitrus Kaja]**

I would like to say that we did not have any notice about this Motion. In fact, it was supposed to be a discussion as to when to take the Motion rather than discussing it. We have now spent almost two hours and I think we have let out steam. Maybe, it is time to really take a decision as to when we would take this Motion.

Some of us have for the past two days been clamouring to speak on a topic which we feel is very important to us but we have not had the chance of discussing it. So, I hope it is time for you to really take a decision as to whether we should continue discussing a subject on which there is no written permission or to leave it for discussion at a later date. Thank you, Sir.

**The President :** First of all, I would apologise to the Senate if I misled it as soon as I joined this afternoon. I was under the impression that you were already debating this subject.

**Several Senators :** No !

**Senator S. A. Akintoye (Ondo Central) :** I just want to point out this and ask a question.

**The President :** What is the question?

**Senator Akintoye :** Before I ask the question, I just want to explain this. I moved the Motion earlier on that we should put this discussion off till the middle of December or early January but the other Senators are suggesting that we should put it off till next week Monday or Wednesday. I have now recognized that both they and I have made a slight error in forgetting that we already have a Committee working on the matter and all we need to do is to say that we should take the matter as soon as that Committee completes its work and brings it before the Senate. So, we will not be fixing any date and all we need to do is to urge the Committee to speed up its work and place it before us very soon. On that understanding, I would be prepared to withdraw my earlier Motion and to say I am ready that the Senate should discuss the matter.

**The President :** Was it carried?

**Senator Akintoye :** No, we are still discussing it. We should discuss this matter as soon as the Committee presents it to us.

**The President :** The Senate appointed a Joint Committee of the National Assembly to harmonise the remunerations.

Senator Jalo Waziri may speak.

**Senator Jalo Waziri (Bauchi East) :** Mr President, the question of the Joint Committee was debated but not concluded. It was proposed that some Senators be co-opted, into the Committee. There was a debate on that issue but no question was put and so the Committee cannot actually meet until it is concluded and the Senate agree or disagree on

**Senator Garba Dada (Minna/Kagara) :** Mr President, Sir, just like distinguished Senator Jalo Waziri said yesterday, there was a Motion proposed by distinguished Senator Jalo Waziri that this Committee be enlarged to accommodate more Members, that is, to co-opt more Members like the President of the Senate, the Deputy President of the Senate, the Speaker of the House of Representatives, the Deputy Speaker of the House of Representatives and other experts. There was an Amendment to this Motion which was seconded by distinguished Senator Shitta-Bey. The debate continued until late yesterday and it was supposed to continue this afternoon so that a decision could be taken as to whether or not these experts would be co-opted. Well I thought that was what we were going to debate today to let this Committee start work and produce something for the Senate.

**Senator 'Lere Adesina (Ibadan) :** Point of information.

**The President :** I did say yesterday, that we were to do away with points of information, that we would not take points of information any longer. If you wish to make a statement I would grant you that. What is the contribution?

**Senator Adesina :** The way not to arrive at a streamlined salary structure is to be as cumbersome as we are at present. We are 22 Members in this Committee and I have sat on this Committee. In a Committee of 22 Members where we have Chartered Accountants, Economists, and Salary Experts, I think we have enough material to evolve a good salary structure for the National Assembly and related functionaries. I am sure if this matter is referred back to this Committee to deliberate on, it will arrive here and submit a report which will be found suitable and acceptable to the National Assembly. All you have to do is to give us a date to submit this report.

**Senator A. D. Rufai (Bauchi Central) :** Thank you, Mr President. Somebody mentioned something about experts. Yesterday, the proposer did not mention anything about inviting any expert, but to co-opt only the President of the Senate, the Deputy President, the Speaker, the Deputy Speaker, and the Leaders of the Parties. We do not want any expert to come and confuse the Committee. The experts can only be invited to advise the Committee, but not to participate as Members.

The Joint Committee of the Senate and the House of Representatives is a Committee of the National Assembly. It is not a Committee of experts at all. So, I think we should all accept this fact.

The next thing, which I have all along been itching to talk about is that the only term of reference we have given the Joint Committee is to iron out the difference between us and the House of Representatives, nothing more, nothing less. We did not authorise them to consider anything else. If we iron

December or January. Mr President, Sir, if we delay this thing, we are inviting danger. It is very dangerous. What I would suggest is this. If we get the information about salaries of Parastatals and Managing Directors of huge companies, we should start immediately, say on Thursday, because if we allow more time, we are giving more opportunity to the Press, our detractors and their agents to continue to ridicule us and shower abuses on us. Well, some distinguished Senators are capable of absorbing these abuses up to January, but I cannot. I would rather go back to my Constituency where I shall not see any paper ; otherwise I shall develop high blood pressure. The earlier we do it the better. Silence means consent, why have we got to be silent in face of criticisms and abuses ? Do they have better education or experience or are they more qualified than other Nigerians ? We are also Nigerians, we were born in Nigeria. They do not know Nigeria better than we do. I am appealing to you distinguished Senators, we should start on Thursday. Thank you, Mr President.

**The President :** Order ! Order ! I think we have been talking for quite some time and I feel we should take a decision. Is it the wish of the Senate that the Committee already appointed should continue and that it should co-opt only Senators and Members of the House of Representatives that it finds necessary to do its work ?

*Question put and agreed to.*

**The President :** Is it the wish of the Senate that the report should be ready and tabled for discussion on Thursday ?

**Several Senators :** Thursday.

**Several Senator :** Wednesday.

**The President :** Order ! Order ! I am going to put two questions, the first one will be on Thursday, if you are in support of Thursday you say Aye. The next one will be Wednesday. There are two discussions, one is that the reports should be ready for discussion on Thursday.

*Question put and negatived.*

*Second Question put and agreed to.*

**Resolved :** That the Report of Joint Committee be tabled for discussion on Wednesday.

**The President :** Order ! Order ! In the light of the decisions taken by the Senate, the President of the Federal Republic's letter will form the basis of discussion and decision taking once the Committee submits its report. Is it the wish of the Senate ?

**Several Senators :** Yes.

**The President :** I take it that item one has been disposed of.

**A Senator :** We have not touched the Order Paper yet.

## Development of Telecommunications

**Adjourned Debate on Question (21st November 1979)**—That the development of infrastructural facilities and social services in rural areas of about 5-10,000 population be given priority in the next development Plan—(*Senator J. A. O. Odebiyi*).

**Senator D. O. Oke (Ondo West) :** Thank you, Mr President. I had an Amendment waiting yesterday there, and it never came up ; but I hope it is still there. It is extremely simple. It is to the effect that we need to re-insert the phrase *telecommunications* back into this Motion. As it stands amended, it has become so general and so diffused that it has become an extremely large programme with very good intentions for the rural areas from where people like me come from but with no more focus. I think by re-inserting the phrase, *telecommunications*—I have the Amendment there with Mr President—to read :

That the development of infrastructural facilities and social services in rural areas of about 5,000 to 10,000 population, especially telecommunication.

By re-inserting that, not only shall we be giving the Motion the intended focus that was originally intended by the Mover, we shall, with due respect to the Senator from Benue East-Central, Senator Tarka but we shall be putting him on the on-side because to my understanding he was extremely on the off-side as we say in soccer.

He was extremely on the off-side as we say in soccer, when he gave us that beautiful lecture on telecommunications and telecommunications problems in Nigeria yesterday. Now, one of the Senators from Bauchi (*Senator Uba Ahmed*) who spoke yesterday, actually gave a great advantage that reinsertion of the provision for telecommunications would have. He said, among other things, that one of our major problems in the country at the moment, arising from the inadequacy of telecommunications is the influx of our people on to the roads, because the telecommunications devices and gadgets in Nigeria do not work. You would find that most of our people are on the road all the time. And, now, for those who are stressing on infrastructures and social services which I fully endorse, we would see that all efforts in that regard would be very easily mopped up like ink to blotting paper.

When you have made good roads, and set all of Nigerians between one-quarter and one-fifth of African population on to these roads, at about the same time, with very good telecommunications the roads themselves which are vitally necessary, would not be so badly needed as they are at the moment. The other thing necessary for getting our thoughts and ideas on to the other people, would not be so vitally needed, so that we would not be having the huge trailers, the ten-ton lorries and the lots of traps that we have on the roads, because you can sit down in your village, in your town, at your desk and do your business.

**Senator D. O. Oke :** But, when we amended and recast the Motion, trapping all telecommunications, we have simply gone back to square one, which admittedly represents the position on the Party programme submitted by the five Parties. We know that at one stage, however well-meaning our programmes are, we need to start breaking them down into manageable sizes, so that when we have infrastructural facilities and social services, and as you said yesterday, these encompass almost everything that is required for happy living in rural as well as urban areas, we shall simply have rolled up everything, as I said earlier, without a focus.

Someone did suggest yesterday that this is a question of priorities, while somebody did ask : where you do not have good roads, what point is there in talking about telephones and so on. And that to a great extent, might be true. But I would suggest, with due respect, Mr President, that that kind of thinking is brought forward from our elitist planning, and from what we inherited from colonial administration. It was always imagined that we would have good roads first, and I know that it is only the topmost people who need telephones, so the higher you go the more likely it is that you have a telecommunications gadget.

I would suggest, Mr President, that if all these were available at the genesis of social and economic development, most people would have agreed that telecommunications should come first, because once you can sit down in your little room and converse with your fellow men you have, in fact, got most of what you need.

I agree that things like water are absolutely necessary. Before you can survive on that little road, you would need good water and a number of other things that are vital. I would suggest, Sir, that if all things have been granted at the beginning we would sit down and do very good social planning ; we would have put telecommunications right at the bottom of our planning, and we would have set those priorities. These belong there.

This is going to sound very strange to quite a number of people, but I would suggest, Mr President, that our duty as Senators—the highest law making body in the nation—is to re-orient our thinking and the thought of our people to find a new orientation for planning so that we do not just go in the groups that we are used to.

So, I would suggest that we re-orientate this question of telecommunications to the question of infrastructural facilities because, in fact, there is hardly anything that is infrastructural to telecommunications among the infrastructural devices that we want for our society.

With that Amendment, Mr President, I would be supporting the Motion as amended.

**Senator Idris Kadi** (Borno North-Central) : In supporting the Motion, I have some comments to make. I think social services are very important,

the infrastructural facilities and amenities concerning the social services, particular attention should be paid to telecommunications.

What I am thinking is that it would be easy to suggest to the drawers of the next Development Plan to extend telecommunications to all local government areas, but we certainly need personnel to look after and maintain the equipments.

So, any planning for proposals in the Estimates or Budget for the Federation without considering the manpower, that is those who will look after these facilities, would not be very successful especially the telecommunications. For quite a number of times, you find telecommunications already installed and when something goes wrong we do not have adequate technicians to come and repair it. So, I am suggesting that while we are preparing and making our planning of those facilities, provision of the man-power requirement and their training must go along side by side.

The facilities I think we must have in order to meet these requirements are the following. We must embark on developing and expanding more technical schools or Polytechnics in order to get the manpower by training more technical men. Mr President, Sir, we should not say we want to build roads while we do not have overseers or technicians to look after the roads and maintain them ; and we should not ask for telecommunications when we have nobody who will look after them after installing them. I think the training of Personnel must go side by side with the planning. Thank you, Sir.

**Senator E. P. Echeruo** (Okigwe) : Mr President, Sir, I found the eloquent speech made by the distinguished Senator Oke very interesting indeed, but I beg to differ because the basic need approach to planning has been accepted as the fundamental method to adopt for development in an economy such as ours. As I stated yesterday, I will find it difficult to vote for a Motion highlighting telecommunications and leaving off water and roads. I would rather suggest that as a compromise we say basic infrastructures and facilities.

**Senator S. M. Ojukwu** (Umuahia) : Point of Order, Mr President.

**The President :** What Order ?

**Senator S. M. Ojukwu :** It is Order 21. Senator Oke proposed an Amendment which has not been seconded and debate is being allowed on it.

**The President :** Do you want to second Senator Oke's Amendment ?

**Senator Ojukwu :** No ! I do not want to second it.

**The President :** Nobody seconded. Senator Echeruo you may continue.

**Senator Echeruo :** Thank you very much, Mr President. As I was saying before I was interrupted, I will find it difficult to support a Motion

who are preparing the next plan to also extend such attention to water and roads. I did say yesterday, that I come from one of the constituencies that are terribly deficient in these facilities. I would, therefore, seek the permission of the original Mover of the Motion, to suggest that the Motion be amended to read that the development of infrastructural facilities and social services such as provision of telecommunications services, water and roads in rural areas of about five thousand to ten thousand population be given priority in the next development plan. In this way, we would have taken care of—

**Senator N. N. Anah** (Anambra South) : Point of Order, Mr President.

**The President** : What Order is it ?

**Senator N. N. Anah** : Mr President, Sir, I am raising a serious point of Order. It is Order 26, rules 11 and 12 which, with your permission, Sir, I read :

*Except when the Senate be in committee no Senator shall speak more than once on any proposition before the Senate except in explanation if the Senator then addressing the Senate chooses to give way or to a point of order—*

**The President** : Who has spoken more than once ?

**Senator N. N. Anah** : Distinguished Senator Echeruo, even in his own speech, has admitted that he has spoken on this Motion.

**The President** : Order ! Order ! If the distinguished Senator had spoken before, I will uphold the point of Order raised.

**Senator E. P. Echeruo** : Mr President, Sir, yesterday some Amendments were proposed which were accepted and I spoke on that. Later on, the Mover of the Motion said he did not accept the Amendment again. I raised the point on procedural basis that he had no right to withdraw it and it was allowed. So the Motion now is not the one—

**The President** : Order ! Order ! Order ! You may sit. The more one listens to this debate, one is inclined to think that the question should be put because we are getting more and more muddled up with all kinds of Amendments. I think what we ought to do now is to take a decision on the original Motion. Thereafter, I would suggest that what is actually required in connection with this Motion is a Bill. So, I hope that two or three distinguished Senators will get together and propose a Bill regarding rural developments which will cover virtually most of the infrastructures. For the time being, I think we have debated enough on this subject and I will put the question on the original Motion which reads and stands in the name of Senator Odebiyi. The question is that the development of infrastructural facilities in rural areas of about five to ten thousand population be given priority in the next development plan.

I have just been informed that we accepted an Amendment on social services yesterday.

**Several Senators** : Yes.

**The President** : Order ! Order ! Senators may sit, with the exception of Senator Odebiyi the original Mover.

**Senator J. A. O. Odebiyi** (Egba North/South) : Mr President, Sir, I know the concern of Senators about this Motion and in order to accommodate them, I will put it this way, Sir :

That the development of infrastructural facilities and social services such as telecommunications, water and roads in rural areas of about five to ten thousand population be given priority in the next development plan.

*Amendment put and agreed to.*

**The President** : Distinguished Senators, let us take a decision on this matter. A suggestion has been made that since in some areas the population is largely dispersed, if you limit the provision of these facilities to populations of between 5,000 and 10,000 you will eliminate a large number of places. Therefore, it is suggested that we take out the population.

**Senator J. A. O. Odebiyi** (Egbado North/South) : Mr President, Sir, I have used that figure for the purpose of planning. It is for the purpose of economic planning.

**The President** : But what has been suggested is that in typical Nigerian context, as you move around the Federation, you discover that people live differently. While it may be easy to get rural areas with 5,000 people in the Western part of this country, it may not be so easy in my own area where you have people living in hamlets spread all over the place.

**Senator J. A. O. Odebiyi** : May I make the point, Sir, the point is that it will be what we call conurbation—a group of villages within easy distance, and these facilities will be for them. That is what I am saying. We must start from somewhere. However, I do not mind if they take away population.

**The President** : Order ! Order ! Order ! This will be spelt out in the Bill. The Motion now reads :—

That the development of infrastructural facilities and social services such as water, roads, and telecommunication in rural areas be given priority in the next development plan.

*Question put and agreed to.*

*Resolved* : That the development of infrastructural facilities and social services such as water, roads, and telecommunications in rural areas be given priority in the next development plan.

#### **Federal Government's Shares in the Daily Times and New Nigerian**

**Senator J. A. O. Odebiyi** : Mr President, Sir, I beg to move the Motion standing in my name on the Order Paper—

That the Federal Government's Shares in the *Daily Times* and *New Nigerian* be turned over for sale to Nigerians and that their Boards of Directors reflect the new ownership.

**Senator E. K. Ogunleye** (Ondo East) : Mr President, Sir, I beg to second.

**The President** : I have noticed an Amendment to the Motion standing in the name of Senator Victor Akan. The Senate will take the Motion first thing tomorrow morning.

### ADJOURNMENT

**Senator Isa Obaro** (Kwara South) : Mr President, Sir, in conformity with the Standing Order of the Senate, it is now ten minutes to six and I respectfully move a Motion that this Senate do stand adjourned until 9 a.m. tomorrow.

**A distinguished Senator** : I beg to second.

**The President** : Senators may now speak on the Motion for adjournment.

### Guidelines to Debates

**Senator D. O. Oke** (Ondo West) : Mr President, Sir, speaking on the Motion for adjournment, I have the suggestion that when Senate is debating important Motions, particularly those that touch upon expertise and require such expertise for a just decision, that the debate be so organised to give room not only for general political debate but also for technical informative debate.

This can only come, Sir, as an advice to the President. I observed yesterday, while the debate was going on on Senator Odebiyi's Motion, on the development of telecommunications, later to become infrastructural facilities, that for a long time the debate was heavily weighted on the political scale. Unfortunately, a lot that was required on the technical informative side did not come for a long time and I knew Senators who wanted to speak just to such. We were fortunate, however, that at one stage Senator Tarka came and he was recognised and he gave that.

I am not saying that we should divide the Senate as between experts and non-experts, nobody is an expert on everything anyway, but on a particular Motion, it might be very useful and informative to the Senate, if for some time, we might take speeches that throw a lot of light that will guide the rest of us who do not know much about that particular topic, as I did not know about telecommunications yesterday until Senator Tarka spoke.

This might guide our decisions from the path of political sentiment to a path that combines both political sentiments with technical information.

Thank you, Mr President.

### Liquified Natural Gas Project in Finima

**Senator Victor Akan** (Eket) : Mr President, Sir, in supporting the Motion for Adjournment, I ought to bring to the attention of Senators that the Liquified Natural Gas Project in Finima which is to go into operation in 1983-84, calls for site clearance that

Mr President, Sir, I am not aware that the original programme to carry out a resettlement for these people is being implemented. As a matter of fact, Sir, I happen to know that this is not being done. I am sure that every Senator present here shares my view that no matter how important a project is, no matter how much money this country stands to make from any particular scheme, if, as a result of that scheme, thousands of Nigerians will be inconvenienced and, indeed, suffer, that project can be postponed.

I am therefore asking Senators to join me in urging the Nigeria National Petroleum Corporation to ensure that before they commence the clearance of site for this project those displaced must first be resettled.

I freely admit that this is a fantastic programme. We may very well find ourselves being the leading country in liquefied natural gas by the end of the 1980's, but because our countrymen would suffer and women and children would be put into great hardship, I humbly request the Senate to ask the management of the Nigerian National Petroleum Corporation to ensure that those that would be affected would be taken care of by the re-settlement programme being implemented.

Mr President, I thank you very much.

**Senator S. J. Ellah** (Rivers II Ahoada/Ikwerre/Etche) : Point of Order. Order No. 18 (2) says :—

*Orders of the day not reached before the end of a sitting or appointed for a day on which the Senate does not sit shall be set down for the next sitting of the Senate.*

I wish to pray the Senate that the Motion standing in my name be re-listed for Tuesday, the 27th.

**The President** : You want the Motion standing in your name to be re-listed for Tuesday, the 27th?

**Senator Ellah** : Yes.

**The President** : Is that the wish of the Senate?

**Several Senators** : Yes.

### Access Roads to Cross River State's Capital

**Senator D. D. Etiebet** (Ikot Ekpene) : Mr President, Sir, I thank you very much. Much has been said about the development of the rural areas. It is a discussion which I very much associated myself with and which I have contributed to because I happen to come from a rural area in the Cross River State.

Apart from that, Mr President, as far back as 1978 or early 1979, the majority of the areas in the Cross River State had no access roads to the capital of the State and until the Ikot Ekpene-Ituk Road was opened about late last—

**The President :** Are you raising a point of Order?  
**Senator Abiru :** Yes, Order 18 (2), in the light of my Motion on the Order Paper—

**The President :** But you do not interrupt the Senator who is speaking.

**Senator Abiru :** I want to seize the opportunity before the time runs out.

**The President :** I will recognise you later. Senator Etiebet, please be brief.

**Senator Etiebet :** I will be very brief. Thank you very much Mr President. What I was trying to say is that just about last month, the Calabar-Itu Road was opened to help the majority of the people of the Cross River State living in the Mainland side of the State to have an access road to the capital. About 2nd March, 1979, the Federal Commissioner for Works, while attending the opening of the new bridge, said that the road would be subjected to collection of tolls.

Much as we would not condemn the collection of tolls because it is yielding revenue, this should be done as alternative. There should be alternatives to the only access road to the capital of the State. Before the opening of the Road, Mr President, the population of the Cross River State was about four million and about two-thirds of that population have been in the mainland and we have been going to the capital—

**The President :** Order! Order! Senator Abiru, I will just take your point of Order.

**Senator Abiru :** It is Order 18 (2) which says :—

*Orders of day not reached before the end of a sitting or appointed for a day on which the Senate does not sit shall be set down for the next sitting of the Senate.*

I refer in particular to my Motion on the Order Paper for today which is not reached and I am requesting that it be re-listed for Monday.

**The President :** That is Item No. 3.

**Senator Abiru :** Yes.

**The President :** Is that the wish of the Senate that the Motion be re-listed on Monday ?

**Several Senators :** Yes.

**The President :** Order ! Order ! But this is a new development. Once we fail to take a Motion and unless you withdraw, I think it would be re-listed. That is what we have been doing, unless we have been doing the wrong thing.

**Senator Abiru :** That has been my impression all along.

**The President :** The circumstances of Senator Ellah is different from yours because 27th is quite far from today and there is a possibility that he might not be around and if he is not around, then the Motion lapses.

**Senator Abiru :** That was my impression really.

**The President :** It would be re-listed.

*Question put and agreed to.*

*Resolved :* That the Senate do now adjourn until 9 a.m. tomorrow.

*The Senate adjourned accordingly at 6.00 p.m.*



## SENATE OF THE FEDERAL

## REPUBLIC OF NIGERIA

Friday, 23rd November, 1979

The Senate met at 9.15 a.m.

## PRAYERS

(The President in the Chair)

## QUORUM

**Senator J. A. O. Odebiyi** (Egbado North/South) : Point of Order, Mr President.

**The President** : I recognise the distinguished Senator and Leader of the UPN to speak.

**Senator Odebiyi** : Mr President, Sir, there is no quorum and so the Senate cannot sit. We are less than one-sixth here.

**Some Senators** : It should be *one-third*.

**Senator Odebiyi** : Where the Standing Orders and the Constitution disagree, it is the Constitution that should prevail.

**The President** : Where the Standing Orders and the Constitution conflict, it is the Constitution that should prevail. Well, I think it is too abrupt for you to raise the quorum question because some of our colleagues are in the mail office, others are in the cash office and perhaps they were not expecting that I would come in so early.

I recognise the distinguished Senator from Aba to speak.

**Senator Jaja Wachuku** (Aba) : The question is very clear under Standing Order 8 (1) *The quorum of the Senate shall be not less than one-third of all the members of the Senate.*

What the distinguished Senator has raised here is 8 (2). *If any Senator draws the attention of the President to the fact that a quorum of the Senate is not present, or if, from the number of Senators taking part in a division, including those Senators who declined to vote, it appears that a quorum is not present, the President shall direct strangers to withdraw and cause Senators to be summoned as if for a division. At the expiration of five minutes from the order to strangers to withdraw, the President shall count the Senate and, if a quorum is not then present, shall adjourn the Senate forthwith.*

So that once attention has been drawn to this, we would ring the bell and if within five minutes we have no quorum, then we would adjourn ; so that we do not just walk out immediately.

**The President** : I am more inclined to sustain your Order.

*If objection is taken by any member of the Senate or of the House of Representatives present that there are present in the House of which he is a Member (besides the person presiding) fewer than one-third of all the members of that House and that it is not competent for the House to transact business, and after such interval as may be prescribed in the result of procedure of the House, the person presiding ascertains that the number of Members present is still less than one-third of all the Members of the House, he shall adjourn the House.*

The operative words are *He shall*, it is, therefore, mandatory. Once the President of the Senate has discovered that we have not formed a quorum, it is mandatory on him to adjourn the Senate.

**Senator Iliya Audu** (Wukari) : Mr President, may I bring to your attention the fact that the bell has not been rung. Some Senators may, therefore, be around in the building, and they do not know that—

**The President** : The bell has been rung. The bell was ringing when I was coming.

**A Senator** : The bell should continue for five minutes.

**The President** : I have just asked the Sergeant-at-Arms to go and ring the bell.

**Senator Onyeabo Obi** (Anambra West) : Mr President, Sir, I think it is a bad start to the morning when the President is embarrassed by the issue of a quorum. So, I would suggest a procedure which we adopt in another place, that is, the court of law. Before Mr President enters the Chamber, one of his Staff will ascertain that the Senate is in order before Mr President enters to avoid causing him any embarrassment like coming in to find that he has not got a Senate properly constituted. Thank you, Sir.

**The President** : That is very correct. It appears that I was misled by my Sergeant-at-Arms this morning. When he rings the bell, infact, he tells Senators around that we would be starting in the next five minutes before I walk in. But, I think, this morning I took him for granted for some reason. *(Interruptions)*

I think, sooner or later, the distinguished Senator who raised the quorum question may withdraw it.

The distinguished Senator Waziri to speak.

**Senator Mahmud Waziri** (Adamawa) : Mr President, we have been waiting for your ruling on the constitutional matter raised by the distinguished Senator Odebiyi with regard to Section 50 of the Nigerian Constitution.

**The President** : Are you waiting for my constitutional ruling ? I think that the President of the Senate presides over the Senate, he does not rule.

This is not a court.

There was a fundamental question raised by Senator Odebiyi that when there is a conflict between

does your ruling mean that the Senate shall now adjourn ?

**The President :** My ruling means that while we are talking I would give the five minutes interval and take a count. I would be telling you sooner or later whether we have formed a quorum or not. The five minutes interval is up.

Will the Clerk please count the number of Senators present. (*Interruptions*)

**Senator E. K. Ogunleye (Ondo East) :** If the ruling of the President is one-third of 95 Senators, then the quorum is 32.

**The President :** It is nearer 31 than 32.

**Senator Muhtari Abdulharim (Sokoto East) :** Mr President, from what I have seen in the attendance register, some Senators have already signed ; but they are not here now.

**The President :** That is why I have said that some of them are in the Post Office, others are in the Cash Office, they are around the building.

**A Senator :** Maybe some have signed and gone out.

**The President :** May I know the number of Senators present, Mr Clerk.

**Clerk of the Senate :** We have 35.

**The President :** Order ! Order ! I am informed that the total number of distinguished Senators present is 35 ; in which case we form more than the required quorum and we may continue with the business of the day.

## ANNOUNCEMENTS

**The President :** Before I call on the distinguished Senator from Ogun State, Senator Odebiyi to resume the debate on his Motion, I wish to make the following announcements regarding the filing of Motions. It will be in the best interest of the Senate, for proper and cohesive working, if distinguished colleagues submit, in future, all Motions or intended Motions and Bills through the Clerk. This will make matters much easier. As soon as they are scheduled, they can be printed in the Order Paper for circulation, ready for debate. I also would say that the Motions that have already been submitted by distinguished Senators would not be listed in the Order Paper, ready for debate. Please, as from today, it would be better to route them through the Business Committee. Is this against the Standing Order ?

**Senator Kunle Oyero (Abeokuta/Ifo/Otta) :** Yes.

**The President :** If that is the case, I apologize. Section 19 of the Standing Orders has not said that.

**Senator Oyero :** It is in Standing Order 20, (1)-(3), particularly (5) and (6).

procedure is still the same, that is, that they come through here and they are channelled through the Business Committee. I apologize for that.

While I would withdraw that earlier announcement, I think the following statement is still necessary. The intention behind the announcement is that Senators get very anxious as soon as they submit their Motions. They want to see that the Motions are listed. I assure you that we are having at least one hundred Motions already which could not be listed in the Order Paper the same day. It would be ridiculous if we did that. I have asked the Clerk to explain the circumstances if a Senator does not see his Motion coming up immediately it is filed. It is because of the back-log and it may be re-routed through the Business Committee.

**Senator F. O. M. Atake (Bendel Delta) :** Mr President, I was the first person to file a Motion. I filed mine on the 19th of October. That Motion has not seen the light of day and it raises constitutional problems. Every other Motion was filed after I had filed mine but I waited patiently.

**The President :** Was it submitted to me directly ?

**Senator Atake :** It was deposited with the Clerk at the table.

**The President :** May I appeal to the distinguished Senator from Bendel State, Senator Atake, to let us have a copy of the Motion again ?

**Senator Jaja Wachuku (Aba) :** Point of Order, Mr President.

**The President :** What is your Order number ?

**Senator Wachuku :** It is Order 20. I do not know whether we have agreed to follow the proper procedure of introducing a Bill because under this Order, it should be laid at the table and the Senate will refer it to the appropriate Committee.

**The President :** We did not say that we were not upholding the Standing Order unless it is otherwise changed.

**Senator Wachuku :** I appreciate that but you were having some consultation. So, we expected to hear a formal announcement as to the position. That is why I am drawing the attention of the President to it.

**The President :** Formal announcement or what, Sir ?

**Senator Wachuku :** To the effect that the first suggestion will be handed to the Clerk. The Bill goes to the Senate and it will be referred to the appropriate Committee and normally it is referred there. It is in the Senate it is handed to the Clerk to pass to the Committee.

**The President :** Do I understand it correctly to mean that you do not lay your Bill on the table or you handed it over to the Clerk ?

**Senator Wachuku :** No. You lay it on the table. It is the Clerk who takes it from the table to the appropriate Committee.

**The President :** I think you can lay your Bill on the Clerk's table and he will take it. If you hand it to him, he will take it, I am sure.

### NOTICES OF MOTIONS

#### Federal Government Shares in the Daily Times and New Nigeria

Adjourned Debate on Question (22nd November, 1979)

*Question again proposed*—That the Federal Government's shares in the Daily Times and New Nigeria be turned over for sale to Nigerians and that their Boards of Directors reflect the new ownership—  
(*Senator J. A. O. Odebiyi*)

**Senator J. A. O. Odebiyi** (Egbado North/South) :  
Mr President, Sir, once again I beg to move—

That the Federal Government shares in the *Daily Times* and the *New Nigeria* be turned over for sale to Nigerians and that their Boards of Directors reflect the new ownership.

As Senators are aware, I am limiting the purview of this Motion to those newspapers owned and financed by the Federal Government. I do know, as a matter of fact, that there are some State Governments that own their own newspapers. Those newspapers do not come within the purview of this Motion.

In talking about this, Sir, I would like to remind Senators that most of the enterprises which were covered by the Nigerian Enterprises Promotion Board prior to 1976 came to be owned by quite a number of Nigerians who from facts available to me did not even pay for them. It was as a result of this kind of deal that in 1976, a new arrangement was made whereby shares which were to be sold were quoted in the stock market.

I do appreciate, Mr President, Sir, that there are quite a number of capitalist entrepreneurs who on their own can handle all the shares or buy all the shares which are now owned by the Federal Government in these two newspapers. I think, Sir, that the mechanics of carrying out the intent of this Motion ought to be worked out in such a manner that these shares will not go to capitalist entrepreneurs but to the generality of the people.

The arguments for turning these shares to members of the public are many and very sound. All shares which are owned by the Federal Government either of its own volition or through its parastatal agencies are supposed to be owned and held in trust for the people, and if Senators would take the trouble to go through the legislation passed on a single day by the old Federal Military Government on the 29th of September, they would discover one of the laws

On page A776 of Decree 101 in your Omnibus Federal Military Government Decree Book of September 1979, the valedictory Decree handed over to us by His Excellency, General Olusegun Obasanjo, as the Head of State, the Federal Military Government then took over the shares of fourteen individuals and companies. With your permission, Mr President, I beg to read :

*Chief J. B. Mandilas, 78,500 Shares*  
*Assom Nominees Ltd. 7,216 Shares*  
*Sir Samuel Manuwa 2,050 Shares*  
*Ojukwu Transport Ltd. 2,000 Shares*  
*Nigerian Stockholders Ltd. 3,117 Shares*  
*Victor Ade Keshinro 1,150 Shares*  
*Nigerian National Shipping Lines 1,074 Shares*  
*Edward Kanu Ukwu 1,000 Shares*  
*Rebecca A. Ogundiran 1,000 Shares*  
*Joseph Adetunji Cole 1,000 Shares*  
*Solomon N. Okorocho 800 Shares*  
*Chukwuemeka Eriazu 900 Shares*  
*Yisau Ojulowo Yusuf 690 Shares*  
*Treasurer, District Grand Lodge 640 Shares.*

Now, if the two newspapers are to perform their functions without fear or favour, without affection or ill-will, they are to be completely free from Government control and one way by which they can be free from Government control is that their shares should be given to individual members of the community who at a general meeting can appoint a Board of Directors to manage or to determine the policy of these two newspapers.

As I said earlier, I appreciate the fact that it is even possible that whilst the Federal Government can be divested of its own shares in these newspapers, other capitalist entrepreneurs can take over. In fact, they may be much worse than the Federal Government for that matter. But there are safe-guards to that once, in the mechanics for carrying out this decision, there is a limit to the number of shares an individual company or organisation or individual can hold. Then it will be possible for these things to go round.

Besides that, Sir, the two newspapers are now making money, they are really making money to the extent that they are even buying up some other subsidiaries. Only recently the *Daily Times* bought up the West African Magazine. I also understand that they are also in property deals. The *Daily Times* is in property deals. They are also acquiring property.

Not only that, Sir, there are quite a few things which I have heard which I want to confirm but which I will not disclose here which they are doing only because they are making money.

Well, Sir, I think that as a matter of general principle the shares held by the Federal Government of Nigeria ought to be in trust for the people of Nigeria whether they are holding the shares in Nigerian Cement Company or in West African Cement Company or in any other company for that matter, the time is now ripe for all the shares to be turned over to the public to buy.

consciousness on the part of our people. Quite a number of business activities which have not yet taken off in this country can easily take off if only the people's savings can be properly channelled along the right lines and along the right course. But I think the Government is not encouraging that, when of its own volition and because of the large resources of money or large sources of money which are opened to it, by investing directly in all these ventures.

In the circumstances, Sir, I think we ought to start from somewhere and I think the best way to start is from this one. It may be necessary at a later stage to bring an Omnibus Bill to this Senate for enactment, I intend doing that, so that the Federal Government could tow the line of the Senate whereby all the companies that the Federal Government have invested in, where possible, should go to the money market to quote their prices for members of the public to buy.

In so doing, the amount of money that people are now spending on funerals and marriages and all sorts of things could be used in buying shares.

**The President :** You have given two inevitable examples because people must continue to die and people must continue to marry.

**Senator Odebiyi :** I agree, Sir, but what I am not sure about is the allegation made against Senator A. A. Ali (Benue West) that progressive polygamism is not a philosophy as expounded by him. You all know when he talked about progressive polygamism. I am going to see him later to ask for further explanation on that.

**Senator Amadu Ali (Benue West) :** Point of information, Mr President. We have a Press that is largely ignorant.

**The President :** We did say that we would not interrupt debate to give information, but I would welcome a point of order.

**Senator Amadu Ali :** Point of Order, Sir, because my name has been mentioned.

**The President :** What is the Order?

**Senator Amadu Ali :** Order 26 (2). I was just trying to confine Senator Odebiyi to the subject of the debate. The *Hansard* did give the proper perspective in which that statement or that phraseology was used, but the Press were totally ignorant and did not read the *Hansard*. They simply took their various meanings from what I said because they are lazy.

**The President :** But you have my protection. What is wrong in having several wives ; it is in our culture.

**Senator Amadu Ali :** What I thought was progressive polygamism was to marry a wife and divorce her ; you marry another and divorce her. That is the progression which is meant to be arithmetical. What the Press thought is, a polygamist who is progressive in attitude but that is wrong. I was saying then that some of us want to marry many wives and we can do so.

**Senator D. O. Oke (Ondo West) :** Mr President, that is serial polygamy and not progressive.

**The President :** We may keep to the relevance of the subject matter.

**Senator Odebiyi :** As I was saying before, Sir, we should encourage the habit of savings among our people. Even the savings that people make, either in the Bank or in the Post Office, do not give as much returns as would have yielded from investing in stocks and shares. As I said before, I think we must start somewhere and the best way to start is with business papers.

Secondly, once the Federal Government is divested of these shares, the idea of seconding civil servants to the *Daily Times*, and then withdrawing them after they might have performed well or not and bringing them back into the Service does not make for continuity of policy. I think, Sir, that in any organisation, what is important is that whoever is serving in that organisation ought to have security of tenure. We have witnessed in the last few years the cases of people being sacked with immediate effect. We have known of people travelling with their various Commissioners or Governors in cars tuning in their radio to hear that this or that Permanent Secretary has been sacked with immediate effect. The number of hypertension casualties that has arisen from these cases, can better be imagined than described. The whole thing is not fair.

I think that once a man decides that he wants to be a Journalist, he ought to make journalism his career. The idea of people switching from one thing to the other just because Government has taken hold of a particular organisation, is not fair and does not give what I shall call, security of tenure. As I said before, this is going to be the beginning of a progressive system of taking over shares from the Government, which shares they have invested in a lot of organisations. The Government is holding these shares in trust for the people, and the time is now ripe for these shares to be turned over to the members of the public to buy them.

As I said before, the mechanics would be worked out whereby we would ensure that the majority of these shares do not go to single individuals or to syndicates like the type owned by Senator Victor Akan (Eket) or the type Senator S. Saraki (Ilorin/Asa) may have or the type of syndicate Senator J. S. Tarka (Benue East-Central) may have or the type Senator Ahmadu Ali (Benue West) may have. What we want to do is to spread the prosperity of this country. We do not want this prosperity to be owned by a few people because if it is owned by a few people, the tendency is that they would abuse the community by flaunting their wealth on the faces of the oppressed and poor people. The more, the merrier and when people in their old age look back and see that they have shares in the various businesses, it would be better for them.

## SENATOR ODEBIYI

Besides that, in our society today, it is always better to have what I shall call invisible investment. When people spend their money building rows of houses, they are likely to incur the anger or what I shall call, the odium of the public as being wealthy. If they had invested in stocks and shares nobody would know when their returns come to them as distinguished Senator D. Dafinone (Bendel South) would confirm. It would only be reflected in their tax papers that they have collected their returns.

**Senator D. O. Dafinone** (Bendel South) : Would I be protected from the hands of Senator Odebiyi?

**The President** : On what grounds are you speaking, distinguished Senator?

**Senator Dafinone** : He has made personal reference to my name.

**The President** : Are you raising a point of Order?

**Senator Dafinone** : Yes, Sir.

**The President** : What is the Order number?

**Senator Dafinone** : 26 (2).

**The President** : 26 (2) says :

*A Senator must confine his observations to the subject under discussion and may not introduce matter irrelevant thereto.*

I think that I am inclined to uphold your point of Order. Senator Odebiyi, you may continue.

**Senator Odebiyi** : Mr President, Sir, distinguished Senator Dafinone is my Consultant on the question of assets which I have to declare before the end of the year, and I am gradually imploring his help on that issue.

As I said before, I think we should spread the prosperity of Nigeria round. It is not right for the prosperity of this country to be in the hands of a few people. I think we should make our country a happier place, a free place and a safer place even for those who have. When whatever belongs to all of us is enjoyed equally by all of us it would be better for the country.

Mr President, I beg to move.

**The President** : Order! Order! I shall only recognise a Senator who wants to second the Motion and I recognise distinguished Senator Barau from Kaduna to speak.

**Senator Ibrahim Barau** (Kaduna) : Thank you, Mr President. I rise to give my support to the Motion but subject to some conditions. In the first place, I know that though some shares of the *Daily Times* had been taken by the Federal Government, some of the foreign investors in the *Daily Times* also had shares sold to the public. I stand to be corrected by the Mover of this Motion. It is not a hundred per cent Federal Government share-holding it

However, I will support the idea of Federal Government jointly owning shares with the private sector at least, for one extra reason other than those mentioned by the Mover of this Motion, that is for the purpose of efficiency. It is actually a waste of public funds when the Government goes all out, and all alone to own shares and it ends up having Directors only by appointment without any interest or stock or dividend. That limits the purpose and the intention of Directorship because they do not have any stake. When the Federal Government shares are there along with those of the private sector, you have both sides complementing each other, particularly as the Mover has suggested that stock holding interest should reflect on the Board. If you own shares and you are made a Director as a result of this, certainly your interest in that company will teleguide the Management to look into areas of efficiency because it is until the undertaking is efficient that you can think of dividends.

In the light of this point, I am sure that my colleagues can see the importance of the Federal Government jointly owning shares with the private sector. It is not only because of the advantages already put forward by the mover of this Motion.

However, my support will also include areas where they are totally hundred per cent Federal Government ownership, and these undertakings are not strictly utility or infrastructure, they are viable and attractive commercial ventures. These I will highlight as, the Nigeria Airways and the Nigeria National Shipping Line. This country has just advanced not less than nineteen new ships to the Nigeria National Shipping Line, the Management of which is under a Board of Directors who are simply appointed. As I said earlier their interest in such a huge investment is limited. The same goes with the Nigeria Airways. So, Mr President, I would like to see that the investment of the Federal Government is protected, and one way by which it could be protected is by jointly owning shares with the private sector because the private sector will complement the efforts of the Government as a result of common interest and dividends. Thank you, Mr President.

**The President** : Senator Abdulkarim, what is your point of Order?

**Senator Multari Abdulkarim** (Sokoto East) : It is a constitutional point. Section 16 (3) of the Nigerian Constitution says : *A body shall be set up by an Act of the National Assembly which shall have power—*

(a) *to review from time to time the ownership and control of business enterprises operating in Nigeria and make recommendations to the President on the same, and*

(b) *to administer any law for the regulation of the ownership and control of such enterprises.*

If we should go ahead, we are just putting the cart before the horse because we have to set up this body to review all the enterprises including the *New Nigeria* and the *Daily Times*.

Assembly that should propose that the body be set up is not the question, but that body has to be set up before we can go ahead with this exercise. Even when that body is set up, I would like to make a recommendation to the body that no one person shall own more than one thousand shares in any company and any Senator here must declare his interest.

**The President :** Why ? Since when have we become communists ?

**Senator Abdulkarim :** No one person shall own more than one thousand shares either in the *New Nigeria* or the *Daily Times* or any other company.

**The President :** I assume that that is the view of the distinguished Senators.

**Senator Abdulkarim :** What about the body ? It must be set up first because that is what the Constitution says.

**Senator Kunle Oyero (Abeokuta/Ifo/Otta) :** Point of Order.

**The President :** What is your Order number ?

**Senator Kunle Oyero :** It is a legal point.

**The President :** What is the Order number ?

**Senator Oyero :** The Motion is seeking to set aside a Decree—

**The President :** What is your point of Order ?

**Senator Oyero :** I would refer you to Section 16 of the Constitution which says :

(1) *The State shall, within the context of the ideals and objectives for which provisions are made in this Constitution—*

(a) *control the National Economy in such manner as to secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice and equality of status and opportunity ;*

(b) *without prejudice to its right to operate or participate in areas of the economy other than the major sectors of the economy, manage and operate the major sectors of the economy.*

(2) *The State shall direct its policy towards ensuring—*

(a) *the promotion of a planned and balanced economic development ;*

(b) *that the material resources of the community are harnessed and distributed as best as possible to serve the common good.*

As the Mover of the Motion has rightly pointed out, the Decree was for taking shares for some individuals and vesting these shares in a public body—NICON. This Motion is seeking to set

aside that Decree. The procedure is wrong, the intention is not honourable and I would say that it is in conflict with the Constitution, in conflict with the Law and so, the Motion should be rejected.

**Senator Ibrahim Dimis (Bauchi South) :** I beg to oppose the Motion on the Order Paper, that the *Daily Times*—

**The President :** You are seconding the distinguished Senator who opposed it. Somebody has already said that it is not conforming with the—

**Senator Dimis :** He is opposing the other person. I am opposing the original Mover. (*Interruptions*)

**The President :** You are seconding the Motion.

**Senator Dimis :** I am not opposing the Constitution, I am supporting the Constitution. I am opposing the original Mover. This is what I am saying. Mr President, Sir, I would have loved the Mover of this Motion to say that this country should intensify her effort to buy shares from foreign companies which are still operating in this country. Thereafter, we should go into the State government's shares and various investments before we look at the Federal investments. I am very glad, Mr President, that the Mover of the Motion himself said that the *Daily Times* was doing very well. They have established assets and they are making money for the people. Those shares in the *Daily Times* should not cause any fear to us. So, we are very grateful to them. They should go on multiplying money for the nation. This is very good. It is commendable.

Mr President, we started this question of indigenisation right back in the 1950s in the north of the Niger, and in 1961 it was upheld, but the Federal Government turned it down. Later on, we geared it up again in 1974. I am saying what I know, Mr President. You can find this from the United Nigeria Indigenous Contractors, United Amagamated Middle-Men's Union, Nigerian Chamber of Indigenous Contractors. We are the architect of indigenisation in Nigeria. I am saying this with authority that the time has not come to try to discredit people who are doing well in that sector.

My submission in this regard is that the intention of the indigenisation of the *Daily Times* of Nigeria is clearly known.

**Senator Adeyiga Ajayi (Ikeja) :** Point of Order.

**The President :** What is your Order.

**Senator Ajayi (Ikeja) :** Order 27 (ii). Mr President, Senator Kunle Oyero has made a very vital constitutional issue and you have not ruled on that matter and Senators are still debating on a very important—

**Senator Dimis :** Why do you like it ?

**Senator Ajayi :** I should like it. Why not ? (*Interruptions*)

**The President :** Order ! Order ! Order ! The distinguished Senator Dimis who was speaking said that he was speaking in support of Senator Oyero's constitutional issue. It is true that in the process of doing this, he has digressed but let him land. He will soon land. Senator Dimis, please wind up.

**Senator Dimis :** I am saying that during the unfortunate incident in Nigeria some people were busy serving this nation and building it into one Nigeria while a few others were busy grabbing money. Now, they have money and they want to control this nation. But they have failed. They want to control the *Daily Times* in order to gag the government. This is what it means, otherwise, I cannot see why we should jump from other matters to the *Daily Times* of Nigeria. What is there? Why not buy the Nigerian National Oil Corporation?

**The President :** Wind up please.

**Senator Dimis :** Mr President, I must be given the right to say my mind in supporting the constitutional Motion.

**Senator F. O. M. Atake (Bendel Delta) :** The point raised Mr President, Sir, by Senator Kunle Oyero is the point I told you when we had a private chat. It is against the Motion being moved by Senator Odebiyi. I do not think that it is necessary and I suggest that we no longer proceed with the debates on this Motion because it is all a fruitless exercise. As has been pointed out, the Federal Government took over these shares under some provisions of the Law. I am not in accord with senator Oyero on the point of the Constitution to which he referred.

Senator Odebiyi, himself who proposed the Motion said that there are several Decrees by which the Federal Government took over these shares and ordered them to be taken over by some agencies of Government.

If that were so, then the first thing to do is to bring laws to set aside those laws and make new laws. Then all the brilliant arguments which he has adduced before us here this morning would have been arguments to be adduced when the Bill for the law setting aside these other Decrees would be read for the Second time. If we have a Bill setting aside these laws and making provision for the acquisition of these shares, when that Bill is read a Second time, then we could hear him in full. All the arguments which he has now adduced before us would be arguments which he would have adduced on the principles and merits of the Bill. But at this stage, to say that we make a Motion to set aside a provision of the law is highly irrelevant. It is illegal; we cannot do it.

If we keep arguing and arguing for the next ten years and we pass a Motion, it means nothing because a Motion passed here is not going to set aside a Decree of the Military Government or an Act of the National Assembly.

Mr President, Sir, I would suggest that whether Senator Odebiyi is here or not, we should rule on the matter and proceed to some other matters of relevancy.

**The President :** I recognise the distinguished Senator from Benue who is acting leader of the Senate, Senator Tarka to speak please.

little confused when I read the text of the Motion. But for the high regard which one has for Senator Odebiyi as a very distinguished Senator and a very respected gentleman, one was going to raise certain points. I think in the same spirit and as the distinguished jurist who happens to be a Senator has said, one must be very cautious in approaching these issues. The issues sometimes border on some sensitivity, and people just get carried away. At a certain stage, Sir, I think the relevant committee charged with responsibility for government spending will try to look at these aspects and bring the required Amendments or produce a paper which Senators can debate upon.

As of now, I think it is too early in the day for us to know the constitutional implications, apart from what Senator Atake has said. One is not so clear whether the public shares acquired, not only in these papers, but also in the various public corporations and public companies, should be put back on the open market for purchase. A case has to be made on the merit of each item concerned. Notwithstanding the fact that the original Mover of the Motion is not here, he is here in spirit with us and he is part and parcel of this Senate, his presence actually does not matter, we do not need to seek his leave. You, Mr President, represent all of us and I think we should take appropriate measures to end the impasse so that we can make progress towards other business.

**The President :** Order! Order! Order! I think that there would be no need to flog that issue, we can make progress. What is the constitutional procedure here? Is such a Motion struck off since the Mover is not here to withdraw it? Are you withdrawing on his behalf?

**Senator D. O. Oke (Ondo West) :** I want to say, Sir, that there is, in fact, a procedural mistake. Chief Odebiyi did tell me where he was going and that he was going only temporarily. If we cannot wait until he comes, and if there is, indeed, a procedural mistake, then there is no reason why we cannot get the Motion off so that the Senate can progress. If it requires somebody withdrawing for him I can do it and I do not think he would mind at all.

**The President :** I am inclined to take one of two actions, ask the Mover to withdraw it or ask the Senate to reject it.

**Senator Oke :** Mr President, Sir, in view of the information given on the procedure, I am, on behalf of Senator Odebiyi asking for leave of the Senate to withdraw this Motion and it would be brought back in an appropriate form and in an appropriate manner at a later time.

Thank you.

*Motion by leave withdrawn.*

**The President :** May I call upon the distinguished

I was wondering why it should appear today, but I heard that that is in order. So, we would defer the debate on the Motion brought by Senator M. A. O. Abiru till Monday.

We now come to No. 3 on the Order Paper. May I call on the distinguished Senator from Plateau, Senator George Baba Hoomkwap to move.

### LONDON CONFERENCE ON ZIMBABWE

**Senator George B. Hoomkwap** (Shendam) : Mr President, Sir, you are all aware that at the London Conference on Zimbabwe, agreement has already been reached as to the transition of rule to the black majority Government in Zimbabwe. We have also discussed at length about how we here in this part of the world feel about our brothers in Southern Africa. It is in the light of our commitment towards our brothers in Southern Africa that I feel Nigeria would be advised, through the President of this country, that the President of the Federal Republic of Nigeria should appoint observers who will have unrestricted access to all parts of the country during the transitional period.

The aim behind this is clear. It is aimed at seeing that the contract agreements arrived at are being followed. We here in this Senate would like our own observers to report to us from time to time. So, I feel that the President of the Federal Republic of Nigeria should, with immediate effect, try to implement this part of the agreement. This is made to all Commonwealth countries and Nigeria being one of the Commonwealth countries should, as one of the most powerful countries in Africa, send our observers so that from now on we shall try to see how the agreements are being implemented.

I do not think this requires any lengthy debate, and I call on Members of the Senate to support this simple Motion.

I beg to move.

**Senator B. Kajal** (Mubi) : I beg to second, Mr President. I think that, for a long time, Nigeria has played an important role in seeing that majority rule evolves in Southern Africa, and it will only be confirming the actions that were taken by the Military if we should be allowed to have observers during the transitional period in Zimbabwe. It is important, indeed, because, first of all, of all African countries, the only country that can make impact on the Whites is Nigeria. If we have somebody there they will fear to have a neo-colonial sort of set up which will certainly be opposed by us, and we will be getting closer to a system whereby a genuine structure is set up for the people of Zimbabwe.

I beg to second.

**Senator Offia Nwali** (Anambra East) : I have an Amendment to the Motion Mr President.

**The President** : Yes, what is your Amendment.

**Senator Offia Nwali** : Mr President, Sir, I wish to propose the Amendment that : *Consequent upon the agreement reached at the Lancaster Talks on Zimbabwe, the Senate urges the President of the*

*part with the UK Government in the security and electoral arrangements preceeding the handover.*

I am saying this because just sending observers to Zimbabwe during this transitional period will not do much good. They might, at best, report afterwards that such and such has happened. It is necessary for the OAU and the United Nations to be involved directly. It is clear that the UK Government supports at most one side of the argument, and in order that you can have arrangements which guarantee that all shades of African opinions in Zimbabwe are reflected in the results of the elections, it is necessary that an objective group controls the transition period.

Thank you, Mr President.

**Senator J. O. Umolu** (Bendel North) : Mr President, Sir, since the last Motion was passed in this Senate about Zimbabwe and the role which the Senate felt the President of the Federal Republic of Nigeria should play in the London talks, many things had happened. We know enough to know that agreement has been reached but the Front Line States and the Patriotic Front are handicapped and we must admit it because we all know what an election is. It will take members of the Patriotic Front a long time to be able to campaign and convince their supporters in that country to get the votes in order to control the Government. Report and information available up to yesterday are that Bishop Muzorewa and his supporter, Ian Smith, are even now raiding Zambia in an extensive scale, thereby making it impossible for any peaceful election to take place in that country. In supporting this Motion, therefore, I feel we should do like New-Zealand and Australia who have volunteered that during this transitional period they are ready to supply their Armies to join others in the peace keeping force in Zimbabwe. I think we can do that also, because, without that, the Front Line State and the Patriotic Front may not be able to have freedom to go about campaigning and put their case across to the electorates. Bishop Muzorewa and the British Government want to do everything possible to see that they enthrone a puppet regime in Zimbabwe.

With these few remarks, I beg to support.

**Senator J. S. Tarka** (Benue East-Central) : Mr President, Sir, I think one should confine oneself to the Amendment to the Motion. The original Motion, Sir, was rather ambiguous. It actually says nothing that is new to us. We are a Commonwealth country. We are a part of the Commonwealth of Nations. It will be very difficult for us to act in isolation of the other Commonwealth countries, on a matter in which we have participated actively and constructively in the past. Nigeria occupies a very unique position, that it has become desirable for the British government, with all its antagonism of the situation, to consult from time to time with our government. This issue, as far as we are concerned, is closed. Closed for the time being, in a way that they have



[SENATOR] TARKA

accepted the concept of majority rule. All the machinery that is being set up concerning the integration of the Armed Forces supporting the Patriotic Front is the main issue that is left to be discussed and is being discussed right now.

When we debated the other Motion, the other day, we were under the impression that the whole issue had been closed, had been dealt with, and that everything went smoothly. But this aspect of integration of the various armed forces that are in conflict is now the issue that is being discussed. The Constitutional issue, which is the civil issue, is being dealt with and it is being dealt with through the British Parliament. We understand from reliable sources that Her Majesty's Government has given assent to the Independence Bill.

Well, it is no use talking about sanction and all that. We, as a Commonwealth country, will, as of right, be supplied with all the information required from time to time. Should we be also required to put our Forces at the disposal of the Commonwealth wing of the forces supervising the elections or visiting the various parts, we would do that. The Charter drawn up for independence covers this.

I would say that one should keep within the framework of the Amendment to the Motion itself. One is constrained therefore to support the Amendment and to ask whether we can have the question put on the Amendment. I would suggest that the original Motion be deleted or rescinded and the Amendment accepted so that it becomes the actual body of the main Motion which is what we require at this juncture.

**Senator Baba Hoomkwap** : Mr President, Sir, I would like the Mover of the Amendment to recognise the time limit which has been set. They have only two months within which to hold elections and an agreement has already been reached. Before a meeting of the Organisation of African Unity or Commonwealth countries is convened and a decision is taken, at least one or two months must have passed.

So, I feel that since the parties to the agreement have agreed, we should, on our own, make sure now that in the event of anything happening either successfully or unsuccessfully, our own men on the spot should be in a position to supply us with the necessary data which will eventually help us know which direction to take. When elections are normally held, you will find petitions filed here and there, and losers in such elections never accept their defeats, but for us to depend on foreign Press or foreign observers will not be good enough. I think it is necessary for our own brothers to be there to give us on the spot reports and information. This is why I say that my original Motion should stand. I do not think I am inclined to accept the Amendment.

Thank you.

fact that has come to light, that we should be careful in getting ourselves deeply involved when we take into consideration the fact that Zimbabwe has a common boundary with South Africa. I do not support the idea of sending an observer force to participate with British Forces. In fact, I would advise that our observers should be warned to be careful because of Zimbabwe's common border with South Africa or else we end up with another Lt-Col. Gom, this time in South Africa. Then we would have two forces working in the same wave length against us, namely Israel and South Africa.

So, Mr President, Sir, I support the first Mover of the Motion that the Motion should remain as it is and in fact, our observers should be very careful about Zimbabwe's boundaries while they are there.

**Senator Patrick Echeruo (Okigwe)** : Mr President, Sir, I think this Motion deserves more serious attention than it is receiving. I disagree very much with the last contributor to the debate because the mere possibility of a member of our armed forces who is sent there as an observer being captured and held by South Africa should not detract us from fulfilling our responsibilities to a sister African country, struggling to shake off the shackles of imperialism and white domination.

I think we should, even at the risk of that happening to us, do everything in our power to assist them to achieve their ultimate objective of being a free people. Mr President, Sir, I do not really support the idea of just sending an observer team to Zimbabwe. When they have filed the reports of rigged elections and election malpractices, what happens next? Do we go to the pulpit and preach or go to the United Nations to make comments? I think we should be involved in a more practical and positive way, if we can, in ensuring that there is no rigging; that the people are let free to choose out of their own volition, who should determine their fate and who should pilot their affairs of nation. I am more inclined to accept the Amendment, Mr President, that we be involved in a more positive way.

This, of course, does not prevent us from our being there as observers as well. In fact, in terms of combining both the original Motion and the Amendment, I would suggest that we put in there, a strong and well-equipped team of observers, not just observers, who should be able to report on day to day basis to us. This, definitely, should not detract from our participating more positively through the OAU and the United Nations in providing the peace keeping force to be actively involved in the transitional arrangement. Thank you very much, Mr President.

**Senator F. O. M. Atake (Bendel Delta)** : Mr President, Sir, I think a point or two are escaping our attention. We are talking about sending observers to Zimbabwe as if we are talking about sending observers to Kano to observe elections. It does not appear to

the conduct of the elections there? There has to be some arrangements between this country and the authorities in Zimbabwe to allow our men to go in as observers. If they say no, they do not want us as observers, that is the end of the exercise.

So, all we can do actually, is to put our lots into the bag of the Commonwealth or the OAU forces or observers, who, if they so agree at the Conference in London, will be in Zimbabwe as properly authorised officers or persons to carry out the observations we now propose. It does not lie within our competence to send people from here to Zimbabwe without the sanction and authorisation of the authorities in Zimbabwe.

**Senator D. O. Dafinone** (Bendel South): Point of Order. There is no quorum in the Senate, and the Constitution says one-third of Senators should form a quorum.

**The Deputy President**: There is a quorum. So, you may continue, Senator Atake.

**Senator George Hoomkwap** (Shendam): I want to help the last speaker.

**The Deputy President**: You may do so.

**Senator Hoomkwap**: I want to draw the attention of the last speaker to the fact that in one of the agreements reached, the Commonwealth countries have been asked to send observers during this period. So, it has been thrown open to member countries of the Commonwealth.

**Senator Atake**: Mr President, Sir, that is not the point. When they agreed at the Conference that Commonwealth observers should be sent, it does not mean that every country in the Commonwealth can just send people there. There is going to be some agreement among Commonwealth countries. There is a number of people coming from each Commonwealth country. If they ask Nigeria to send two hundred military officers to be led by an Army Officer, that is all we can do. If you send more than that, the extra number would be rejected. That is the point I want us to examine. It is not within our competence to send people from here to Zimbabwe without their authority.

**The Deputy President**: Then, what is your suggestion?

**Senator Atake**: I would suggest that if we are going to make a Motion at all, we should put our lots into the bag of the agreement reached at the London Conference. We should do no more and no less. The moment we take upon ourselves to do more, then, we are going to be accused of meddling. We do not want to meddle in their affairs. All we want to do is to assist, and we can only assist in a properly constituted manner that has been provided for at the Conference in London.

So, what we should do at this stage is to find out what has been settled in London. Are there Commonwealth or OAU Officers to go? If so, how

many are to go from Nigeria? And if we are going to do anything, it is then to impress upon our President here to kindly and graciously ensure that among those he is sending, they should be sent with specific instructions to have their eyes more open than the eyes of the ordinary members of the delegation, and their ears more open than the ears of the ordinary members of the delegation, so that they can brief us properly on their return. But, it does not lie within our competence at all to send people to Zimbabwe without their authority and outside the agreement reached in London, or else we are going to be termed as meddlers, interveners or even confusionists.

**The Deputy President**: Let me have your information.

**Senator Offia Nwali** (Anambra East): It is clear that the Patriotic Front, for instance, were under a lot of pressure in the UK when those agreements were reached, and Senators in contributing to the debate said that they would not have time within the two months given. Obviously, if Nigeria enters into arrangement with the OAU and the UN to send officials as part of the Police and security forces and the electoral commission, it would give time to the Patriotic Front to get ready on the one hand.

Besides, the arrangements they have made so far could just be such as to guarantee that Muzorewa's government has returned, and any observers would just go to rubber-stamp whatever has been decided. So, I urge the Senate to take this very seriously. Sending observers would just be worse than useless.

Thank you, Mr President.

**The Deputy President**: I will take on Senator Oyero.

**Senator Kunle Oyero** (Abeokuta/Ifo/Otta): Mr President, Sir, I associate myself with what others have stated that just sending observers would be like locking the gate after the thief has stolen everything in the house. *(Laughter)* So, it would be necessary to make sure that all your valuables are intact in the house before you send observers to go and count.

My proposal would be that we should, maybe, incorporate two Amendments thus: *Consequent upon the agreement reached at the Lancaster talks on Zimbabwe and in view of the international issues involved, the Senate urges the President of the Federal Republic of Nigeria to propose that OAU and UNO officials do take part with the UK Government in the security and electoral arrangements preceding the elections.*

I do not agree with Distinguished Senator Atake that we could not go there without the sanction of Zimbabwe in the sense that in international law, there is what they call *arm twisting*. If I may give an example; but for the fact that Nigeria twisted the arm of the UK Government a little by nationalising their BP, probably we would not be here at all. They would not be talking about election in Zimbabwe at all.

[SENATOR OYERO]

Sir, the President of this country also sent a message during the negotiations to back up the Patriotic Front. I do not see why we cannot go a little bit further to continue the pressure, and tell the UK Government that for any agreement reached and the eventual election to be recognised, they must be held under the atmosphere that would be free to all participants. To get this done, both the UNO and the OAU must be actively involved in the transitional arrangements. This is because whatever it is, it is usually the person who controls the government machinery who eventually, at least in Africa, wins the election.

If we just fold our hands, you will find that everything has been tailored by UK Government so that Muzorewa would be returned to power. If we do not actively intervene now, you might find eventually that the position might even be worse because, according to Mugabe, whether there is ceasefire agreement or not, they will not surrender in the areas controlled by them at the moment and that takes us back to square one. So even if Muzorewa wins the election and the Patriotic Front retain the areas where they have control, it is virtually as if there is no agreement at all. But, if the Patriotic Front know that everybody is fighting to maintain fairness and justice, you might find that they will come round and agree to take part fully in the election, and to abide by the results of the election, which is the area where we are interested.

Say what you might, if the elections are not fair, we will be reluctant to accept the position as it is because it will still leave the bastion of apartheid where it is; whereas if the Patriotic Front then try to force issues, you may find that South Africa will also put in its oars and the position in the Southern African will be worse than at the moment.

So, I urge, Sir, that the two Motions and what I have proposed including the amendments be incorporated and the President of this country must take an active part in ensuring that the transitional arrangements maintain fair-play and justice.

**Senator Amadu A. Ali** (Benue West): Thank you very much, Mr President. This is a very vital Motion coming after we have passed a Resolution here on the Zimbabwe talks. We intend to bother about our role in the OAU and the UNO. We also have a vital role to play through the Commonwealth. I believe we are likely to be more effective through the Commonwealth if we are sending any observers to Zimbabwe because the Commonwealth at the moment is headed by a Secretary-General who is also a third world country man, Mr Ramphal. He is from Guyana. We are also lucky that his Assistant is a Nigerian. He is Mr Anyaoku who is from one of the ANIMO (i.e. Anambra/Imo) States.

I think we are likely to exert more diplomatic pressure through this particular organisation if Mr President of the Federal Republic of Nigeria makes his feelings on these issues known early enough to

Although the Mover of the Motion has put his Motion so vaguely without really showing the methodologies that we are to apply, I would think that this is one of the methods that would be most effective rather than under the aegis of the OAU where we are likely going to only employ the Front-line States. That is the thing that sells there, and in the United Nations the imperialist forces will try all they can to hold back Nigeria from being in this observer status. So, I would advise this Senate, if it would be accepted maybe as an Amendment, that our avenues in the Commonwealth must be exploited at all costs to ensure that Nigeria plays an effective role in not only supervising but in also ensuring that there is justice and fair play in the elections of Zimbabwe.

Thank you very much.

**Senator Mahmud Waziri** (Adamawa): Mr President, in view of the fact that this is the third time this Senate has been discussing Zimbabwe and in view of the fact that this is a non-controversial Motion, I beg to move that the Question be now put.

**The Deputy President**: Even before that is done there have been quite a number of Amendments suggested. We have not really put them on to the original Mover of this Motion to see if these are acceptable to him or not. So, on that I take on Senator Adebayo.

**Senator C. O. Adebayo** (Kwara Central): Thank you very much, Mr President. While I support the idea brought forward by Senator Ali, I believe, in fact, that the original Mover of this Motion today was deliberately open. It was not an act of carelessness. I believe it is to accommodate all these suggestions and ideas that have been wisely brought forward. His concern, which you will remember, Sir, when discussing the original Motion was also mine, is that we should be physically present there to ensure that justice is done. I do not think he worries too much about the mechanics provided it is effective.

I want to associate myself with what Senator Ali did say that the most effective way of getting anything positive done would be through the Commonwealth, not through the UN or through the OAU. In fact, the OAU would give us the least opportunity because that is the one that Smith, Muzorewa and all the others are most suspicious of. Whereas anything that comes through the aegis of the Commonwealth would likely command respect and acceptability. Since the result is what interests us, so long as the medium that were employed is legitimate, I would very much support and I would want to put to my dear friend, Senator George Hoomkwap, that he enables us to integrate into this Motion that our observation, our watch-keeping and our supervision of the exercise in Zimbabwe be done through the aegis of the Commonwealth.

**The Deputy President**: So, what is your Amendment to that?

cept, I support his Motion with the addition that Senator Ali did propose as I have just stated it, that this supervision be done through the auspices of the Commonwealth.

**Senator Femi Ayantuga (Epe)** : Mr President, Sir, when we were discussing the Motion on Zimbabwe, we agreed that we have to work under the aegis of the OAU. For Nigeria to desert the OAU and join the Commonwealth in this regard would be a betrayal of trust of our own colleagues in Africa. When we discuss African affairs we do go under the OAU, not through the Commonwealth. If we go through the Commonwealth, it would be a move which would leave both Angola and Mozambique out of the affair. I would, therefore, implore this Senate that instead of going through the Commonwealth which Senator Ali regards as imperialist country, we should go through the OAU in ensuring that observers are kept during the transitional period.

**Senator Andrew Abogede (Benue North-Central)** : Mr President, I associate myself fully with the Mover of the Motion because those three world bodies are toothless dogs that cannot bite but they can bark ; that is, UNO, OAU and Commonwealth. The constitutional right of Zimbabwe is still in the hands of Britain for the past fourteen or fifteen years. It is an illegal regime that is operating in that side of the Southern Africa and until these elections are held, Britain still has the constitutional right over that territory. So, even if we say through the OAU, through the UN, through the Commonwealth, it all boils down to the same thing that Britain must accept them before they can participate in those elections.

So, I believe the Mover is simply putting it to us that for us to really not be taken by emotion but to be really having all that happens in that side of Southern Africa at the tip of our fingers, there should be an active observer. This observer status we will be able to utilize effectively, than by saying that we want to participate fully or that we want the elections to be held under the aegis of the OAU, the UNO or the Commonwealth. We have no particular right over the conduct of elections there.

So, I do hereby associate myself, if he does not deviate from his original Motion, that we only need to send observers there. If we later find that the election is not free and fair, the next thing for Nigeria is not to recognise the regime. That is all what it is. There is nothing we can do other than that. If the Patriotic Front resorts to guerrilla warfare, then if we have anything with which to support them, we will support them. That is all we can do.

To say that we must go through the Commonwealth or through the United Nations, will boil down to the same thing, and it will not have much effect on this issue. So, I support the original Motion, Mr President.

you very much, Mr President. I think that the Amendment is important. Unfortunately it differs fundamentally from what the Mover of the Motion is seeking. From what the Mover of the Motion is seeking, it appears that he is actually asking Nigeria to act unilaterally. The situation in Zimbabwe has since gone beyond that of any country acting unilaterally. It has become a world problem. I think he has to consider these other suggestions being made to him, that Nigeria can only be effective by using the organised bodies of the world which have been involved in what has become an international situation, no matter the fact that Britain has the actual constitutional responsibility for that country since UDI fourteen years ago.

Not only that, Mr President, the other difficulty with the Motion is that I expect anyway that our President would explore, in view of our last resolution on this particular subjects, all the avenues to make sure that the transitional period is not only effective in term of the elections but that the Patriotic Front whom we have passed a resolution to back fully, do shape up in terms of justice and fair play in what is going to be a very difficult and rough election.

So, I can only see this really in terms of emphasis, otherwise the Motion would, in some respects, look superfluous. Then there is the need for emphasis, and I can say that in calling upon the President all we can do is to ask him to explore all the possibilities opened to us, in terms of our membership of these three bodies, the UNO, the OAU and the Commonwealth, to make sure that the arrangements made for the transitional period give the Patriotic Front fair play and justice in terms of the election. I do not know how he would rephrase this ultimately, but I would not mention any one body in exclusion of the others. The three bodies are very likely to play their parts in terms of this transitional period and transitional arrangements. I think the wisest thing would be for Nigeria to explore all avenues opened to her as a member nation of these three bodies to make sure that the transitional period is successful, and that peace and tranquillity return to that unhappy country called Zimbabwe.

Thank you very much, Mr President.

**The Deputy President** : Senator Garba Matta.

**Senator Garba Matta (Pankshin/Mangu/Kanam)** : Thank you very much, Mr President, for giving me the opportunity to speak on this. It has been said that it is not just important to pass a resolution here, we want it to be effective. That is, we should be able to carry out the resolution. In my view, the most effective channel of implementing this resolution, when it is passed, would be through the Commonwealth because the invitation to send observers was given specifically to the Commonwealth members and not the members of the OAU or UN. Since Nigeria is a member of the Commonwealth, I do not see why Nigeria should bow out and say no, we want to go in through the OAU. Unless there is a motive behind it, I do not see why we should jump off that platform into another one, and say that this is how we want to come in.

[SENATOR] MATTA

I think it would be pertinent to bear in mind that the invitation to send observers was given to the Commonwealth countries and not OAU or UN countries. The most effective channel, therefore, would be through the Commonwealth.

Talking about what might possibly happen there, I think it would be advisable to start suggesting what would be our reaction if South Africa should come up to kidnap our people; to take another Col. Ali or Col. Gom and blackmail us through these officers.

We should remember that unless our words are backed up with action, we would be wasting our time. We have been talking vehemently here of defending the rights of the black man. When the liberty of the blackman is infringed upon, we vehemently throw out our fists, but, when it comes to real action, we now would want to back pedal, because we are afraid that one Nigerian might be kidnapped. I think that what is worth doing at all, is worth doing well. If we could stand on the Floor of this Senate and make sufficient noise and charge ourselves with emotions, I think we should be able to carry that emotion right through. Even if you say that some Senators should be included in the team of the observers, we should go and face it. If any of us is kidnapped there, we should take that risk. If we could make noise here, we should be prepared to back our words with actions. We should be able to go to Zimbabwe as observers. As a matter of emphasis, Mr President, all I have been saying is that the Commonwealth is the correct forum, and the correct channel through which we could send our observers to Zimbabwe. Thank you very much.

**The Deputy President :** I think that from the trend of the debate, what I have observed is that most Senators are in agreement with the basic principle of this Motion, that is to say, that the President be asked to send our own nationals to Zimbabwe and those nationals would have access to all corners of the country to observe the elections in order to ensure a free and fair election. The differences are on how to do this. Should this be done on the aegis of one of the three bodies, or a combination of them or what? I think the original Motion itself did not say anything about the Commonwealth, the United Nations or the Organisation of African Unity. It is implied that it should be done through the aegis of the Commonwealth, because that was what was agreed to at the talks in London.

Senator Hoomkwap, you have listened to quite a lot of Amendments proposed here, could you indicate which of these is acceptable to you so that we can make progress?

**Senator George Hoomkwap (Shendam) :** I am happy that distinguished Senators share with me the need to send people down there to watch how the elections are to be conducted and also see that

with it, I would support the idea that the Commonwealth countries should be involved, especially as Britain herself is the chief actor. So, I accept Senator Ali's Amendment.

**The President :** In that case your Motion will read like this :

*Consequent upon the agreement reached at the Lancaster Talks on Zimbabwe, the Senate urges the President of the Federal Republic of Nigeria to appoint observers who will have unrestricted access to all parts of the country during the transitional period, and that this should be done through the aegis of the Commonwealth organisation.*

**Senator Hoomkwap :** That is all right.

*Question put and agreed to.*

**Resolved :** That consequent upon the agreements reached at the Lancaster Talks on Zimbabwe, the Senate urges the President of the Federal Republic of Nigeria to appoint observers who will have unrestricted access to all parts of the country during the transitional period, and that this should be done through the aegis of the Commonwealth.

## ADJOURNMENT

**The President :** I think that is the end of what we have on the Order Paper for today. I have a number of Motions on Adjournment, so I call on Senator Femi Ayantuga to speak.

**Senator Ameh Ebute (Benue South-Central) :** I want to talk on point of order please.

**The President :** What order?

**Senator Ameh Ebute :** There should be formal Motion for Adjournment before anybody can speak on it.

**Senator C. L. Adeoye (Oshun I) :** Mr President, Sir, I beg to move that the Senate stand adjourned till Monday, at 3.00 p.m.

**Senator Femi Ayantuga (Epe) :** I beg to second.

## Foreign Exchange Anti-sabotage Decree

Mr President, Sir, sometime in 1977, the Foreign Exchange Anti-Sabotage Decree and its Amendments were promulgated and as a result of that Decree many Nigerians were detained, many of them were charged to court, some were freed while others were convicted. I am not here concerned with the merits and demerits of that Decree. What is relevant now is that by Decree 105, both Decrees 57 and 59 have been abrogated since 28th September, 1979 yet, people who were convicted under the provisions of the Decree are still languishing in jail. When there is no law there is no offence. I am, therefore, imploring this Senate, through our President who is a member of the National Council of States to advise the

**Senator Bitrus Kajal (Mubi)** : Thank you, Mr President. For two days, I have been trying to give information on telecommunications and I have not had the opportunity of doing that. I, therefore, want to give that information on Motion for Adjournment.

When I was in Brussels, Sir, as a member of the Nigerian Mission to the EEC as well as to the Embassy of the Kingdom of Belgium, I had the good fortune of seeing our telecommunication materials being manufactured. I saw the exchanges being manufactured in the Bell Manufacturing Company of Belgium, and what is more, Sir, I saw that, in fact, there was a plan by the then Federal Military Government to the effect that by 1978, all our Local Government Areas as well as the towns above were to be linked in the range of 10,000 and up to the outside world so that one can dial any part of the world direct from these places. I saw these good projections and I was surprised that when I returned to Nigeria, I found that there has been nothing that was done on the telecommunications. In fact, my constituency is still as cut off from the world as it was when I left it.

Now, my point, Sir, is that we have already taken a decision but we are likely to duplicate issues. First of all, I understand the exchanges that I saw being manufactured were part of the contracts given to ITT of Nigeria because Bell Telephone of Belgium is a subsidiary of ITT. We do not see any progress on this contract and one of the things that I saw was that, in fact, the first of these exchanges was to be in Ikoyi, and the second in Ibadan. Of the five zones into which Nigeria was divided, three were given to ITT of Nigeria, that is Lagos Zone, Ibadan Zone and Bauchi Zone from where I come. In all these places, the telephone does not seem to be operating now.

What is important is that the Nigerian Government, in giving out the contract, emphasized the question of quickness in completing the job. I was at the factory about five times, and I was told there that we selected the Cross-Bar System rather than the Electronic System because we wanted the project to be executed quickly, even though the Cross-Bar Exchanges are less modern than the Electronic type. It appears to me that the period during which the Electronic System could have been installed has been exceeded and yet the Cross-Bar System has not been installed, nor is there any information that very soon we will have this system installed and completed.

What I am saying is, if I had been allowed to speak during the debates on Telecommunications, I would have suggested that the Senate exercises its power of oversight regarding Government projects.

which the Government wants an action taken should give us access to know exactly what is happening and why a particular project which was supposed to be completed by 1978 had not been completed and evidence shown to us that progress is being made. We should, in fact, want to know why priority should be given to an area that had earlier been considered.

These are the questions I want to raise and maybe, the Members of the Telecommunications Committee would like to take note of them when deliberating on such matters.

Thank you, Mr President.

### **Threat to Local Industries**

**Senator A. Adegoke (Oyo)** : Mr President, distinguished Senators, my speech on the Motion for adjournment borders on allegation of some malpractices that go on in this country to the detriment of the local industries whose interests the last regime sought to protect. You will find that most of the problems that we have in this country today regarding the ban on this and that had been caused by attempts at protecting the local industries. Take for example the paint industry and the textile industry and you find that in this country no Decree or law ever works. It even appears as if the moment a Decree was promulgated we gave licence and laxity to smugglers and others to trespass on the economy of this country. Take tomato puree and others for example. The Government banned the importation of tomato puree but there are lots of them in the country now. They are smuggled in and at the end, it is the Government that loses. This is because instead of paying import duties to the Government, they are smuggled in and the money goes into the purse of the smugglers and we still talk about depletion of foreign exchange reserves.

One other happening which particularly worries me is the importation of paints. We know that paints are under licence and I refer to decorative paints, industrial paints and something like red oxide for industrial use. There are contractors in this country and some French contractors, in particular, who are in the habit of collaborating with officials of the NNPC to bring these things into the country through the sea. Some of these paints get into the country and money used to pay for them is foreign exchange and this eats deep into our reserves.

I wish to implore this Senate to use its good offices to request the Chairman of the NNPC to look into this allegation. The paints get into the country through the steel equipments that are brought imported for the project going on in Warri. They discharge these things and the contractors make use of them leaving those paints manufactured in this country. If it is a matter of quality, it will be a different thing because I know a number of paint industries in this country that can manufacture very good and durable paints. Even the raw materials that they use are under licence. I think that the Government should do something. Since a Decree had been promulgated, it would be a good thing if the government could look into this matter and ensure that, at least, contractors are forced to use the locally

## [SANETOR A. ADEGOKE]

available materials for their products. I want to make particular reference to red oxide. Red oxide is used in steel industry for coating the finished products. A company like the Chemical and Allied Products Limited (ICI) can manufacture this type of paint for us instead of allowing the French contractors to bring their own products from their home land. I have cited this example but there are other mal-practices going on in other areas of our local industries.

**Research Institutes**

The second point touches on Research Institutes. These Institutes should carry out their jobs efficiently. Take the Research Institute at Oshodi for example and you find that people do not even know that it exists. It may be that the morale of staff working in that Institute is low either because of the wage freeze or for any other reason. However, this type of government agency should be able to discharge its duties efficiently if it is encouraged to do so. I say this because some of the raw materials we import into this country are available within the country. Research work must definitely take place but with this kind of importation our foreign exchange reserves deplete. It is for this reason that I urge hon. Senators to regard it as obligatory the job of looking into these mal-practices. It is a good thing that, Section 82 of our Constitution allows it.

**Need for Public Relations Officer**

**Senator I. Dimis** (Bauchi South) : Mr President, Sir, I rise to say a few words about our own internal affairs as they concern the staff of the National Assembly. The Press always quote them as sources of information and when you try to find out, you observe that it is not the fault of the staff. I think this must be happening because there is no Committee and the Senate itself does not have a Public Relations Officer.

I wish to appeal to the Senate that a Committee be formed on Press matters so that we could always channel our matters through that Committee, and the Committee would in turn liaise with Public Relations Officer.

The next point I wish to deal with is that a Public Relations Officer is very necessary for this Senate if we are to always keep the world informed of what is going on in the country and especially in the National Assembly. This is because when the newspapers publish, they do so in the knowledge that nobody will query them as to their sources of information. They will always refer to staff of the National Assembly as their source of information and these staff are usually embarrassed. I am asking that while the Press take note of this, we, on our part ought to do something and the President should see to the appointment of a Public Relations Officer

**Telephones**

I am now coming to telephone. You cannot telephone from our residence at Badagry Road and get the National Assembly or anywhere. You cannot telephone from Badagry Road to convey a message to the National Assembly, and there is a telephone. Yet there are many people working and who are paid for the job ; it is not their fault though. I think something is wrong somewhere and I would like to appeal to the P & T or whoever is responsible to take immediate action so that we can, at least, get the National Assembly in case we want to ask for something.

With these few remarks, I thank you very much for giving me the Floor.

**Agriculture**

**Senator E. P. Echeruo** (Okigwe) : My contribution to the Motion for adjournment will be on the agricultural sector. Some of us must be aware that the main constraint to the development of the economy of this country is low productivity and the purchasing power of the rural economy which is based on our agriculture.

With the kind of planning and development we have in Nigeria, this sector depends solely on the public sector, that is, the Ministry, for direction. It is also a common knowledge that the financial year of this country is very very different and runs counter to the farming seasons. Consequently, each year, by the time the budget is released and inputs are purchased for distribution to farmers, it is well beyond the planting season.

I, therefore, wish to seize this opportunity through Mr President, to appeal to the executive arm of the government to present, as early as possible to the National Assembly, its budget as it affects agriculture for debate and passage, so that the farmers can catch up with the planting season and we do not make the mistake as we had always made in the past of bringing the budget in March and debating it till June, and when the funds are available, they are useless to the sector.

A lot of the promises have been made to the agricultural sector, and I think that it will not be too long before I bring in Bills relating to this sector. I hope and sincerely hope that, the promises that are made—the glorified statement that are usually the case when we present Budget on agriculture will change at least for once, and we will start having action, because the Party that won the Presidency made agriculture its main point on which it based its programme. We will expect action and no longer glorified words. I think I have always maintained that the agricultural sector has always been very badly discriminated against.

production is declining as compared with the rate at which our populations is growing is a very serious matter—a matter that calls for very serious attention.

I really hope that we will be getting a lot of Bills, particularly the Appropriation Bill as soon as possible from the Executive so that we will address ourselves to this problem and give it the attention it deserves.

### Defence

**Senator A. Durosimi (Badagry)** : I thank you for giving me the opportunity to speak on the Motion for adjournment. Sometime in the early 1960's, the Ministry of Defence acquired a portion of land along Ojo Road to build a station for the Army Signals. But to our surprise, last year, the land formerly acquired by the Ministry of Defence was extended to cover the road between Ojo road and the main Badagry Express road thereby blocking the access road for the people living along Ojo road and Ajegunle in particular, to come out at the Express road.

This action of the Ministry of Defence has been causing untold hardship on the people in this area. People who sometimes work at night when they come down at Mile 2 on getting to the gate they would discover that the Army had locked the gate and they do not have any access road through which to pass to their homes. I think this is unfair.

We did not query the former Military Government or the Ministry of Defence for acquiring the place but when they acquired the road being used by the people, they ought to have provided an alternative road for them immediately.

So, I am seizing this opportunity to appeal to the President or the Ministry of Defence to do something, that is, to provide an alternative road for the people living along Ojo road so that they can pursue their daily work.

### Bills Office

**Senator M. A. O. Abiru (Ikorodu)** : A few days ago, I submitted a request to speak on the question of non-existence of machinery for the preparation of Bills for this Senate. This is the matter that is causing many Senators a lot of concern. Actually, the Senate has pointed out that many of the Resolutions we have been passing in this Senate ought to have been coming in by way of Bills. We appreciate the non-existence of this machinery and what is more, not only the legal draftsmen that we have not got, but the Bills Office has not been fully equipped as to handle the lots of Bills that we will be producing in this Senate.

Mr President, one suggestion I had intended to make is the fact that if we have shortage of manpower in the Ministry of Justice, I know for certain that some legal draftsmen can be seconded from other Ministries, if possible from the Lagos State if the Lagos State Government will be willing, and we can be fully helped this way. For instance, I have in view two prominent Judges of the Lagos State who are very versed in draftsmanship—Mr Justice Omololu

Thomas and Mr Justice Alabi. If we can ask the Lagos State Government to release either one of these gentlemen or both of them, we shall be very greatly relieved.

Mr President, Sir, we are seriously handicapped by the lack of machinery by which we can set our Bills to be produced in this Senate. I am, therefore, urging that if we can take this initiative perhaps we can be relieved.

### Priority Roads

**Senator Amadu A. Ali (Benue West)** : This is my third day of asking to speak on the Motion for adjournment. One of the topics I would like to mention here is the question of roads in Nigeria. The recent pronouncement by the Federal Minister of Works on the priority roads in the Federation is totally unacceptable to some of us. Most of the roads, for example, mentioned are totally outside the Benue State. It is just at the tip of Benue that they took about two or three kilometres and joined it with Gongola State. I would like to mention here that the roads that are of paramount importance to Benue State are one, the Shintaku-Dakina-Ayangba-Ankpa-Boju-Oturkpo road, which is the arterial trunk road belonging to the Federal Government.

The second important road that should have been on that list is Idah-Adoru-Nsukka road which also happens to be a Federal road. Then we have Boju-Adoka-Ogane-Enugu road and there is also Aliade-Gboko road. These roads seemed to have been totally left out in the Minister's speech. So, I would like to ask that Ministry to send its experts to see what are called the Federal roads in the State, so that such roads will be included in the next pronouncement. We want immediate action to be taken on them.

### Effectiveness of Senate

The other point I would like to speak about is on the ineffectiveness of the Senate. I am happy to notice that this has been mentioned by two of my colleagues. We have no staff, no office, no legal draftsmen and we keep toiling on as Senators of the Federal Republic of Nigeria. The Federal Ministry of Justice may be in short supply of legal draftsmen and this is the field of the Ministry of Justice that is very scantily supplied with man-power.

Legal Draftsmen are the rarest birds. To our surprise, we found that Kenya and some other countries in East Africa were coming here looking for Legal Draftsmen, while we were looking for them in other places. I hope the Government of the Federation would actively do something to encourage lawyers to go into that field of legal draftsmanship. It is a very tedious job, but as long as we remain in this country talking about pegging salaries to that of the Secretary to the Government and not willing to pay well for work done, you may not get people going into that field.

Mr President, I would also like to advise that the directorate of the National Youths Service Corps should be approached to off-load as many young



[SENATOR AMADU A. ALI]

lawyers as possible to come into the National Assembly and work with one or two legal draftsmen and through that they may be able to trap some of them to remain in that section.

#### **Need for Ministry of Iron and Steel**

My third point is on a Ministry for Iron and Steel. Mr President, we have not had time to debate the President of the Republic's Speech, but I really feel that we need a separate Ministry for Iron and Steel as distinct from Ministry of Industries to which it is presently attached. Iron and Steel are a most vital aspect of our economy, Mr President. Once we get the Iron and Steel complex going, we could have said that we have arrived at the door-step of technological age. Mr President, even in the industrial age which is fast moving away from us, we have not

reall found our feet. But we do not need to waste time to catch up with the industrial world before we launch ourselves into the technological age and the key to that is the Iron and Steel complex. Therefore, Mr President, I would like the President of the Federal Republic of Nigeria to think of creating a Ministry of Iron and Steel as a separate Ministry, so that this particular item in our national economy would be given ample chance to grow and meet up the demand of the modern technological age.

Thank you, Mr President.

*And it being twelve o'clock, the Deputy President adjourned the Senate without Question put until 3.00 p.m. on Monday.*

Monday, 26th November, 1979

The Senate met at 3.30 p.m.

### PRAYERS

(The President in the Chair)

### ANNOUNCEMENT

**The President :** Order ! Order ! I think before we go straight to what is on the Order Paper of the day before us, I would call upon the distinguished Senator from Bauchi and the Chairman of the Business and Rules Committee to announce to the Senate the Report to be laid before it later in the day for discussion.

**Senator Jalo Waziri (Bauchi East) :** Mr President, Sir, I crave the indulgence of the Senate to the fact that I shall be laying on Table the Report of the Business Committee and the Report of the Remuneration Committee later today. To that effect, I wish to move that the Standing Orders, as enumerated by a Motion the other day, be suspended so that there will be a joint sitting of both the Senate and the House of Representatives at 10 o'clock tomorrow morning in order to consider some matters of common interest to both Houses.

**The President :** I recognise distinguished Senator from Bendel, Senator Dafinone.

**Senator D. O. Dafinone (Bendel South) :** Mr President, I hereby give an intention to submit an amendment—

**The President :** Are you seconding the Motion ?

**Senator Dafinone :** No, I am not. It is not a Motion yet. I am only giving a notice to move an amendment to bring it in line with the existing salary structure—

**The President :** Order ! Order ! There is a proposal by the distinguished Senator from Bauchi that the Standing Order we amended on Friday be suspended in view of the joint sitting of the National Assembly tomorrow at 10 o'clock.

**Senator Isa Obaro (Kwara South) :** I beg to oppose that.

**The President :** It is a proposal. The Senate has to approve or disapprove that.

**Senator Obaro :** I beg to oppose, Mr President.

**The President :** Do you mean that you beg to second ? You will be briefed by your Party Leader, Senator Isa Obaro.

**Senator :** Seconded.

**The President :** Is that the wish of the Senate ?

**Several Senators :** Yes !

**The President :** I suppose that at this stage, Senator Dafinone, may then present his proposal before the Committee.

**Senator Jalo Waziri :** Point of Order, Mr President.

**Senator Waziri :** Order No. 26. I thought he was going to speak on the Report which I have not laid on the Table yet. I said I would lay the report on the Table of the Senate later this day and he wants to speak on the Report which has not been laid. So, he is out of order, Mr President. (Laughter)

**Senator Dafinone :** No, it is a point of information, Mr President.

**The President :** I sustain your order, Senator Waziri, even without your telling us where to find it.

I have the following announcements to make. A message has been received from the Presidium of the Supreme Soviet—Senate equivalent—congratulating the President of the Senate of Nigeria and this Senate, for the election and for returning to democratically elected government. The message was delivered this morning by the Russian Charge d'Affairs in Nigeria.

Order ! Order ! I call upon the distinguished Leader of the Senate, Senator Saraki to speak.

### PUBLIC BUSINESS

#### National Science and Technology Bill House Amendments

**Senator Sola Saraki (Ilorin/Asa) :** Mr President, distinguished Senators, we received back to this august Senate the bill titled *National Science and Technology Bill*. On the 19th October, 1979, we passed the Bill here and it was sent to the House of Representatives. It is now back to us amended. I hope, distinguished Senators, you all have copies of the Bill with you.

**Several Senators :** No !

**Senator Saraki :** Therefore, Mr President, can I ask for the indulgence of the august Senate to lay it before the Senate in order that we may discuss it tomorrow. Can I ask for unanimous consent of the Senate to place it before the Senate to be discussed in the Committee of the Senate as we did—

**Senator Kunle Oyero (Abeokuta/Ifo/Otta) :** Mr President, we are being rushed.

**Senator Saraki :** I am still on my feet.

**The President :** I thought I would have to recognise the distinguished Senator before he could speak.

I was informed a while ago that, in fact, the Bill had been distributed earlier—I mean, the amended Bill and not the one that we passed. I understand the amended Bill is coming back from the House of Representatives.

**Senator Saraki :** The Amendments are on the Order Paper. If we agree with the House of Representatives, then, it goes to the Committee of the Whole House.

**Senator Kunle Oyero :** Point of Order.

**The President :** What is your Order ?

**Senator Oyero :** Order 20, Rule (4). I am referring us to 20 (4) (c). This Order, the President will recognise, is to be adopted with modifications. The Notice being given by the Leader of the Senate, I wish to submit, Sir, is analogous to an Amendment to a Bill on the Third Reading because, in any event, until we pass the Amendment the Bill cannot become law, since it has been referred back to us. To do that, Sir, it would be necessary for us to have the Amendment in writing for everybody to note and study.

**The President :** The Amendment is contained on the Order Paper.

**Senator Oyero :** The one I have, Sir, contains only the Motions by Senators Odebiyi and Abiru.

**Senator Saraki :** Mr President, Sir, I think the distinguished Senator—

**The President :** Excuse me, Senate Leader. Have you got the Order Paper for Monday the 26th November, 1979 ?

**Senator Oyero :** Well—

**The President :** Is any other Senator in trouble with the Order Paper ? I recognise distinguished Senator and Leader of the NPP.

**Senator Jaja Wachuku (Aba) :** Mr President, Sir, it is not sufficient to put the Amendment on the Order Paper. The Bill itself should accompany it because it is the Bill that will be amended.

**The President :** I thought you have a copy of the Bill.

**Senator Wachuku :** It was a copy of the *gazette* that was passed.

**Senator Oyero :** Mr President, Sir, we passed the Bill itself over a month ago. We cannot, therefore, relate it to Amendments quoted out of context, as contained on the Order Paper. That is why it is necessary to reprint it—it is not a voluminous paper—and underline the proposed Amendments. Then, we can study the whole Bill and make up our minds.

**The President :** I recognise distinguished Senator Echeruo.

**Senator E. P. Echeruo (Okigwi) :** Thank you, Mr President. If we adopt this method of getting a Bill back to this Senate and considering the version passed by the other House, we may not agree and we would send it back to them. So we would be going backward and forward. If we take a cue from the area where we have been drawing our examples, the normal procedure is to have a Conference Committee which will reconcile differences in the way Bills are passed in both Houses and when they agree each of them would pass it in their respective Houses in the new version they have agreed. So, I think it may help us to adopt this procedure ; refer the amended version to a Conference Committee, they will resolve it and bring it to both Houses for final passage.

**The President :** Point of Order. Senator Atake

**The President :** You have 46 (1), (2) to (8).

**Senator Atake :** I am referring, in particular, to 46 (7). *When a bill is returned from the House of Representatives with Amendments the consideration of such Amendments shall be put down for such future day as the Senator in-charge of the bill shall appoint unless the Senate shall order them for consideration forthwith.* That, is important.

**The President :** I sustain your point of Order.

**Senator Sola Saraki (Ilorin/Asa) :** Mr President, Sir, this is exactly what I was saying, that the Amendment should be accepted and laid before the Senate. It will then be committed to the Committee of the whole Senate.

**Senator Jaja Wachuku (Aba) :** Where is the Bill ?

**Senator Saraki :** The Amendments received from the House of Representatives.

**Senator Wachuku :** Point of Order.

**The President :** What is your Order number ?

**Senator Wachuku :** Order 46 (7), that has been read just now. *When a Bill is returned from the House of Representatives with Amendments the consideration of such Amendments shall be put down for such future day as the Senator in-charge of the bill shall appoint unless the Senate shall order them for consideration forthwith.* (8) *When the Senate has concluded the consideration of the House of Representatives' Amendments, the Clerk shall—then it went on and on. When the Bill is returned, where is the Bill that has been returned ? It does not say when an Amendment is returned, does it ?*

**Senator Saraki :** We did not send any Amendments to the House of Representatives, we sent a Bill and the House of Representatives amended the Bill and sent the Amendments to us for consideration. I am saying that the Amendments should be laid before this Senate and the Bill committed to the Committee of the whole Senate.

**Senator Wachuku :** In other words, there is no Bill.

**Senator Saraki :** Of course, there is a returned Bill. I therefore, move that the Amendments from the House of Representatives be laid before the Senate and committed to the Committee of the whole Senate.

**Senator Jalo Waziri (Bauchi East) :** I beg to second.

**The President :** The question is that the Bill, National Science and Technology Bill, which has been read the first, second, and third time in this august Senate with Amendments from the House of Representatives be laid before the Senate for consideration.

*Question put and agreed to.*

**The President :** The Bill has now been laid before the Senate for the Senate to consider the Amendments.

**Senator Wachuku :** ...

**Senator Saraki :** Mr President, Sir, distinguished Senators, the Senators have not got copies of the Bill and because of that, I would like to suggest that we take it tomorrow so that each and everyone of us will have their own copies.

**The President :** Are you doing this to satisfy your distinguished friend and colleague there, Senator Wachuku.

**Senator Saraki :** Mr President, Sir, you can only lead with consent, you cannot lead in isolation. Their wish is that they would like it to be taken tomorrow and I recognise that wish. (*Applause*)

**The President :** I recognise the distinguished Senator Akintoye.

**Senator S. A. Akintoye (Ondo Central) :** I just think that in this sort of situation, Mr President, Sir, it is important that the Senate should lay down guidelines for action. If we pass a Bill here and it has gone to the other House and it comes back with Amendments from the other House, I think that it is important that we have the two things together first. The Bill as we passed it, and secondly, the Amendments coming from the other House on the same page so that we can all look at the Bill and the Amendments together. The advantage in that would be that we would all be able to look at the Bill and suggested Amendments. A situation in which we are asked to go and look in our papers for the Bill as we passed it here is unsatisfactory.

**The President :** I recognise the distinguished Senator Onyeabo Obi to speak.

**Senator Onyeabo Obi (Anambra West) :** Mr President, Sir, when we last considered this Bill, I pointed out the dangers of too much hurry and that is why we overlooked a material Amendment which has been considered by the lower House. I am grateful to the Leader of the Senate that has given some time to consider this matter ; but I would like him to put it forward for two days in order to give him time to distribute fresh copies of the Bill as passed so that Senators can read the Amendments into the Bill and see how the Bill itself will read after the Amendments are incorporated.

I would like also to refer, Sir,—

**The President :** You may have to bring a Motion to rescind the decision that has been taken by the Senate regarding when it should be brought up.

**Senator Onyeabo Obi :** Mr President, Sir, I would also like to remind the Senate of the procedure which I pointed out when we were considering this Bill as practised by the U.S. Senate. If Mr President will allow me, I will read a line of a booklet :

*The UN Congress Handbook 1979. How the Bill moves. It says, Sir :*

*Approval on the Floor means both the House and the Senate have separately cleared the Bill and conferees of each Chamber then are selected to work out any necessary compromise of differences between the House and the Senate on the Bill and write a conference report. Final passage comes when the House and the Senate approves the conference report.*

I like to commend this procedure, Sir, to the Senate to save time in case we have amendments which we have to refer to the House of Representatives or vice versa. Thank you, Sir.

**Senator A. A. Adesanya (Ijebu North/East) :** Mr President, Sir, the Rules or Orders cited by my distinguished colleague, Senator Obi, will not be applicable because we have our own Standing Orders and Order 46 (7) states clearly what should be done in case any Bill is returned amended from the House of Representatives. It is only, Sir, where we have nothing in our own Standing Orders that we can look into the Standing Orders of the United States of America or any Standing Order for that matter. Since we have our own here, we have to use that one and not go to any other Standing Order.

**The President :** I would take it that Senator Obi's reading of the Rules adopted by our counterparts in the U.S. was purely informative. I do not think it was meant to replace ours as such.

**Senator C. O. Ilori (Ife/Ilesha) :** Mr President, Sir, as a follow up to what the last two speakers have said on the Bill, I think Senator Obi's procedure was in order in a case where there was a significant difference between what was proposed by the Senate and what was proposed by the House of Representatives on a particular Bill. It would be necessary to send such a Bill to a Committee to iron out the area of differences.

Looking at the Amendments as passed on to us from the House of Representatives, I do not think there are material differences between what is being amended and what was passed in this Senate. So, there is no need for that procedure to be followed. I think this Senate can easily dispose of the amended Bill as passed on to us by the House of Representatives because looking at the Amendments, I do not think we will have any difficulty. There is no need flogging this issue.

Thank you, Mr President.

### NOTICES OF MOTIONS

**The President :** Order ! Order ! We have on the Order Paper, Notices of Motions. I call upon distinguished Senator Odebiyi to move.

#### Joint Admission and Matriculation Board

**Senator J. A. O. Odebiyi (Egbado North/South) :** Mr President, Sir, in view of your ruling last week about my Motion on the *Daily Times* and in view of the fact that it would be necessary for me to bring Bill to abrogate the existing Decree on JAMB, I do not intend to move the Motion. I hereby give notice that very soon I shall bring a Bill for an Act to revoke the provisions of the Joint Admission and Matriculation Board and to substitute it, therefore, with another body.

**Senator D. O. Oke (Ondo West) :** Mr President, Sir, in supporting the request put to Senate for the withdrawal of this Motion by my joint Mover, I am requesting very humbly that assistance be made

[SENATOR D. O. OKE]

available for us to be able to put our thinking on this in form of a Bill. As of now, there is no legal assistance available anywhere for Senators, so I am requesting that this be made available as soon as possible.

*Motion by leave withdrawn.*

### Transportation on Trunk Roads in Nigeria

**Senator M. A. O. Abiru (Ikorodu)** : Mr President, Sir, distinguished Senators, I rise to move—

That the SENATE do direct a Select Committee of this House as a matter of urgency to consider and make recommendations to the SENATE for a workable solution to the problem of transportation on trunk roads in Nigeria particularly those leading into and out of Lagos to wit : Ikorodu Road and Badagry Express Road.

Mr President, Sir, in moving this Motion, I take cognisance of the second schedule to our Constitution, Part 1, paragraph 60 which vests this Senate with every power to deal with the construction and maintenance of traffic on Federal trunk roads.

Distinguished Senators, in moving this Motion I feel confident that it is a Motion that cuts across party lines and which, therefore, should gain the support of every Senator. The whole Senate would appreciate the dual posture of Lagos within Nigeria. You would appreciate that at least, at the moment, Lagos has a dual posture because it is at the moment the capital of the Federation, and at the same time the seat of the Lagos State Government.

I would like us to consider one other aspect, that Lagos is the commercial nerve centre of this country. I know for certain that a while from now, we shall be moving to Abuja, but what I am saying is that if we consider that, as at the moment, Lagos serves in that unique position, we should consider that the Motion before the Senate should gain the support of every Senator.

Now, I will not be doing justice to this Motion without alluding to certain factors. In the first instance, I have to pay tribute to the successive Military Governments that had come and gone, in the light of the fact that a lot was done by them in helping or trying to solve the question of traffic congestion in Lagos. Towards this end, a lot of investments had been made.

I appreciate the fact that we have the Eko Bridge complex which was a step towards the solution of the traffic congestion in Lagos. I pay tribute further to the Military Governments, in the light of Carter Bridge substitute, which is just completed and we are having a third road liking Oworonshoki with Victoria Island. These are all appreciated. All these developments aim at keeping the Federal Capital going and trying to ameliorate the situation of traffic congestion within the Metropolis of Lagos.

We all agree that the population of Lagos has actually exploded. We all agree that to keep Lagos

perennial go-slow and traffic jam, this cannot be attained. This is why the Federal Government has invested so much on Lagos.

Now, distinguished gentlemen, I would not like the Senate to treat in isolation the question of traffic as it affects Lagos. I am talking of Trunk roads, and wh I say trunk roads we know for certain that we have he Lagos—

**The President** : You are already debating your Motion.

**Senator Abiru** : Yes, Sir.

**The President** : I thought you were to give notice of the Motion only. Anyway you may continue.

**Senator Abiru** : When I talk of trunk roads, we all know that we have the Lagos/Ibadan/Ilorin roads, the Ilorin/Kontagora and the Ibadan/Gwari bridge, the Kano/Gumel/Hadeija bridge, we have the Lagos-Badagry road, Yaba/Ketu/Ikorodu/Epe/Itokin/Ijebu-Ode/Benin-Ore roads.

**The President** : What about the Calabar/Ikom road, the Maiduguri/Yola and others ?

**Senator Abiru** : I shall be coming to them. Distinguished Senators, you would agree with me that the last stretch of trunk roads which I have mentioned—the Yaba/Ketu/Ikorodu/Itokin/Ore Benin—links Lagos, Ogun, Ondo, Oyo and Bendel States on one hand and links Anambra, Imo, Rivers and Cross River States on the other. You would all agree with me also that these roads enter Lagos by the Lagos Ikorodu road. You would, as well, agree with me that in view of the usual congestion along this Lagos Ikorodu road, the Federal Government had tried to create an alternative route which is the Lagos—Ibadan express road. You would agree that the Lagos Ibadan express road which is expected to be an alternative to the congested Ketu/Ikorodu/Ijebu-Ode/Ore/Benin road, carries tariff or toll billing. The tariff is such that a private car going along this road has to pay ₦2 to and fro. A passenger bus has to pay ₦4 to and fro while trailleurs, tractors, and heavy duty vehicles pay ₦10 to and fro. This is a road which is expected to be an alternative route to reduce the congestion along the Lagos/Ikorodu/Ore road.

At this juncture, I wish to seize this opportunity to inform the Senate that when this tariff was imposed, it was with a view to ploughing back part of the money invested by the Federal Government, and I think Senators would agree with me when I say that this tariff is rather high and ought to be slashed to half so that private cars would have to pay ₦1 to and fro ; passenger buses ₦2 to and fro, mammy wagons, trailleurs and tractors would have to pay ₦5 to and fro. I am saying that the existence of this alternative route notwithstanding, the Lagos/Ikorodu road is still congested and the congestion goes on the assendence. There is no question of abatement what-so-

[SENATOR ABIRU]

You would all agree with me that when the third Five-Year Development Plan was projected, the question of this road was part of the scheme. Now, this is the road starting from Yaba moving directly towards Ikorodu to link Itokin/Epe/Ijebu-Ode road. You would agree with me that this road from Yaba leads down to Maryland carrying six lanes of traffic, and when it gets to Maryland moving further into Ketu, four lanes of traffic have to converge into one. This is the problematic point that I am trying to stress. Four lanes of traffic converging into one!

Now, in this regard a journey that should take you about five to ten minutes, when you get to Ketu you have to spend about one and half hours before you go through. There is stampede; there is traffic jam, and you cannot move out.

The main intention of the original design was that this road as it is, should extend straight to Ikorodu road, but it got there and got stucked. The design was such that there had to be a round-about at Ketu Junction to diffuse the movement of traffic, so that traffic could flow easily.

Assuming that you are able to spend one and a half hours standing, perspiring and suffering, then after getting over this, you still have another hurdle before you. The hurdle now before us is that of Okeriya hill about one kilometre to Ikorodu. This Okeriya hill is about one hundred feet high.

Incidentally, when any motor vehicle has to go on this hill it has to go through a curve. When it comes to the question of a trailer particularly, it has to change gears, and by the time it attempts to climb the hill, there is a gear exhaustion, with the result that almost everyday you have a tanker getting stuck on the hill. Once a tanker gets stuck, there would be no movement; there would be stampede; there would be serious traffic jam, and one could spend five hours before getting to Ore Road.

Distinguished Senators, I am not making this proposition in the abstract. As a matter of fact, the original plan had been to the effect that this gradient of a hill had to be reduced. Once the gradient is reduced, traffic would flow and things would be easier both for human beings and transportation.

Distinguished Senators, I would have to put one other view across. The Nigerian Port Authority, viewing the congestion at Apapa Wharf had decided and had acquired a vast acreage of land at Ikorodu, and thereon had been built about 500 sheds for taking in of goods transmitted from Apapa Wharf. The result is that these sheds had to alleviate the question of congestion at the Apapa Wharf here. In doing this, trailers and other vehicles coming from the hinterland; from the North and the East will have to branch at this place to reduce congestion, and carry the goods back to the hinterland.

This is why I am saying in particular, that this projection ought to be supported. If we happen to solve the question of Ketu and that of Okeriya hill, we would have done a lot first, in helping the transport situation, and secondly in helping the economy of this country.

I may now talk about Lagos/Badagry Road. I am happy that we are all living witnesses to the situation, because we all live within the same quarters now along Lagos-Badagry Road. The problematic point here is the Amukoko Junction. That is where we have our suffering, and that is where also many people within that area have their suffering.

The Federal Ministry of Works ought to get something done to alleviate the question of traffic congestion within that area. These are the two main gates to get to Lagos and that is why I am stressing, with the support of the distinguished Senators, that we can get this problem solved. I appreciate the fact that Miliken Hill is the gateway to Enugu. I think Senator Obi is listening. *(Laughter)*

The Miliken hill is the gateway leading to Enugu, and as a matter of fact, it is the gateway that connects both the North and the West. I appreciate the fact that the Military Government had set aside the sum of ₦300,000 for the surfacing of Miliken hill, out of which ₦100,000 had been released. I am seeking the support of this Senate that the remaining ₦200,000 be made available to solve the problem of Miliken hill—*(Interruptions)*

Distinguished Senators, I hope that you are with me. *(Interruptions)*

Recently, the Federal Minister of Works, Mr Masi, did release the fact that the rehabilitation of five Federal Trunk Roads had taken off. These five Federal Trunk Roads are:

- (1) Alaide/Yande/Katsina Ala—Access Road to Ashaka cement factory.
- (2) Lagos/Sokoto Road.
- (3) Oturkpo/Aliade/Makurdi Road.
- (4) Makurdi/Lafia/Gimi Road.
- (5) Mokwa/Kaduna Road.

You will agree with me that the scheme is on, and we cannot isolate the question of the gateway into Lagos from this scheme. This is why I feel that I can gain your support on this Motion.

Mr President, distinguished Senators, you would further agree with me that we have cattle straying all about the main roads, and this constitutes danger to human lives and properties. We have trailers and tankers vying with smaller motor vehicles on the road, both during the day and during the night. I think it would be appropriate if we could have a schedule of time within which all trailers and tankers could ply the roads in order to save life and property. At the same time, we should do our utmost to see that the question of cattle trafficking on our main roads is brought to an end.

So, Mr President, Sir, I beg to move.

**The President:** I have a notice of Amendment to that Motion. But before I take on that Amendment, I will call for a seconder of the Motion. I recognise distinguished Senator Adesanya.

**Senator A. A. Adesanya (Ijebu North/East):** Mr President, Sir, in rising to support this Motion, I would say that this Motion is not a controversial one because, as ably moved by the proposer of the

Motion, all these roads he mentioned are gateways to Lagos. There is not any argument from any quarters about the position of Lagos in the commercial activities of Nigeria. Okeriya Hill and Ketu are Trunk A Roads linking Lagos to all the Eastern and Northern States. Therefore, we should not view this Motion as something that would benefit Lagos alone. This is something that would benefit the whole of Nigeria, Lagos being the nerve centre of the country. All the big trailers coming from the North pass through these roads. In fact, many of the trailers transporting the essential goods from the Ports of Lagos to the hinterlands, that is, the Eastern and Northern States, normally pass through these roads.

I have had occasions to pass through Okeriya Hill. I passed through this place even last Saturday, and I discovered that there were not less than four or five trailers blocking that road. A trailer leaving the North, scheduled to travel from the North to Lagos, say within four days, may have to be there for three weeks.

That again would be destroying the economy of the country. I would, therefore, appeal to all the Senators—

**Senator J. S. Tarka** (Benue East-Central) : On point of order.

**The President** : What is the Order ?

**Senator Tarka** : I believe that the distinguished Senator is aware, Sir, of the Constitutional arrangement of all the States in the Federation, otherwise I would say that he is referring to North, West and South geographically.

**Senator Adesanya** : I think that the distinguished Senator from Benue (*Senator J. S. Tarka*) would realise that when I mentioned East or North, I did not say Eastern State or Northern State but I referred to the States in those geographical areas.

Mr President, Sir, I would not like to waste the time of this august Senate. As I said before, this Motion is not a controversial one, and I have no doubt in my mind that the Motion has already received the support of all the Senators here. (*Applause*). I have no doubt about it, because they are all beaming with smiles. I am sure when my learned colleague Senator Jaja Wachuku was going back to Anambra or Imo—

**A Senator** : He went by air.

**Senator Adesanya** : I see. Benin-Ore road traffic would have to come to this place before you enter Lagos, and when the place is widened and made good, it would mean that all traffic coming from Benin-Ore Road—Imo, Anambra, that is already done—I think the President had already given an order that Benin-Ore road should be completed within two weeks. I have no doubt in

**The President** : I have notices of amendment to the Motion. One is from Senator Onyeabo Obi and the other from Senator Femi Ayantuga.

I recognised distinguished Senator Obi.

**Senator Onyeabo Obi** (Anambra West) : Mr President, Sir, the Motion by my distinguished colleague from Ikorodu (*Senator Abiru*) is one which normally, I am very glad to support even though it is not one of the four cardinal principles enunciated by our great leader.

I would like to say, Sir, that I have an uncommon privilege to represent three very important commercial centres of Nigeria ; Lagos by adoption, and Onitsha and Nnewi by origin. So, any proposal to link these important centres certainly should receive my very strong support. I was only embarrassed that my distinguished colleague (*Senator Abiru*), did not go so far as his statements justified, by limiting the text of his Motion to only one of the places which I mentioned.

My problem arises from the fact that other Nigerians and I, both from the Northern States, the Southern States, and the Eastern States, when we leave Lagos we may not get to our destinations. Then we come back to Lagos. I think that this is what the Governor of the Lagos State is complaining about. So, it should be possible that when making provision for us to leave Lagos, there should be provision for us to get to our destinations.

Since the distinguished Governor of Lagos State has not been so kind enough through our distinguished colleague (*Senator Shitta-Bey*) to allow us to drive in and out of Lagos when and as we want, we have to take this Motion seriously in the order in which national priorities warrant.

I would like to point out, Sir, that many of us feel, maybe wrongly, that a lot of attention has been focussed on roads within the metropolis of Lagos. We wish that a little more attention had been focussed on roads going out of Lagos including the one mentioned by my distinguished colleague. Having said that, Sir, I would like to suggest for his consideration, some amendments which would carry his Motion to its logical fulfilment ; that is, to remove the bottleneck that also strikes the Niger Bridge at Onitsha.

My distinguished colleague knows that there is no point for me to leave Lagos if at the Niger bridge I have to take six hours to cover a distant of one mile whereas I spent five hours to travel from Lagos to that point.

I would suggest, Sir, first that the Motion be amended in the first line by deleting the words *a Select Committee of this Senate* and inserting in its place *the Public Works Committee*. I think my distinguished colleague and other Senators know that there is a Committee specifically charged with the responsibility for Public Works. I think that there

either deleting the specific examples which he has given, so that the Motion can have wide acceptability or otherwise, importing other bottleneck such as I have mentioned in the case of Onitsha. I could go further to give you four ways in which these can be opened up, and if the linkage to other parts of the country is the issue, then I would like to suggest that Onitsha is really a bottleneck to traffic within Nigeria from Lagos to the Eastern States, to the Southern minority States, to the Northern border line States and to the others.

I would suggest, Sir, either we delete the reference to Lagos or we put up an amendment as follows. After the word *particularly* appearing on the third line of the Motion, we put an hyphen there and put No. 1 and carry your text through *those leading into and out of Lagos* and so on, up to the end of it, to which I have no objection. Then we add another paragraph with the No. 2—

*those leading into and out of Onitsha to wit :*

(a) *building a new bypass to link the Onitsha-Owerri-Port Harcourt road directly to the Niger Bridge.*

Those who have travelled in this area would know that that bottleneck makes it impossible to travel from Lagos to Aba, Calabar, Eket, Port Harcourt, Enugu, anywhere in that area.

(b) *re-building the broken down Idemili bridge linking other parts of the East.*

You know that in that old bridge, you have to drive into the main traffic to get back there and that causes a lot of obstruction. There are other consequential ones. There is the problem of the Onitsha to Oba, to Nnewi and to Okija highway. This also warrants a very urgent Federal Government attention. It is the worst road which even the Senators who have been on that road can imagine. It is really the centre of trade between here Onitsha and Nnewi. That road makes it impossible for the economy of Nigeria to move.

I would suggest, Mr President, Sir, that if the Senator is willing to delete the one specific example, it will be generally acceptable to the Senate because the problem of roads and Federal highways is so important.

If you prefer that the example as provided in the Motion should stay, I would fully support it as a Senator representing Lagos and Onitsha. If you accept the amendment, I would be glad to come along with you on the Motion for the interest of our Senatorial districts.

**The President :** Order ! I am receiving a pile of amendments. At the rate we are going, I have no doubt that we would receive ninety-five amendments, including my own, and covering the nineteen States. I am beginning to think and I want colleagues to think about this very carefully, that this ought to be a Bill if it is to be debated. This is a subject that involves a very high level of capital expenditure. I think we should have this behind our minds when we are dealing with the subject matter so that we

available.

I recognise the distinguished Senator from Bauchi, Senator Dimis.

Just a minute. I did say Senator Femi Ayantuga ; but his own is not the same as Lagos and Ikorodu. To seek my support, I can see Cross-River there. However, I did say that you would speak.

**Senator Femi Ayantuga (Epe) :** Mr President, Sir, I would suggest the following amendments to brother Senator Abiru's Motion.

**Senator Obi :** Point of Order.

**The President :** Point of Order, Senator Obi Wali.

**Senator Obi :** I would like to know the fate of the amendments I proposed.

**Several Senators :** He has accepted them.

**Senator Obi :** He has accepted our amendments, Sir.

**The President :** Do you accept the amendments ?

**Senator Abiru :** Yes.

**The President :** Which one did you accept ?

**Senator Abiru :** The additions.

**The President :** Do you accept A to B ? (A) is that you delete a word.

**Senator Abiru :** I accept that we should continue to add.

**The President :** Do you accept that we should continue to add ?

**Senator Abiru :** Yes.

**The President :** So, that other people can also add ?

Order ! Order ! I will come back to you Senator Ayantuga. Can you help us Senator Obi ? Let us know the decision we have taken. We have one or two alternatives as I understand it.

**Senator Obi :** There are two separate amendments. The first one is to delete *a select Committee of the Senate* and insert in its place *the Public Works Committee*. There should be no problem about that. The second one is to make his example for Lagos as paragraph 1. To make the example, I quote : *For Onitsha which covers the Eastern and Northern Zone* as paragraph 2.

**The President :** Order ! Order ! The decision the Senate has taken is that you replace the words, *Select Committee* with the word, *Public Works Committee*.

*Question put and agreed to.*

**The President :** The second one is that the first amendment by Senator Obi be accepted. The Mover of the Motion has also accepted it. He said that there should be *additions*.

**Senator Obi :** It is one paragraph relating to the bottleneck at Onitsha.



**The President :** This is the crucial point which I am trying to make my colleagues to see with me. Are we willing to take the Amendments of ninety-five Senators? The moment you accept that of Senator Obi, others will come in. (*Interruption*)

Order! Order! Will it be very safe to say that if you are referring the matter to the Public Works Committee it will deal with the Motion comprehensively and receive suggestions from every Senator to incorporate. Which one do you take?

**Senator Obi :** Mr President, Sir, the Amendments are mine. I gave two possibilities. We either delete the example given—then it is general—

**The President :** That is what I thought you would—

**Senator Obi :** Or if that is to remain, I support my colleagues because we feel the same way about the Lagos and Onitsha problems. The other Amendments can come in God's own time, Sir.

**The President :** Order! Order! Did you hear that distinguished Senator Abiru? Are you prepared to accept the amendment to delete the areas you enumerated here so that it becomes a general Motion?

**Senator Ameh Ebute (Benue-South Central) :** Point of Order.

**The President :** Point of Order, Senator Ebute.

**Senator Ebute :** Mr President, Sir, I am of the opinion that the Amendments made by Senator Obi is not proper because it has not been seconded.

**The President :** I recognise the distinguished Senator from Benue, Senator Ali.

**Senator Amadu A. Ali (Benue West) :** Thank you very much, Mr President. I think this Motion really should come in the form of a Bill.

**The President :** You are debating already. We are looking for a solution to the problem—

**Senator Amadu Ali :** It is a solution I am giving. The solution, Mr President, is that it should have been in a form of a comprehensive Bill to cover as many areas as possible. Failing that, I would say that the question should be put and we would throw it out. A third alternative is that I would like to suggest an Amendment which reads thus :

Realising that the problem of road transportation is not peculiar to Lagos State alone, this Senate considers all natural obstacles that create traffic chaos all over the Federation such as the Idah/Agenebode Bridge—(*Applause*). Mr President, Sir, such as the Idah/Agenebode Bridge across the River Niger and the Idah/Itodo Road, linking a major agricultural zone with—

**An hon. Senator :** What of Ajaokuta?

**Senator Ali :** The Ajaokuta one is under con-

Mr President Sir, I would think that this thing should come in the form of a Bill and it will be more comprehensive, if not, there will be ninety-five Amendments. My first suggestion is better, let us put the question and throw it out.

**The President :** There is a point of Order. I am recognising distinguished Senator from Anambra East, Senator Offia Nwali.

**Senator Offia Nwali (Anambra East) :** Mr President Sir, last week we overwhelmingly voted.

**An hon. Senator :** What Order number?

**Senator Offia Nwali :** Order numbers 24 and 26, Relevancy and Contradiction. Last week, we voted unanimously that development should be concentrated in the rural areas. This week we are trying to transfer the money we will use for this development for use in the urban areas. So, if we are serious, we should not even discuss this Motion when we have just finished saying that we want to develop rural areas and right now, we want to put all the money into providing fly-overs in Lagos and other towns. So, it is out of Order.

**The President :** Point of Orders! I hope we will not waste our time with points of Order on this subject. I recognise another distinguished Senator from Benue State, Senator Abogede.

**Senatorw Andre Abogede (Benue-North Central) :** Mr President Sir, if we are to face facts and to speak the truth, and to know that we are not here to feed only one section of the people in this country, I hope that my friend on the other Side, Senator Abiru, will withdraw his Motion honourably. Sir, for us to come here today after we have passed a Motion on Telecommunications which was brought up by those who have already got some social amenities is very wrong. They even think that what they have got is not enough.

#### STRANGER

**The President :** Order! Order! I think there is a Stranger in the Senate. I recognise the Stranger.

**A Senator :** He cannot be recognised.

**The President :** I think he has a very important message. We invite the Stranger to come into the Chamber.

**Stranger :** Mr President, Sir, I have a message from the President of the Federal Republic of Nigeria for the Senate of the Federal Republic of Nigeria.

**The President :** *A message from Alhaji Shehu Shagari, President of the Federal Republic of Nigeria to the Senate of the Federal Republic of Nigeria, dated 26th November, 1979.*

*I nominate the persons whose names are listed below for appointment as Ministers with Cabinet Rank—*

**Senator Jaja Wachuku (Aba) :** Point of Order. Order number 10 (2).

*A message from the Governor-General now Executive President, presented to the Senate by a Minister, may be brought up at any time before the commencement or at the close of public business, and shall be considered forthwith or ordered to be considered*

**The President :** Order ! Order ! I am inclined to sustain the Order, but may I say that the Order that has just been read refers to the old Standing Orders. (Applause !)

That was in relation to the parliamentary system ; but I agree with you that it would have been done first thing when we came in or at the close of the day. I would put the question that the President's Message be known at the close of the Senate.

*Question put and agreed to.*

**Senator J. S. Tarka (Benue East-Central) :** Mr President, Sir, you are right to receive the message at any time within the standing order read by Jaja Wachuku. It is the consideration that could be done at any other day named by you.

**The President :** Thank you very much. I recognise distinguished Senator Abogede to wind up.

**Senator Abogede :** I am now winding up. So, thank you, Mr President for giving me the time. What I am trying to say is that if we as Senators, begin to legislate on Lagos roads, the Nigerian populace will look at us as being foolish.

What we are saying is that enough money had been spent on Lagos roads. Even if we voted billions of Naira for Lagos roads, it would go down the drain and nothing would come out of it. This is because the situation in Lagos is peculiar ; the more we continue to waste money on Lagos roads, the more we would forget our earlier decision to move to Abuja. If we move to Abuja, the traffic in Lagos would reduce and movement would be conducive to the geographical situation of Lagos.

Sometime ago, we read in the newspapers and heard on the radio that the Lagos State Ministry of Works had earmarked thirty-two roads for resurfacing and then, there was quarrel that these roads were concentrated in the Apapa area of Lagos. This concentration is not for the benefit of the people.

**Senator D. O. Oke (Ondo West) :** Mr President, I wish to raise Order 26 (2) and it says :

*A Senator must confine his observations to the subject under discussion and may not introduce matters irrelevant thereto.*

**Senator Abogede :** Senator Oke is only quoting the Standing Orders to stop me from the truth.

**The President :** I cannot have two distinguished Senators speaking at the same time. I shall observe very strictly the code of procedure in this Senate. If one Senator is raising a point of Order and he has been recognised, he should be given the Floor. Having been given the Floor, the rest should sit. I have not yet ruled on Senator Oke's point of Order.

**Senator Oke :** Thank you very much, Mr President. The point I made was Order 26 (2) and I was just going to observe that this road is a Federal road leading into Lagos. Our colleague and friend is discussing roads in the Lagos municipality and I think this is irrelevant.

your Order because his speech was relevant to the subject matter.

**Senator Abogede :** Mr President, my point is that Lagos roads are a problem to the nation and this was why late General Murtala Muhammed came out boldly to say that Lagos was not suitable as the Federal Capital of this great country and this is also why all of us are looking forward to moving to Abuja any time from now.

**The President :** Are you still speaking on a point of Order Senator Abogede ?

**Several Senators :** He was speaking !

**The President :** Senator Abogede, you must recognise that you have taken your turn if you continue to speak.

**Senator Abogede :** I think that the time allotted to a Senator to have the Floor is thirty minutes and I have not even spent ten. If the President wishes to exercise his powers, he may ask me to sit.

**The President :** I am just trying to remind you that you raised a point of Order but now you are debating.

**Senator Abogede :** You recognised me to speak ; but not on a point of Order.

**The President :** You may speak.

**Senator Abogede :** Mr President, Sir, my point is that even if we approve of Senator Abiru's Motion, another problem would crop up. Most of us come from rural areas and the nature of roads in these areas is not to be compared with what the people of Lagos enjoy. I think that if we begin to propose Amendments to this Motion, it would invite Amendments from ninety-five of us. I come from a place where the roads were first built in 1922. Since then, the Federal Government has never looked at them even after 1939 when it took them over. Take for example the road across Lokoja to Shingako, Ayankpa, Ankpa/Otunba junction. Anybody who is familiar with this road would agree that it is economically viable but the government has totally neglected it. I cannot be expected to associate myself with the further development of roads the Government had spent billions of Naira on and I shall never. I also think that any sensible person from the rural area would never so associate himself also.

So, Mr President, I wish to beg distinguished Senator Abiru to withdraw his Motion and allow the Executive to present us a list of roads in this country which need reconstruction or development. With this kind of list, we would, at the consideration of the Appropriation Bill, exhaustively discuss the matter so as to know what to do for the masses of this country.

**The President :** Before we get muddled up, has Senator Ayantuga finished ?

**Senator Ayantuga (Epe)** : I have not actually started because you asked me to hold on.

**The President** : You may continue.

**Senator Ayantuga** : I think that I must inform this Senate for a start, that we are not asking the Senate to build roads within Lagos City as such. We are asking the Senate to improve on the road from Lagos to the interior

My Amendment here would involve the improvement of roads in at least five (5) States of the Federation. We in Lagos State are not opposed to, indeed we welcome it, that all Senators should come up with a list of roads they wish repaired or reconstructed and this would be presented to the Executive for some action within the next four years. Mr President, my Amendment would go thus :

*from (b) add : reconstruct Ikorodu-Itoiki-Epe road ; (c) construct a road from Lagos, through Maroko-Leki and Victoria Island Beach to Benin and on the Cross-River State ;*

*(d) : construct Epe-Ijebu-Ode road ;*

*(e) : build a road from Ikorodu-Itoiki-Epe road through Ibonwon, Ighonye to Benin ;*

**The President** : And please, add as (f) that we must reclaim the sea to build a ring-road. (Laughter)

**Senator Ayantuga** : I refuse to accept that Amendment, Sir.

As I said earlier, we are not suggesting that we should start building roads in Lagos because Lagos is the political capital or because Lagos is the commercial capital. We say so because, as of now, Lagos is probably a convenient place from which to start building roads. The Lagos-Maroko-Leki-Benin and to the Cross River State is a road—(Interruptions)

**The President** : You have my protection.

**Senator Ayantuga** : Mr President, we should start building from Calabar-Oron and to Obudu and you would have linked up the rest of the country.

**The President** : You will fly from Lagos to Obudu. (Laughter)

**Senator Ayantuga** : You can go by road. If that road is reconstructed and Mr President, this is a very serious matter, it is our duty to ensure that all the towns and villages in this country are linked up together and I sincerely hope that we would get this done within the next four years. When you have a road linking Lagos with Calabar, Oron or Obudu, there is a good piece of land along Victoria Beach on which any of us as Nigerians can develop good houses. Besides, the often congested Lagos-Calabar-Port Harcourt Air routes would be relieved because it would be easy for you to drive along that road to your respective States and come back in no time.

Thirdly, the lots of fish that come not only from Epe but from Calabar and Oron can be received in Lagos in good time, and we will also have good food products from the interior to the capital city of

The Epe-Ijebu Ode road was constructed during the colonial period and for the past twenty years, it has not been repaired. As a matter of fact, I am saying that, that road has not been repaired at all and it needs reconstruction or repairs.

**The President** : You have one second to wind up.

**Senator Femi Ayantuga** : The road linking Benin with Itoikin-Ibonwon would offer an alternative route to the never-certain road through Ijebu-Ode-Oron-Benin.

Mr President, I sincerely urge this Senate to support a comprehensive road repair in Nigeria by embarking on these roads I have listed, which my colleagues Senators Abiru and Obi and myself have put forward to you this afternoon for serious consideration.

**The President** : I did say that if we were to accept the Motion as it stands, or if Senator Abiru wanted to leave the Motion as it stands without accepting Senator Obi's Amendments to delete certain words, we would receive ninety-five different Amendments from all the Senators. May we now go back and ask Senator Abiru whether he accepts, that Amendment or not. His response will clear the air.

**Senator M. A. O. Abiru (Ikorodu)** : Mr President Sir, the Motion which I have brought is a very serious one, and that was why in my opening speech I did appeal to Senators not to think in terms of Lagos alone on this Motion. What we are discussing are trunk road which are the gateways to Lagos and which are also serving the whole of the Federation. I shall take the Amendment of Senator Obi, and put this Motion to a test.

**The President** : I think that with the acceptance of that Amendment, we will have to look at the Motion critically again. I know that there are Amendments to oppose the Motion completely, and there are some additions to it, but I was going to advise the Mover of the Motion at an appropriate time that he should withdraw the Motion and put it in form of a Bill. Anyway, it is up to him.

**Senator S. A. Shitta-Bey (Lagos)** : I rise to support the Motion proposed by my colleague Senator M. A. O. Abiru. In supporting this Motion, I would like to argue from one angle because I like to call a spade a spade.

**The President** : Did you say you are supporting the Motion ?

**Senator Shitta-Bey** : Yes, Sir.

**The President** : I have not got notice of your intention to do so.

**Senator Shitta-Bey** : The Motion has been seconded, and I am speaking in support of it.

**The President** : I also have notices of Amendments to oppose the Motion, and I thought I should put them to the Senate.

**The President :** You may continue but please be brief.

**Senator Shitta-Bey :** Thank you, Mr President.

Mr President, Sir, we must be realistic ; we must be honest with ourselves. We have decided to move the capital of this country to Abuja but as at today, Lagos is the capital of this country. Therefore, it has to be properly maintained and kept as a capital befitting the status of Nigeria. If we are parochial about this matter, we will find ourselves in a mess. People talk everyday that a lot of money has been spent on Lagos, but if we go back to records, we will see that the money which has been spent on other capitals is more than the amount spent on Lagos. Records are available whether you like it or not. *(Interruptions)* I will finish my speech whether you interrupt me or not. I experienced this when a Motion was brought to the Parliament for the creation of Lagos State, and you messed up and talked against it but today we have got the State by the grace of God. So, let me speak my mind on Lagos.

You do not say that because you are building a new house you will want to leave your old one in a dilapidated form and then allow it to collapse on you. Is that what the Senators are saying ? Let us be reasonable. What we are saying is that there are two gate-ways to Lagos but these gate-ways are blocked. All of us are using these gate-ways for transportation, but the roads are bad; accidents can occur on them and a lot of people can die in the process, apart from the inconveniences created by bottlenecks. Let us be aware of our responsibility to the people of this country. We have a duty to maintain these roads because some of us converge in Lagos, and they must be efficiently maintained.

The first in the list submitted by Senator Abiru is the widening to Ikorodu Road from Ketu junction up to Ikorodu township, thus easing the flow of chaotic traffic in that area. The other one is the Badagry Express road and you all pass this roads everyday. Why can we not do something to improve the conditions of these roads ? Why are we parochial ? Why are we not Nigerians ? We are in this Senate as Nigerians and our other colleagues are in the House of Representatives as Nigerians. We are here to debate for Nigerians generally.

Mr President, Sir, in supporting this Motion and equally in support of one thing, other trunk roads in the Federation should be looked into. They should be catered for. They should be dealt with. But the point still remains that since Lagos is the capital of Nigeria today, it should as at the moment, take priority over all other roads.

**Several Senators :** No! No!

**Senator Shitta-Bey :** Mr President, Sir, we are moving to a new capital. A lot of money is going to be spent there. Nobody is opposing the expenditure there. But for God's sake, for Allah's sake, for Christ's sake, let us be objective. *(Laughter)*

If you want to spend a lot of money there do not leave us in ruins merely because you want to divert a lot of money across the road there. *(Interruptions)*

Please, let me speak. I say with due respect, let us build all the trunk roads of Nigeria but please, since Lagos is the Federal capital at the moment, let us give priority to it. Thank you, Mr President. *(Interruptions)*

**Senator Ibrahim Dimis (Bauchi South) :** Mr President, Sir, I rise to oppose this Motion with due respect to the Mover. My reason is not that I do not want the Motion, but I thought it had better come through the proper channel. Mr President, if I may refer you to Section 5 (1)—1 (a) of the Constitution which, with your permission, says :

*Subject to the provision of this Constitution, the Executive powers of the Federation, (a) should be vested in the President and may subject as aforesaid and to the provision of any law made by National Assembly be exercised by him either directly or through the Vice-President and Ministers of the Governments of the Federation or officers in Public Services of the Federation*

and to the extent, I am taking you forward to Section 75 again in addition. It says :

*The President shall cause to prepare and laid before each House of the National Assembly at any time in each financial year estimates of the revenues and expenditure of the Federation for the next following financial year. (2) The heads of expenditure contained in the estimates (other than expenditure charge upon the Consolidated Revenue Fund of the Federation by this Constitution) shall be included in a bill, to be known as Appropriation Bill, providing for the issue from the Consolidated Revenue Funds of the sums necessary to meet that expenditure and the appropriation of those sums for the purpose specified therein.*

Mr President, Sir, when you go to 3, you will see that if in respect of any financial year it is found (a) that the amount appropriated by the Appropriation Act for any purpose is insufficient ; or (b) that a need arisen for expenditure for a purpose for which no amount has been appropriated by the Act, a supplementary estimate showing the sums required should be laid before each House of the National Assembly and the heads of any such expenditures shall be included in the Supplementary Appropriation Bill.

Mr President, I am not sure if this notice of Motion should not come from the Executive, because there is already an existing road there. We are not making a law about it. On this point, Mr President, I beg to oppose this Motion and say that this Senate should not pass this Motion until it is properly brought before the Senate.

In view of this, Mr President, I beg to oppose. Thank you.

**Senator Thomas Yepwi (Keffi) :** Thank you very much, Mr President. Mr President, I rise to object totally to this Motion. Mr President, I consider the Motion improper in the sense that we cannot run after two mice at a time. Already, we have a gigantic work in front of us, that is, the new Federal Capital, which I think should be given top priority. Mr President, Sir, Lagos has been properly

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developed, and I would rather like to suggest that instead of carrying on more development in the Lagos metropolis, I would rather like to suggest that any money allotted to Lagos for further development should be diverted to the new Federal Capital so that the job could be finished in time and everybody would be happy to be there. Thank you, Sir.

**Senator S. M. Ojukwu (Umuahia)** : Thank you, Mr President. I rise to oppose the Motion as it is, including the Amendments or whatever you call them. Mr President, we seem to be playing over this very important issue of improvement and reconstruction of trunk roads all over Nigeria. Nigeria belongs to all of us. There is no one section of it that we should lay more emphasis on than the other. If the Motion is for the Works Committee to look into and prepare workable proposals for the improvement of trunk roads in Nigeria, I whole-heartedly support it. But it must not be parochial, it must not be limited in scope or size.

Those of us from the Eastern States have suffered too much and no one has expressed sympathy over the sufferings of our people there regarding roads. Our roads are impassable as a result of the civil war, and no Senator has spoken out here to say that those people in that part of the country need some assistance. People are saying improve Lagos roads. We are not living for Lagos alone. Lagos is not meant for Lagosians alone but for the whole of Nigerians. The roads in the Eastern States are also roads in Nigeria. People from this side of the country do not seem to care to travel round to see the plight of their brothers in other parts of the country.

Mr President, unless this Senate passes a Motion which would make it necessary for the Works Committee to consider roads all over the Federation of Nigeria and to give priority to improving the roads in the areas that were particularly affected by the civil war, I would oppose this Motion.

#### ANNOUNCEMENTS

**The President** : Order ! Order ! I have a notice from a distinguished Senator, that he has some papers to lay on the table. I call upon Senator Jalo Waziri from Bauchi.

**Senator Jalo Waziri (Bauchi East)** : Mr President, Sir,—

**Senator Nosike Ikpo (Bendel East)** : On point of Order, Mr President. Some of us do not know of the paper about to be laid on the Table.

**The President** : Your Order is not sustained. You may proceed Senator Waziri.

**Senator Jalo Waziri** : I beg to lay on the Table of the Senate, the Report of the Joint Committee on Remuneration.

**Senator Cyrus Nunieh (Bori/Bonny)** : Mr President, Sir, in opposing this Motion, I have to remind the distinguished Senators that last week and only

policy. The country has been divided into nineteen States and there is nothing to show that the Senate is in any way saying that Lagos Roads should not be maintained or opened. But, we say that they should be the responsibility of the Lagos State Government. We are not saying that some other States which are new should not be considered by the Federal Government but that Lagos has had a due share and owing to its topography, it has been consuming a lot of our money. We are not saying that, neither are we saying that Lagos is not our present Capital,

**A Senator** : But you are drinking water in Lagos.

**Senator Nunieh** : Yes, as people from here are also drinking water in Rivers State. What we are saying at the moment is that there should be even distribution of our Federal Revenue. It should be spread to all parts of the country. The Lagos State Government should maintain the roads in Lagos. In fact, the distinguished Senator who brought this Motion brought it under Item 60 in the Exclusive list and that deals with, I read : *Traffic on Federal Trunk Roads*. I would say, Mr President, that the language of the Motion is, in fact, not exactly what the item on the schedule of the Constitution is saying.

The Motion is talking about the levelling of Okeriya Hill, the widening of the bottleneck junction and I consider that the levelling and widening of roads are, in fact, jobs for the Ministry of Works. It is not really an issue of traffic problem which is the item of the schedule under which this Motion is coming. Therefore, this Motion cannot properly be regarded as an item that should come under the Exclusive List. I do not know whether these roads are even Federal Roads.

**Several Senators** : Yes, they are Federal Roads.

**Senator Nunieh** : Well, if they are Federal Roads yes.

**A Senator** : You do not even know the road.

**Senator Nunieh** : Never mind, we have not been in Lagos all this time, but I know my revenue has been coming to Lagos. What we are saying is that what this Motion should do is to talk of more maintenance of Trunk Roads not only in Lagos but also in other parts of the country.

**Senator Bitrus B. Kajal (Mubi)** : Thank you, Mr President. Under normal circumstances, I would have supported the Motion, the reason being that, in fact, I know how difficult it is to travel on Lagos roads, but purely on points of principle, I cannot support the Motion.

Mr President, one of the most important pit-falls, in fact, pitiable pit-falls of a new government is the importance they attach to the capital of a State. In fact, they centre in the capital of the State virtually all they would like the world to see. As a result, they tend to attract people from the

or the cars in Nigeria in Lagos and you have more than eighty per cent of the money that is spent in Nigeria spent in Lagos. The point is, there is no time that we would ever, if we do not deliberately start a policy now, solve the problem of Lagos.

Last year, Sir, one Are Kolawole of the Centre for Social and Economic Research of Ahmadu Bello University, in a paper titled *A case for Integrated Rural Development, Approach in Nigeria*, found that in fact, eighty to ninety per cent of the population of Nigeria are in the rural areas, in towns with less than ten thousand people. What does that mean to us? We are here concerned with Nigeria. We have to. Equity demands that we centre our thinking on these poor rural people. We cannot and should not in fact, try to give riches to people who are already rich; we should not give more problems to States that have too much development. I have a quotation I would like to read with your permission, from a book titled *The Wretched of the Earth* by Frantz Fanon.

**The President :** You may read.

**Senator B. Kajal :** It reads : *You who are in good positions you and your wife. Today you enjoy many comforts, perhaps a good education, a fine house, good contact and many missions on which you are delegated which open new horizons to you but all your wealth form a hard shell which prevents your seeing the poverty that surrounds you. Take care.*

With that note, Sir, I certainly hope that my friend who has so much supported this view will take care because we, who represent the poor ones, also have eyes to see. They have sent us not to put more money in Lagos but surely to send it back to the rural areas where production can start; not to increase cars in Lagos but to attract cars to the rural areas. Thank you, Sir.

**The President :** I recognise Senator Durosinmi to speak.

**Senator A. Durosinmi (Badagry) :** Mr President, Sir, it seems that distinguished Senators here do not understand what we are actually asking for. What we are asking for is not for you to construct roads in Lagos State. We are having problems of movement in Lagos as a whole. For instance, the Badagry Express Road was constructed by the Lagos State Government with Lagos tax payers' money. The Federal Government took over this road from the Lagos State Government. From that moment, the Lagos State Government cannot do anything on that road because it is for the Federal Government to look after.

Now, the Federal Government went along Badagry Road and created a satellite town called FESTAC town. We have about 80,000 people living there. These people will have to move out everyday to go out to the Express Road in order to get to their respective working places. In the evening they will have to come back. This is a capital where we have

express roads. I have never seen where motorists are allowed to jump into an express road. The Federal Government ought to construct another over-head bridge at Amukoko junction to ease the traffic congestion in Lagos.

When we are talking about traffic congestion, some Senators are saying Lagos State cannot do anything but there are so many roads in Lagos which are controlled by the Federal Government. Since they control these roads, the Lagos State Government has no power to tamper with these roads.

If you go to Ajegunle for example, there is a road that passes through Ajegunle to Kirikiri. The road was constructed by the Federal Government when they built the prison yard but now the Prisons Department has got an alternative route to the prison yards at Kirikiri and they have neglected this road. The Lagos State Government cannot move into this road but the people of Ajegunle do not understand. They keep on shouting that the Lagos State is unable to re-construct their roads. These are some of the roads we are calling on you to do something about.

**Senator Amadu A. Ali (Benue West) :** Point of Order, Mr President. Mr President, Sir, what the distinguished Senator is speaking about does not seem to be very relevant. If the Federal Government has taken most of your roads, what of the ones that are left? You are not capable of doing anything about them. There are all sorts of wretched roads in Mushin, there are in Ajegunle, there are in Ikate and there are in Apapa. You have been incapable of achieving anything on the roads and you want the Federal Government to keep building more roads for you. What do you think of where we come from? Do we not need roads?

**Senator D. O. Dafinone (Bendel South) :** Point of Order, Mr President. I move that the question be now put.

**Senator Jalo Waziri (Bauchi East) :** Mr President, Sir, I was going to second this Motion that has just been moved that the debate be determined and closed, but I am inclined to think that Senators actually want to contribute more on this issue. In view of that, I would rather move that the debate be adjourned and the report of the Committee be considered forthwith.

**Senator Ibrahim Dimis (Bauchi South) :** Mr President, Sir, I beg to second.

**The President :** The question is that the report before us which is the report of the joint special committee on remuneration, National Assembly, be adopted for discussion.

*Question put and agreed to.*

### Joint Remuneration Committee

**Senator Jalo Waziri :** Mr President, Sir, in addition I would like the Joint Committee on Remuneration to be increased by six Members from the Senate in consideration of some Members of the Senate whom we think will contribute a lot in this

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respect. I would like to move that the following Senators be included among the members of the Joint Committee :

Senator D. O. Dafinone  
 Senator J. S. Tarka  
 Senator A. A. Ali  
 Senator S. A. Shitta-Bey  
 Senator Mahmud Waziri  
 Senator Sabo Bakin Zuwo.

**Senator Jaja Wachuku (Aba) :** Mr President, Sir, a selection, somehow, has been made to add to the membership of the Remuneration Committee but I do not see any addition from the NPP.

**The President :** I noticed that too and I would take an addition from you.

**Senator Jaja Wachuku :** That is a very serious omission.

**A Senator :** Senator Ellah is already there.

**Senator Jaja Wachuku :** I am suggesting the addition of Senator Anah's name on that Committee.

**The President :** Senator Anah is being added to the Committee.

**Senator Jalo Waziri :** Mr President, Sir, I could see the omission of NPP from among the Members of the Committee and I would propose that Senator Anah be included on the Committee ; but my colleague, Senator Jaja Wachuku, should understand that his being present in the Committee itself is equivalent to many people. In addition, we have the Deputy President who is, after all, an NPP man in the Committee. So, it was not a total omission. Nevertheless, we accept that Senator Anah be included in the Committee.

**Senator A. Adegoke (Oyo) :** Point of Order, Sir, Order 26 (4) says :

*It shall be out of Order to attempt to reconsider any specific question upon which the Senate has come to a conclusion during the current session except upon a substantive motion for rescission.*

On Thursday last week, we took a decision that a report of this Committee should be submitted on Wednesday for full debate and comments on the President's letter. That was the decision. In fact, when I went through this sheet, all I saw was that we wanted the Executive to give us the balance sheet of Nigeria. Any Senator can do that on our behalf. It could be done. Any way I do not know the way you are doing it. (*Interruptions*)

**The President :** Order! Order! I am not too sure that the distinguished Senators were here when the distinguished Senator from Bauchi and Chairman of the Business and Rules Committee rose from his chair to make a proposition that the decision of the Senate for sittings on Mondays, Tuesdays and Wednesdays be suspended. That was this morning. He then intimated the Senate that this report would be ready today. The report was ready and placed before

**Senator J. O. Umolu (Bendel North) :** Mr President, Sir, I think what the Chairman of the Committee did was to move the suspension of the Standing Order to enable this Committee to lay before the Senate his report on Wednesday and also—

**The President :** No. ! No. ! You were informed that on the basis of this report, there will be a Joint Session of the National Assembly tomorrow morning at ten. In other words, events are developing much faster than we thought before we went away at the week-end.

**Senator A. Adegoke :** Mr President, the Annual Report of the Auditor-General of the Federation has been given to each and every Senator and I think the required information by this Committee could be found there.

**The President :** For what period was that report? What period does it cover?

**Senator Adegoke :** It is for the period ending 31st March, 1978.

**The President :** We are now in a different year and we want to know the position as it is today.

**Senator A. D. Rufai (Bauchi Central) :** Mr President, Sir, this report has been given to us for adoption and open discussion. Am I right or is it for adoption only and discussion some time later?

**The President :** Let me ask the Chairman of the Rules and Business Committee.

**Senator Jalo Waziri :** Mr President, Sir, I have already made it clear that the report is laid on the Table and I moved that the report be adopted. You either adopt it without debate or you debate it and adopt it but I think if you want to make any contribution, you have the right to do so before it is adopted.

**Senator Rufai :** Mr President, Sir, I am not making any contribution now since the report contains the fact that we are going to have a Joint Session with the other House tomorrow morning at ten. So, I do not think there is any point in debating the matter on the Floor of the Senate. On the other hand, I would like to know what we are going to debate or discuss when we have the Joint Session tomorrow. I do not seem to know of or see any Agenda of the points to be discussed. Are we coming up with some ideas over the question of remuneration because no recommendation has been made apart from the fact that there will be a Joint Session tomorrow and the decision to suspend the whole thing until investigations were carried out on the remunerations of Parastatals and some top Government Officials.

If this is the only thing we are going to meet to discuss, I do not think there is any hurry about it but if there is any thing else, we would like to know what they are so as to get ourselves prepared.

I understand from the Committee's Chairman the

Mr President I think the Senate decided that we should consider nothing but the aspect of parity between the Senate and the House of Representatives and that was exactly what we went to do but then we had some other matters which we discussed. For example, there was the question of National Assembly releases to the Press, there was the question of the National Assembly deciding to call for the state of the nation's economy and there were one or two other things we required. Otherwise, each House would make a decision on one point and we would still continue to have disparity among the two Houses. So, it is good to consider the report of the Joint Committee at a Joint Meeting of both Houses and get rid of it once and for all instead of dragging it. This is the essence of this paper, Mr President. But we cannot present the paper to the Joint Session of the National Assembly until you agree that it should be presented. That is what I am seeking from you, distinguished Senators.

**The President :** Is that clear now ?

**Senator A. D. Rufai** (Bauchi Central) : Yes. Thank you for the explanation. If, for instance, we have some proposals not on the rate of remunerations but on other aspect of the position of the nation and the Assembly now in Nigeria, can we make such proposals at the Joint Session ?

**The President :** Order ! Order ! For the purpose of clarification, as I understand it, the Report of the Special Committee dealt with a few issues, some entirely new and others high-lighting the past. What the Report is, therefore, asking for is the approval of the Senate to proceed, which is just a formal procedure.

In the Report, the Committee met and harmonised the suggested remunerations between the Members of the House of Representatives and the Senate. One point is that the Committee did not deal with harmonising the remunerations of the President of the Senate, his Deputy nor those of the Speaker and his Deputy. There has also been some recent development since we took the Resolution here in that the National Economic Council came up with some new suggestions which are entirely different from those that have been suggested by the Executive.

The Committee felt that in view of the differences that are now arising surrounding the whole question of remunerations being considered by this august Senate, it is necessary, first, to establish what is our true financial position. This will then enable us when we come to deal with the whole question of total remunerations, to know how to scale them. It could very well be that we have overscaled and we may have to come down. It could very well be that we have not.

So, we cannot do this in isolation. If we do this here, the House of Representatives may do it differently. In order to avoid that and since we must get rid of this problem as quickly as possible, a suggestion has been made that we should enlarge the Membership of the Select Committee. This Select Committee will now be in a position to take

once we get the evidence, the Committee will now be able to make a realistic recommendation on the question of remunerations.

As you know, up to this date, there is no formal decision that has been taken by the National Assembly. Presently, we have tried to harmonise the remunerations for the membership of the National Assembly and if you accept this paper, it means you have accepted the exercise on harmonisation, except, of course, the Presiding Officers and their Deputies. So, this is the sum total of the Report.

**Senator Rufai :** I am all right about that.

**The President :** I recognise Senator Obaro.

**Senator Isa Obaro** (Kwara South) : Thank you, Mr President. Please if I am going astray, I should be called to Order.

**The President :** First of all, have you understood what the whole thing is about ?

**Senator Obaro :** I have Mr President, but I have some misgivings and this is what I want to express if you give me the opportunity. Distinguished Senators this question of remunerations of the Members of the National Assembly has assumed a proportion different from what we envisaged and the way we handle it will decide and determine not only our status in the eyes of the public but also—

**The President :** Do not debate the Report yet. We have not got to stage where we want to consider the whole thing.

**Senator Obaro :** The point I want to make is that I do not particularly accept the principle of this Joint Meeting of the Senate and the House of Representatives. I think it is too early. The importance of our meeting tomorrow is just to accept the difference between us and the House of Representatives but the discussion which is now burning is outside this issue. It has even made this issue of difference in salary between the Senate and the House of Representatives so negligible that we can afford to forget about it and discuss something much more important. This is my view.

I would have suggested that it is very unfortunate that the Constitution has given us the authority to consider our remunerations which has placed us in— (*Interruptions*). On principle, Mr President, I am opposing the idea of the Joint Meeting. I think it is too early. (*Interruptions*)

**The President :** Unless somebody moves that the Standing Order be suspended for a period of time, I would have no alternative than to comply with it.

**Senator D. O. Dafinone** (Bendel South) : I move that the Standing Order be suspended.

**Several Senators :** No.

**Senator Dafinone :** What are we going there to do tomorrow? (*Interruptions*) I just want to say one or two things.



**ADJOURNMENT**

**Senator J. A. O. Odebiyi** (Egbado North/South) :  
I move that the Senate do now adjourn.

**The President** : The question is that the Senate  
do now adjourn.

*Question put and agreed to.*

*Resolved* : That the Senate do now adjourn until  
10.00 a.m. tomorrow.

**The President** : The Senate is adjourned  
till ten o'clock tomorrow morning at the National  
Assembly.

*The Senate adjourned accordingly at 6.00 p.m.*

Tuesday, 27th November, 1979

The Senate met at 11.35 a.m.

PRAYERS

(The President in the Chair)

**The President :** First of all, may I, on behalf of the Leaders of the various Parties in the Senate and myself, apologise that we started very late because we were putting finishing touches to ensure the smooth running of the Joint Session of the National Assembly this morning. We also looked at the resolution which the Committee was asked to draft yesterday. I think we may now proceed to the National Hall for the Joint Meeting.

I recognise the distinguished Senator Abdulkarim to speak.

**Senator M. Muhtari Abdulkarim** (Sokoto East) : Mr President, I wish the Senate know about the Resolutions taken by the Party Leaders so that we are aware of what is going on because we cannot go to the Joint Meeting without knowing exactly what is going to be done.

**The President :** I hope you have not misunderstood what I have said. The Joint Committee of the National Assembly on the remuneration of public officers did select a Committee to draft a resolution which will be placed before the National Assembly this morning. I was just saying that they were with me going through this draft resolution. I think I had better call on the Senate Leader to come in at this stage.

**Senator Sola Saraki** (Ilorin/Asa) : Mr President, distinguished Senators, our President has explained really what we were doing this morning. It is true that the Committee on remuneration has finished its assignment and it will lay its report before the National Assembly in the National Hall. There and then, we might have a short debate because this subject is still, very well with us. Senators are still very unhappy about the whole exercise. I do not think we should encourage a debate for too long because it might get out of gear. Therefore, I think the President will allow one or two Senators to say a few things on the report and we would adopt a resolution on the matter.

As I have said, we still have to be very careful the way we handle the matter and unless we say very little, we might get ourselves into a big mess. So, this is what we wish to put before you this morning when we get to the National Assembly. I do not think we should open our box now and let out what we are going to debate over there.

**The President :** I think it should be made clear we are not debating the remuneration yet. As we said, the Committee will meet and collect some data

definitely before we debate on the remuneration. So everybody will have a chance to speak at a later date.

I recognise distinguished Senator Ali to speak.

**Senator Amadu A. Ali** (Benue West) : Mr President, whatever paper we are going to see there as what this small Committee has drafted, which is really the purpose of the National Assembly meeting today, can we not know the contents here ?

**The President :** The point is that a paper is being typed right now and it would be circulated to you.

**Senator :** Here before we go there ?

**The President :** No. They are waiting there for us now. It will be circulated there because they too must also have copies.

**Senator D. O. Dafinone** (Bendel South) : Mr President, I wish to associate myself with the views expressed by Senator Ali in that that document has got to be read before us here and the contents approved before we go there and know what we are approving. We are not going there with a document read before us and this Senate—

**The President :** Order ! Order ! If that is what you want, then we would not hold the National Assembly today because you will read it here and then they would read it there. Or you had better do without a resolution. (*Interruptions*)

Quite frankly we are arguing about nothing because the Leader of the Senate has just told me he has got a copy here. So, I had better ask him to read it out. (*Interruptions*) It is most uncontroversial.

**Senator Saraki :** Mr President, Sir, is it the wish of the Senate to read this ?

**Some Senators :** No.

**Some Senators :** Yes.

**The President :** You are generating a debate ; I have asked you to read it. He is just reading it for hearing not for debate. Please proceed.

**Senator Saraki :** This is the draft resolution that we are going to move before the National Assembly.  
*Draft Resolutions read :*

These are the Draft resolutions we are presenting before the National Assembly for their approval and I hope distinguished Senators will support them. Thank you.

**The President :** Is everybody happy ?

**Senators :** Yes !

**The President :** All right. Let us go. (*Interruptions*) Order ! Order ! I notice that we did this in an open session and that the Press in the gallery be warned that this is not a Press release from the Senate.

*Sitting suspended—11.45 a.m.*

NATIONAL ASSEMBLY OF THE FEDERAL  
REPUBLIC OF NIGERIA

JOINT SESSION

Tuesday, 27th November, 1979

The Assembly met at 11.50 a.m.

PRAYERS

(The President in the Chair)

**The President :** I recognise the Distinguished Senator for Ilorin/Asa, *Senator Abubakar Sola Saraki* and he may speak.

**Senator Sola Saraki (Ilorin/Asa) :** Mr President, Distinguished Members of the National Assembly, the purpose of our meeting here this morning is to receive the Report of the Joint Committee that we set up on the Remunerations of Members of the National Assembly.

I, therefore, ask the Distinguished Members of the National Assembly to be ready to receive the Report so that we know where we are. Thank you.

**The President :** I recognise the Distinguished Senator for Bauchi East and Chairman of the Joint Committee on Remunerations (*Senator Jalo Waziri*).

**Senator Jalo Waziri (Bauchi East) :** Mr President, Sir, I beg to lay on the Table of the House, the Report of the Joint Committee on Remunerations, and also to move that the Report be considered and approved by the National Assembly. I also move that the Joint Committee on Remuneration should henceforth consist of equal Members of the Senate and the House of Representatives.

And to add to the list in order to equalise the names, I move that the following names be included in the Committee.

Senator D. O. Dafinone  
Senator J. S. Tarka  
Senator Col. Ahmadu Ali  
Senator Shitta-Bey  
Senator Mahmud Waziri  
Senator Sabo Bakin Zuwo  
Senator J. Anah.

I beg to move.

**Senator D. D. Dafinone (Bendel South) :** Mr President, Sir, I beg to second the Motion.

**The President :** The Report of the Committee on Remunerations is now before the National Assembly for discussion and approval. The Report may now be discussed.

**Mr Abubakar Tuggar (Gamawa) :** Thank you, Mr President. Mr President, hon. Members of the National Assembly, for some days now, the issue of remunerations of public functionaries has generated a lot of debate not only within the Chambers of the

It has been made to be so controversial, so explosive, and I may venture to say, it is now bothering on dangerous grounds.

Mr President, Sir, we all know, that when the Senate decided on remunerations, the decision was not in accord with what the honourable House of Representatives decided, and therefore the issue had not become law at all.

I am sure, Mr President, there was no communication whatsoever from the National Assembly to the President of this country as to what has been decided. Therefore, Mr President, when we learnt of the over-reaction by the President of this country based on stories on the pages of newspapers, it was very, very alarming. In fact, this is very disappointing. I do not think a great country such as this would be governed through information found on the pages of newspapers. The methodology is clearly set out that once the two Chambers agree on any decision, there will be an official communication or assent or otherwise. The President did not wait for any communication before he went to incite the Press and the Press incited the general public against the National Assembly.

**The President :** Order ! Order ! I would ask the distinguished Members of the National Assembly to apply a lot of restraint in their speeches and to avoid where possible mentioning the Executive. The issue before us is the issue of remuneration. (*Interruptions*) Order ! Order ! The distinguished Member may continue his speech.

**Mr Tuggar :** I would regard this time as a moment of truth and by the recent pronouncement from the National Economic Council coming up with a formula for the remuneration for public functionaries, we have every reason to believe that the Executive in this country is ganging up against the National Assembly. The functions of the National Economic Council have been clearly defined by the Constitution and they know nothing about what to do with the remunerations of any of the public officers in this country.

Mr President, my fear is not that I should be paid a little money ; my fear is the possible disservice that the National Assembly is being forced to do to this country. If we succumb to the pressures from the Executive the result is that on similar issues, this kind of method will be employed to make us back-out and we would thereby be helping to establish dictatorship in this country.

The issue, Mr President, is not whether or not we should be well paid ; it is whether or not we are ready to uphold the Constitution and make sure that no dictator emerges in this country.

I have had the privilege, Mr President, to serve on the Constituent Assembly that drafted the Constitution that we are now trying to operate. A lot of fears, if you go through the *Hansard* of that Assembly, were expressed. Some Members of the Constituent Assembly called the office of the President a monster and the office of the Governor a monster, and so on. Therefore, a lot of fears were

democratic system, with unneeded functions, each not encroaching on the power of the other so that we can finally have a proud Constitution for the Federal Republic of Nigeria ?

Mr President, Sir, I regard this as a moment of truth and I call upon hon. and distinguished Members to think very carefully in order to build a democratic system. Are we going to build a system worthy of emulation by other African countries or not ? It is fortunately or unfortunately a job for all of us here to do that.

Thank you, Mr President.

**The President :** I recognise the distinguished Senator from Kano, Senator Bakin Zuwo.

**Senator Sabo Bakin Zuwo (Kano Central) :** Mr President, hon. Members of the National Assembly, we must realise that the world of yesterday is not the world of today. We are here to serve the nation. We were elected by the majority of the people of this country. They have mandated us to come here to represent them. We are not here to steal money. We are not here to be the servant of anybody personally, but we are here to serve the common people of this country.

From the beginning, the Executive has no regard for the Members of the National Assembly. You will agree with me that we have no adequate accommodation, no medical care, no salaries, no facilities, no transportation and no Police to protect our lives. We are only being regarded as enemies of the nation today by a certain group of people who call themselves the Executive.

Mr President, Sir, anybody in this country who feels that the salary being fixed by the National Assembly is too high for him, the only alternative is for him to surrender his salary for a charitable organization instead of shouting and seeking cheap and unnecessary publicity in this country.

Mr President, Sir, the National Economic Council is playing with fire. It does not know what it is doing. It is supporting a section in order to achieve its aim. It does not know that we are the people to consider any budget or anything it submits.

When I came here this morning I discovered that my hon. colleague from Bauchi, Alhaji Mohammed Bornoma, distributed a paper and made a certain suggestion. I regard this Paper as a worthless document. In respect of remunerations which have already been discussed by the National Assembly, there would be no compromise, Mr President, with anybody in this country. If there is any coward, the best idea is for him to resign and go back to his Constituency. We are here in Lagos. If you are going to victimise us, we are ready for the consequence.

Mr President, Sir, we believe in democracy. We believe in the principle of fundamental human rights. We believe in liberty and equality. That is why we are here to discuss our own right. We, Members of the National Assembly, believe that these salaries which have been decided on, are the only things that can

solve our problems in Lagos. I doubt it very much if the Executive can even provide shelters for us, because I learnt that some civil servants have already occupied some of the Houses which have been allocated to us.

Mr President, Sir, I think the Executive do not know exactly what is human right. They do not know that we are the people who put them where they are today. (*Applause*) Therefore, the so-called National Economic Council must realise that this National Assembly has the right to step anybody down under the Constitution of this country. We have the right of impeachment ; we have the right to declare state of emergency, we have the right to fix anything in this country. Therefore, Mr President, Sir, I think if anybody is seeking popularity from the members of the Press he should be careful. We have already mentioned that some of the highly placed persons in Nigeria were earning up to ₦60,000 in private companies ever before they became members of the National Assembly.

Mr President, Sir, in this country, you will find the Federal Government spending ₦700 million in launching the Festac and hosting sporting activities, people do not talk when our money is being wasted for nothing but are only talking about the salaries, and rights of the Members of this National Assembly. If anybody has any jealousy of our being Members of this National Assembly, let us dissolve the House, go back to the political arena and challenge these people. (*Applause*)

**Several hon. Members :** Fire ! Fire !

**The President :** Order ! Order !

**Senator Bakin Zuwo :** Thank you, Mr President. With these few remarks, I would like to take my seat.

**The President :** Thank you very much. Hon. Members of the National Assembly, before I recognise further speakers, may I please remind distinguished Members of the National Assembly to confine their remarks to the Report before them. We are not yet debating or considering *in toto* the question of remunerations. Therefore, speeches should be brief and should be direct to the Paper which has been laid on the Table.

**Mr Mohammed A. Yelwa (Yauri) :** Mr President, Sir, hon. Members of the National Assembly, I do not think as we sit here, we are shylocks. We are no shylocks. We are representatives of our respective Constituencies looking after the interest of the nation, and as such we should not be painted as shylocks. What I feel is that the decision of the Remunerations Committee which, in actual fact, has not been passed, should not have been a subject of debate whereby the Executive should paint themselves as saints and decorate the National Assembly Members as shylocks.

[MR MOHAMMED A. YELWA]

I think the National Assembly has sensible thought of the composition of the Members and the part they will play. As a full time job, they feel that remunerations of reasonable magnitude should be fixed. Now, the Executive should have made clear to the National Assembly the position of the economy of the country at least before embarking on this exercise. (*Applause*)

The President could at least have quietly informed the President of the Senate and the Speaker of the House of Representatives about the position of the economy of this country. In fact, according to a report at our disposal, a few days before the departure of the Military, an Appropriation Bill of ₦2.25 billion had been made available for the services of the nation. (*Applause*) If we can afford this, there is no reason why the National Assembly Members should not, as provided in the Constitution, fix a reasonable salary for themselves so that they can make their job a full time one.

The second point I would like to raise is that the work of the National Assembly nowadays is different from what it used to be. In the past, people were allowed to do their private businesses as well as other practices. Here we are expected to depend solely on whatever remunerations we are given, and we could be criticized if we are found doing something else elsewhere. So, as such, whatever salary, if at all this House is to maintain its status, has to be reasonable enough to accommodate a reasonable person with a reasonable family within the Federation. With these remarks, Mr President, Sir, I beg to sit.

**Mr Gbadebo A. Adewumi** (Osogbo South) : Mr President, hon. Members of the National Assembly, *de jure* and *de facto*, we have got no salary, and as such the publicity about the salary or the opinion that the National Assembly Members are shylocks, greedy lots, and so on and so forth, is unfair. It must be remembered that we are the pioneers of the Presidential System, and as such we are new hands in this system. The fight is for the common man, and what we are doing here is practising the separation of powers as entrenched in our Constitution. The Legislators, that is we Members here, are law makers for the common man. The Executive is there, and the Judiciary is there. We are saying that we shall not in this House allow anybody to erode the Constitution and become a very difficult President or a dictator. That is all. But this is an aspect which the fourth realm of the Estate has cleverly ignored. This is the cause that we are fighting for, not salary, not any other thing.

Now coming to the question of salary, on strict analysis, is it not true that many Members of the National Assembly, according to our Oath of Allegiance and in accordance with the Constitution abandoned their professions? Among us here are many professionals—Medical Practitioners, Account-

Now, to say that a salary which is probably less than one thousand naira a month will become the subject of discussion in every newspaper is very surprising, more so when the papers have failed even to say anything about the taxes which the Legislators would have to pay. But, we know the game; we are politicians.

We do not come here to deceive the workers. We have in mind the workers of this country. The people who are bureaucratic, who have looted the Treasury of this country are known to us, but we have no battle with them. We are representing the workers, and when it comes to discussing about the welfare of workers of this country, they will know that we are all for them. It is just a misrepresentation to read in the newspapers that we are a greedy lot. We have not concluded discussions about our salaries; we have not shown that we are earning anything by way of salaries, and so factually and legally, there is no salary discussion yet concluded in this august Assembly.

So, Sir, I want this nation to believe that the collection of people here today are good representatives of all workers in this country. We are operating a system that touches the remotest village in this country, and so the public must know that we are their friends and bear with us.

**The President** : I recognise the Member of the National Assembly, the distinguished Senator from Ogun State, Senator Odebiyi.

**Senator J. A. O. Odebiyi** (Egbado North/South) : Mr President, Mr Speaker, and Members of the National Assembly, I want to touch very briefly on four important matters on the issue of remuneration which has generated a lot of heat and public criticism :

(1) The Constitutionality of the steps taken by the National Assembly.

(2) The lack of communication between the National Assembly and the President.

(3) The procedure as laid down by law and the Constitution in the process of decision making.

(4) The need for us to be apprised of the state of the nation's economy. Finally, when I shall have spoken on the four items, there will be the need for the National Assembly to pass a few resolutions just to put the procedure properly in order.

Mr President, Sir, the issue as has been pointed out by the first speaker on this Motion is not the question of remuneration *per se*. Whether ₦17,000 is paid or ₦5,000 is paid, once the procedure is wrong and be fogged, there is bound to be criticism. I think, Sir, that it can be rightly said that even where members of the public felt that the salaries recommended and which have not yet been finally decided were too high, the National Assembly ought to congratulate itself on being honest for saying out its mind.

the President, the proper procedure for him to adopt as I understand the world over, was for him to get in touch with the Leaders of the Senate for clarification. His duty was to guide them if they were going wrong, just as if he was going wrong it would have been our duty to guide him. That guidance the President failed to give. The issue was that he should have seen members of his own Party and told them that he was not with them in what the Senate had suggested. That he did not do.

There is also the bigger issue of our President getting panicky over news items. Major issues are bound to occur in future, and if the President starts getting panicky now about what the National Assembly does rightly or wrongly, I hope God will spare him to last his term !

The procedure, Sir, as I understand it perfectly under the Constitution here, is that both Houses of the National Assembly will deliberate on what they consider as appropriate remunerations under Section 78 (1), (2), (3), (4). They will consider the offices held by those public officers as far as their remunerations are concerned. When that has been done, if there are conflicts between the Senate and the House of Representatives, these conflicts ought to be harmonised.

At the time that the President went to Press, the conflicts between, the two Houses of the National Assembly had not yet been harmonised. They were only harmonised yesterday in point of time.

Secondly, when that has been done, under Section 74 (3) the National Assembly will then bring a Bill, formalizing whatever decision they had taken about the remunerations of all these public officers for debate in the National Assembly. There, opportunities exist for every person to speak his mind on what the provisions of the Bill are. It is when the Bill has become law, and is then sent to the President that he can refuse to give his assent.

Mr President, Sir, we were very far away from that procedure, and very far away from even taking a final decision on this matter when the President reacted the way that he did.

Finally, Sir, I feel that today Members of the National Assembly for the first time ever are perhaps having the first fire of being public office holders. Once you are a public office holder you must expect to be villified, to be castigated, and the stand-point on which you are being criticised today may be the stand point on which you may be praised tomorrow. What is important is for you to be sincere and honest in your belief.

There are people in this country who talk loudest about corruption, who talk loudest about kick-backs, who themselves give plenty of room for all these evils to continue unabated in our society. I believe, Sir, that if I were in a position to offer advice, anybody who takes kick-back in this country or who is corrupt ought to face the firing squad. The National Assembly was in the process of deciding what and what should be their remunerations,

and millions of Naira that have been siphoned away through channels unknown to members of the public.

I think, Sir, that the National Assembly should stand by doing their work honestly and agree to an open government, and once you want an open government you must expect the criticism of the public and the Press. More of that we will continue to have, which means that everyone of us here as members of the Senate or House of Representatives must do our home work very well, make our contributions so that before we take any decisions we must have thought about them properly. Once we have taken those decisions, we should be able to stand by them and defend them. That is the proper thing an honourable man ought to do. The National Assembly as a body has in the process of doing their work got into collision with the public and the Press. Of course, I suppose we have all learned our lessons, because it does seem to me that the incompetence of one arm of government is bound to reflect on the competence of the other arms of government.

So, Sir, what I would like to see is for the communication gap between the President and the National Assembly to be closed. There is a need for that. There is need for us here, to be able to do our work properly, to have the necessary staff that will do it. People have been talking of our not having passed any Bill. We have not got a single Legislative Counsel in the whole of the National Assembly. The Ministry of Justice is not even in a position to help us with the necessary staff that we require, and none of us is competent, even though there are lawyers here, to assume that role. Lawyers who are here are not *per se* legal draftsmen. Legal Draftsmanship requires specialist training, and this is why the work here is being hampered. The truth of the matter must be told that those whom we succeeded did not really prepare for us. If they did really prepare for us, a lot of things would have been done to make our work here easy.

For instance, the President himself would have given us his programme of work. As a matter of fact suggestions about all these things ought to have come from him before we were to deliberate on them ; we did not get them.

**The President :** Order ! Order ! I hate to do this but I guess I must remind the distinguished Senator that his time is running out !

**Senator Odebiyi ;** Thank you very much, Mr President of the National Assembly. I would beg for your protection, or rather protection against you, Sir. (*Laughter*)

So, what we would do now is to take certain resolutions to try and put the position quite clear. The National Economic Council has its powers properly set-out under the Constitution : they can talk about salary, they can advise but they cannot take a decision. The President can give suggestions to the National Assembly which if agreed to we will embody in a law which we will pass, and to which he will give his assent. But, in the final analysis, it is the National Assembly that has the final say.

As I said, Sir, money is not the issue or the king pin of what is happening now. It is the question of separation of powers and the attempt by the Executive to subjugate the Legislature. Members of the National Assembly, I suppose I have your support in saying that you will not allow that to happen. Will you ?

**Several Members :** No !

**Senator Odebiyi :** Therefore, you must consider this as the first test. This is the first test that the Executive is going to give you. You must expect more and therefore the answer is stand firm but ensure that you do the right thing ; take the normal procedure and do the right thing.

With these few remarks, I support that the National Assembly should take the paper laid on the Table. The Leader of the Senate, Senator Sola Saraki will then move the following Motions in his own paper.

**The President :** I recognise the Member of the National Assembly, Representative F. C. Ugwu.

**Mr F. C. Ugwu (Nsukka) :** Mr President, Members of the National Assembly, in contributing to the debate on the paper before us, I wish to refer to page 1 of the Report and the comments that—

*The Committee further decided to suspend fixing salary of members of the National Assembly until an enquiry was made to ascertain public and private functionaries—*

This is the crux of my contribution, Mr President. My colleagues have touched on the legality and functions of the National Assembly *vis-a-vis* the Executive. I do not need to flog that point again.

I am in full support of this recommendation to give this Assembly the opportunity to x-ray and expose before the public the actual situation in this country. I am sure that our problem had been that of transparent honesty. If we have taken a decision and closed it up as was the practice before we came in here, I think the general public would have concurred. But, because we want to be honest, we want to run an open government, we have been castigated. I am now calling on this Assembly to please adopt this recommendation of carrying out research on all the parastatals in this country on the conditions obtainable to what I may call the present Advisers who are the super civil servants.

I am definitely sure that we have not come to grips with the fact, nor have we realised, that we are operating the Presidential system of government. I think that some people still think that we are operating the Parliamentary system of government and this is why in a Paper I read yesterday, titled : *Order of Senate Proceedings*, a comparison was made of our proposal with the position obtaining in this country in 1962, and quite honestly I could not comprehend the latter.

I am, therefore, appealing that we do our home work ; let us sacrifice whatever problems we may

I am happy that a Motion is being proposed to let us know the state of the economy. You cannot tell us that the economy is bouyant or not without letting us know what the actual position is.

Mr President, my contribution is based on this particular aspect and I hope that we shall pursue it.

**The President :** I recognise the distinguished Senator of the National Assembly and Leader of the Senate, Senator Sola Saraki to speak.

**Senator Sola Saraki (Ilorin/Asa) :** Distinguished members of the National Assembly, we have all listened very carefully and attentively to the various speakers on the Report of the Committee on Remunerations. My colleague from the Senate and leader of the UPN (*Senator Odebiyi*) stated that the President of the Federal Republic of Nigeria might be panicky. I would like to assure him as a medical practitioner that I have examined the country's President and I know that he is not panicky at all.

**The President :** Louder please, we do not hear you.

**Senator Saraki :** I would also like to assure you all that one of the sterling qualities of the President of the Federal Republic of Nigeria is his cool headedness.

**The President :** Point !

**Senator Saraki :** Therefore, I would like to assure distinguished Members of the National Assembly that our President is very, very sound in mind and in health.

We have all listened very carefully, as I said before, to what had been said and I think that the next thing for us to do in this Assembly is to accept the draft Resolutions which I am going to put before the National Assembly. With your kind permission, Mr President, may I read out the Draft Resolutions and they are as follows :

*The National Assembly, after due consideration of the President's letter No. SH 2303 of 21st November, 1979 and of the Press Statement issued on the 24th of November by the National Economic Council on the issue of Remuneration for Public Officers ; resolves as follows :*

1. *That in view of the President's emphasis on fiscal discipline and in order to enable the National Assembly to act judiciously, the President be requested to apprise the National Assembly of a detailed statement of the state of the economy of the Nation as from the 1st of October, 1979 to enable the National Assembly determine what is prudent remuneration for public officers in the circumstances.*

2. *That the President be informed that the National Assembly has not yet reached any final decision on remunerations payable to public officers contrary to the imthressions being created .*

3. That while the National Assembly has no objections to receiving recommendations and/or advice on the subject from either the Presidency or the National Economic Council, it does not consider the Press the most appropriate channel of communication between it and these bodies.

4. That the fixing of Remunerations for public officers is an exclusive responsibility of the National Assembly conferred on it by the Constitution under Sections 54, 74 (4) and 78 ;

5. That the Executive presents Supplementary Expenditure Budget to the National Assembly for consideration and approval in order to formalise the present Executive Expenditure on the Public Funds

Mr President, I therefore move that these Draft Resolutions be accepted by the National Assembly. Thank you.

**The President :** The Resolutions as read by the Senate Leader should be seconded and I recognise a member of the National Assembly, Mr O. Afolabi from Oyo East to speak.

**Mr O. Afolabi (Oyo East) :** Mr President, Sir, members of the National Assembly, in seconding the Motion ably moved by the Senate Leader, Senator Saraki, I wish to express the same sentiments that the President of the Federal Republic of Nigeria is not a man to panic on any matter. (*Interruptions*)

**The President :** Order ! Order !

**Mr Afolabi :** In fact, he is a man of wide experience and with these few remarks, I beg to second the Motion.

**The President :** The question before the National Assembly is that the Draft Resolutions read by Senator Sola Saraki and as amended be the Resolutions of the National Assembly this day.

**Alhaji Sikiru Ayodeji Shitta-Bey (Lagos) :** Mr President, I think there should be a fifth paragraph which should read : that the Executive presents Supplementary Expenditure Budget to the National Assembly for approval in order to legalise instead of formalise, the present Executive's Expenditure of public funds.

**Some Memebbers :** No, no.

**The President :** I recognise Senate Leader and Movers of the resolution, Dr Abubakar Sola Saraki.

**Dr Abubakar Sola Saraki (Ilorin/Asa) :** Mr President, I thought that the word *formalise* was the appropriate one there because until a Bill is brought before the National Assembly to repeal the decree, I think it is still legal for the President to continue to spend. It is still legal for him to spend from the Budget because there is a Decree.

**The President :** I thought that the distinguished Senator was a medical doctor : I did not realise that he was a legal luminary. (*Laughter*)

**Dr Saraki :** Mr President, I was very fortunate, that I was trained in the University of London, so, we did medical and legal studies together. (*Laughter*) I accept the point, Mr President, if the National Assembly will accept, that the fifth paragraph should start from, *that the Executive presents Supplementary*

*Expenditure Budget to the National Assembly for consideration and approval in order to formalise the present Executive Expenditure of public funds. So the first line should be off, in order words, it is the considered view of the National Assembly,* should be off. Thank you.

**The President :** Any further amendment ? I recognize the distinguished Senator, Member of the National Assembly from Benue, Senator J. S. Tarka. I thought you were going to move an amendment.

**Chief Joseph Sarwuan Tarka (Benue East-Central) :** I am not so sure Mr President. I am not used to making amendments but I think it is too late in the day to make a lengthy speech I, therefore, will crave your indulgence to say a few things on both the original resolution and the amendment.

**The President :** Please do.

**Chief Tarka :** I think, Sir, as Senator Odebiyi said, the problem is not a problem of we fixing salaries and emoluments for ourselves and public officers. It is a problem first of a credibility gap created by the beginning of the Assembly's work. We should first of all, have identified the order of precedence in the entire country. We know from the Constitution of Nigeria that the President constitutes an embodiment of the country, and he is also the head of the Executive, closely followed by the Vice-President. We identify the separation of powers and identify therefore that the head or President of the Senate has a recognised position within the Constitution, closely followed by his Vice-President.

We recognise that the arm of the National Assembly which represents the House of Representatives is headed by the Speaker of the House and his Deputy. Once we are able to accept the order of precedence, then whether or not the President gets ₦2,000 per annum or 3k per annum is not the issue in question.

Secondly, Sir, we of this Assembly must try as much as possible to avoid being instigated by mischief makers who would like to create confrontation between the National Assembly and the Executive. (*Applause*)

We know our own rights, we do not have to flog them on the Floor of the Assembly. The Executive knows its own limit, we do not need to tell the Executive where to stop on that limit. There is a line drawn on all sectors of the Constitution for everybody to follow his paths, but the end result is for us to work for the progress of the nation and to protect the Constitution.

So, it becomes imperative, Sir, that the missing link between the National Assembly and the Executive should be bridged. Who is to bridge that missing link ? Shall we blame the President for the missing link ? Shall we blame Leaders of the Senate and the House of Representatives for the missing link ? Only those who know the inside story can tell us the truth of the situation.



I personally do not like what has gone on so far. It is true the media has created the impression that Members are out to grab, grab, and grab. We are not here to grab; we are here to serve the nation. The President has been elected to serve the nation and we all have a common goal, we have to work together.

The condition of service which Members have been talking about is not even the issue in this resolution. Housing, water supply, electricity and transportation come under the various Committees of the National Assembly. So, we must deal with these in their entirety in a different way, under a different forum, within the National Assembly. Once we do that, then we will not get mixed up and muddled.

What the resolution seeks to obtain from the Executive and from itself is a correct procedure. Members of the National Economic Council, be they big Governors with their attendant plagues and orderlies have no right to fix the salaries of Members of the National Assembly. (*Applause*)

Who made the Governors? The masses. Who made the National Assembly?

**Several Members:** We, the people.

**Chief Tarka:** All right, we the people who made the President?

**Several Members:** The people.

**Chief Tarka:** The people. Do we seek to destroy the National Assembly?

**Several Members:** No.

**Chief Tarka:** Are we going to seek to destroy Presidency of Nigeria?

**Several Members:** No.

**Chief Tarka:** We all have to work in harmony whether we like it or not. As the Leader of the Senate did say in his speech, the proper thing is to follow what we have laid down in the various Committees and what is now being laid down as the basis for further consideration by the Committee dealing with this particular resolution. Once we accept as I do hope we will accept, the correct list of the Members of the Committee, and accept the resolution as it is, then we will be on the correct procedure also to establish the order of precedence, and once the order of precedence is accepted, we will then go forward to ask, has there been adequate provision made in the existing budget for Members to have cover on the personal emolument and on the emoluments of all the other public officers of the Federation. Once that is obtained, then we shall have found a solution to this.

I think, Sir, we must try, Ladies and Gentlemen, to avoid anything that will go to the outside world to suggest that Nigerians are quarrelling among themselves over pittance or emolument which does not mean anything to most of you, because if

I think we must caution ourselves while we act. When elephants fight amongst themselves if the grass is wise the grass will run away but unfortunately the grass cannot run, so we must be careful not to trample on the ordinary man who, in the end, is the one that will suffer most. Speeches have been made on the Floor of the House today; some of them are slightly provocative because of the anger and fury of what has been printed by the media. We must call ourselves to order because we are more responsible than some of the writers outside. We should put ourselves right; we should address ourselves to ourselves and to the national issues. We should not be too sentimental and get carried away because of what has happened.

We appeal to the Leaders of the Senate, we appeal to the Leaders of the House of Representatives, we appeal to the Leaders of the National Assembly, and we appeal to the President to create an atmosphere where there will be personal meetings, be it over tea or coffee or whatever it is, to discuss such problems before they get out of hand.

**The President:** I recognise the Distinguished Senator from Bendel South (*Senator D. D. Dafinone*) to speak.

**Senator D. Dafinone:** (Bendel South): Mr President, Sir, Members of the National Assembly, there is just a small typographical error which I want to correct. Under the first Resolution after the words, *the Economy of the Nation*, add *as at the first of October, 1979*. This will reflect accurately when the President took over and how he intends to disburse the fund. Thank you, Mr President.

**The President:** The amendment is, first of October, 1979.

I recognise the Distinguished Senator from Bauchi South-East, to speak.

**Senator Uba Ahmed** (Bauchi South-East): Mr President, Sir, Members of the National Assembly, I wish to second the amendment. Thank you.

**The President:** The Question is that the Draft Resolution as amended and proposed this morning by the National Assembly should be so adopted and form the Resolution of the National Assembly.

*Question put and agreed to.*

*Resolved:* The National Assembly, after due consideration of the President's letter No. SH 2303 of 21st November, 1979 and of the Press Statement issued on the 24th of November by the National Economic Council on the issue of Remuneration for Public Officers; resolves as follows:

1. That in view of the President's emphasis on fiscal discipline and in order to enable the National Assembly to act judiciously, the President be requested to appraise the National Assembly of a detailed statement of the state of the economy of

2. That the President be informed that the National Assembly has not yet reached any final decision on remunerations payable to public officers contrary to the impressions being created ; and that when such a decision is reached, a formal communication will be made to the President.

3. That while the National Assembly has no objections to receiving recommendations and/or advice on the subject from either the Presidency or the National Economic Council, it does not consider the press the most appropriate channel of communication between it and these bodies.

4. That the fixing of Remunerations for public officers is an exclusive responsibility of the National Assembly conferred on it by the Constitution under Section 54, 74 (4) and 78.

That the Executive presents Supplementary Expenditure Budget to the National Assembly for consideration and approval in order to formalise the present Executive Expenditure on Public Funds.

**The President :** I recognise the Distinguished Senate Leader, Senator Dr Sola Saraki.

**Senator Sola Saraki (Ilorin/Asa) :** Mr President, Distinguished Members of the National Assembly, I beg to move that the Assembly stand adjourned. Thank you.

**The President :** I recognise the House of Representative's Deputy Speaker, Alhaji Idris Ibrahim.

**Alhaji Idris Ibrahim (Minna North) :** Mr President, Members of the National Assembly, in seconding the Motion for adjournment, I would just like to report to this august House that the work that we began yesterday on the Floor of this House has started to show results. That is, we are beginning to get across to the Press and members of the public our stand on the question of remuneration.

Ever since I made the statement on the Floor of this House, members of the public have been sending me remunerations of different individuals particularly those in the Statutory Corporations.

I was attacked in person by the Managing Director of *Daily Times*, Dr Cole, for making an irresponsible statement on the Floor of the House. I want to state clearly here in this House that Dr Cole did not dispute the fact that he was earning ₦26,000 *per annum*. Dr Cole did not also dispute the fact that as a civil servant, he was living in the most lavishly furnished accommodation than any other civil servant in the Federation. It is a fact that I have got in front of me the salary scale of other Managing Directors in the other newspaper media. It is a fact that all the Government owned newspapers, the Managing directors of these newspapers are on salary Grade Level 17 which is a maximum of ₦12,990.

The point at issue is this, Dr Cole was appointed during the time of the Military regime and at that time the Press could not question his appointment. But, this is National Assembly and we have the right to question his appointment.

The second point at issue is that I would have expected Dr Cole to be appointed the Managing Director when he has attained the position of the Permanent Secretary because in the Public Service you take the queue. This man was an Under-Secretary in the Cabinet Office before he was posted to *Daily Times* as the Managing Director. He was not even on Grade Level 17. That is a fact !

**Several hon. Members :** Fire ! Fire !

**Alhaji Idris Ibrahim :** He has given me examples of the salaries that the Managing Directors of Mobil, Total, Agip, and many others are earning. Those are private companies for your information. For as far as we know, they are private companies. And as far as we know the *Daily Times* belongs to the Federal Government and again as far as I know, apart from the Obituary that I read in the *Daily Times*, I do not think that the Managing Director of the *Daily Times* is doing a better job than other Managing Directors of the other newspapers that we read.

**Several hon. Members :** Fire ! Fire !

**The President :** Order ! Order !

**Alhaji Idris Ibrahim :** I will implore the President of the Senate and Members of the National Assembly that before we agree on remunerations, it is absolutely important that we call members of the Statutory Corporations and other organisations to the Floor of the House to testify so that they can defend the legality of the salaries they are earning.

I beg to second the Motion for adjournment. Thank you very much, Mr President.

**The President :** Order ! Order ! I recognise the distinguished Senator Jalo Waziri.

**Senator Jalo Waziri (Bauchi East) :** Mr President, Sir, no doubt, there were shouts of fire, fire and under such circumstances, Mr President, I always try to put ice.

Mr President, Sir, before you put the question on the Motion for adjournment, I would like to move again that the Report of the Joint Committee on Remuneration be adopted by the National Assembly.

**The President :** The question is that the Report of the Joint Committee of the National Assembly ably prepared, presented and laid on the Table this morning and ably supported by hon. Olusola Afolabi be now adopted.

*Question put and agreed to.*

*Resolved :* That the Report of the Joint Committee of the National Assembly ably prepared, presented and laid on the Table this morning be adopted.

**The President :** With the adoption of the Report and the moving of the Motion for Adjournment which was seconded, the National Assembly would now rise indefinitely.

*The National Assembly adjourned sine die at 1.15 p.m.*

*Sitting resumed—1.25 p.m.*

**The President :** Order ! Order ! I now call on the Senate Leader, Senator Sola Saraki to speak.

**ADJOURNMENT**

**Senator Sola Saraki** (Ilorin/Asa) : Mr President, Sir, I beg to move that the Senate do now stand adjourned till 3 p.m. tomorrow.

**Senator Cyrus Nunieh** (Bonny/Bori) : I beg to second.

*Question put and agreed to.*

*Resolved :* That the Senate do stand adjourned till 3 p.m. tomorrow.

*The Senate adjourned accordingly at 1.30 p.m.*

Wednesday 28th November, 1979

The Senate Met at 3.30 p.m.

**PRAYERS**

(The President in the Chair)

**NOTICES OF MOTIONS**

**The President :** Order ! Order ! I recognise the distinguished Senator from Benue, Senator J. S. Tarka.

**Senator J. S. Tarka** (Benue East-Central) : Mr President, Sir, this is just a matter of procedure. I want to remind the Senate that there was an adjourned debate on the 27th November which should resume this day. I hope that we would continue from there.

**The President :** I was actually allowing Senators to settle down so that I could invite the distinguished Senator from Lagos, Senator Abiru, to continue with the debate. He had earlier on sent in a notice to amend his original Motion ; but I thought that that could be done right in the Chamber since the Motion is already being debated.

I recognise the distinguished Senator from Lagos, Senator Abiru.

**TRANSPORTATION ON TRUNK ROADS  
IN NIGERIA**

**Adjourned Debate on Question—**  
(22nd November, 1979)

*Question again proposed—*

**Senator M. A. O. Abiru** (Ikorodu) : Mr President, Sir, distinguished Senators, when last I was moving the original Motion, you will agree with me, that I was much more motivated by a national spirit than being parochial, but when I observed the polarisation of debate in the Senate it occurred to me that I ought to file an amended Motion just precisely in the same direction. Consequently, I filed one with the Clerk of the Senate and the amended Motion which I believe will provoke less debate on this issue reads as follows :—

*That the Senate do direct the Public Works Committee of this Senate as a matter of urgency to consider and make recommendations to the Senate for a workable solution to the problems of transportation on trunk roads throughout Nigeria, particularly those leading into and out of capital and or commercial cities of all States of the Federation including Lagos, the current Federal Capital of Nigeria, with a view to rehabilitating such roads.*

*(i) By widening, removing traffic bottlenecks, and reducing hilly gradients on such roads to ensure easy flow of traffic.*

*travellers, tippers, heavy petrol tankers along such trunk roads leading into and out of such capital cities.*

Distinguished Senators, I hope you will agree with me that this is comprehensive enough, going through the length and breadth of Nigeria and reflecting the national character of this country. So, distinguished Senators, I adopt my argument in support of the original motion and seek your support.

**The President :** I recognise the distinguished Senator from Benue, Senator Suemo Chia.

**Senator Suemo Chia** (Benue East) : Mr President, Sir, first of all, I would like to make an appeal to the mover of the Motion and all those who support him. Even though he has amended the Motion, to my mind, the amended version appears to commission the Senate Public Works Committee to undertake a feasibility study of all the trunk roads in Nigeria and thereafter report to the Senate. I am not too sure whether the Senate Public Works Committee will be capable or have the facilities and the know-how to undertake such a feasibility study. The idea itself is very good. No doubt, Federal Roads in Lagos and in the States are in a very bad state and they create a very bad impression on the image of the Federal Government especially amongst—

**Senator Garba Matta** (Pankshin/Mangu/Kanam) : Point of Order.

**The President :** Point of Order. Senator Garba Matta, what is your Order Number ?

**Senator Matta :** Order No. 22.

*The question on any motion or amendment shall not be proposed from the chair in the Senate unless it shall have been seconded.—*

**The President :** I sustain your point of Order. I had the impression that Senator Suemo was seconding but he proceeded to debate.

**Senator Lere Adesina** (Ibadan) : Mr President, Sir, I beg to second.

**The President :** I would then ask the distinguished Senator from Benue to continue.

**Senator Suemo Chia :** Mr President, Sir, as I earlier on said, Federal Roads all over the country are in a very bad state of repairs and they give a very bad impression of the Federal Government, especially amongst the local people in the States. They feel that the Federal Government is not taking good care of them when they find that they cannot move from one point to another simply because of the condition of the roads. When they find that roads maintained by the Local and State Governments are in much better state, they tend to look down on the Federal Government.

In this regard, there is absolute need to rehabilitate them, but the way the distinguished Senator seeks to have the position rectified seems to me almost impossible. As I said earlier, it amounts to commissioning the Senate Public Works Committee to undertake a feasibility study.

I would like to conclude by saying that, to the best of my knowledge, that Committee is not composed of people who can do that sort of thing. So, the appeal I intend to make to the distinguished Senator is that when we stand to oppose the Motion, he should not look at it as if we are being parochial but we would like to be more realistic than taking decisions that we know we cannot implement and thereby render ourselves open to public attack.

What I expect, Sir, is this. If we find that road development in Nigeria is of paramount importance, we should do the same thing we did in an earlier case when we said the Federal Government should, in the next Development Plan, put certain things on the priority list. We can, as well take such a decision and ask the Federal Government to put road development on its priority list in the next development plan rather than trying to commission one of the Senate Committees to do feasibility studies. To my mind, that will not be feasible. Once we embark on doing things that will not result in anything, we would just be ridiculing ourselves.

So, Mr President, if the Mover of the Motion so pleases, I would like him to accept the view that we can ask the Federal Government to include road development as a priority project in the next development plan. Thank you, Sir.

**The President :** I recognise the distinguished Senator from Kaduna and Leader of the PRP, Senator Barau.

**Senator Ibrahim Barau** (Ikara/Zaria/Birnin Gwari) : Mr President, Sir, I stand to support this Motion but with an amendment. The amendment is in respect of a Federal road linking Kaduna State with Kano State.

**Senator S. M. Ojukwu** (Umuahia) : Point of Order, Mr President.

**The President :** Yes, Senator Ojukwu, what Order is this.

**Senator Ojukwu :** It is Order 22. If a Member moves an amendment to an existing Motion the amendment should be tested after seconding it. Then anybody debating it will debate the Motion as amended.

**The President :** Yes, I sustain that point of Order. I think it is a valid one.

Distinguished Senators, Senator Abiru has amended his earlier Motion and it has been ably seconded. Is it the wish of the Senate to accept the amendment ?

*Question put.*

**The President :** That was a dodgy one. I would put the Question a second time.

Senator Abiru proposed a Motion which was debated on the Floor of this Senate two days ago. He has made a substantial amendment to that Motion and today he has proposed an amended Motion. This amended Motion has been seconded. I would now put the question before the Senate to

**Senator Abiru :** The Motion as amended is :

That the Senate do direct the Public Works Committee of this Senate as a matter of urgency to consider and make recommendations to the Senate for a workable solution to the problem of transportation on trunk roads throughout Nigeria, particularly those leading into and out of Capitals and or commercial cities of all States of the Federation, including Lagos, the current Federal Capital of Nigeria with a view to rehabilitating such roads by :

(1) Widening, removing such traffic bottle-neck and reducing hilly gradients on such roads to ensure easy flow of traffic.

(2) Controlling the movement of cattle, haulage trailers, tippers, heavy petrol tankers along such trunk roads leading into and out of such capital cities.

**The President :** I think it is clear now to the Senate. That is what you will decide on.

**Senator D. Dafinone** (Bendel South) : Point of Order, Mr President. My Order is number 46. That amendment should have been circulated to Members and listed in the Order Paper.

**Some Senators :** No.

**The President :** Well, under order 46 we have subsections (1) to (8) with (a), (b), (c) all dealing with Bills.

**A Senator :** We are not dealing with Bills now.

**Senator Dafinone :** Mr President, the Order is in fact Order 24 (1)—Withdrawal of Motion or Amendments. The original Motion contains the provision and preservation of the highways from cows, *et cetera* which has now been deleted. The new amendment only confines itself to roads. Senators have not had time to study the new amendment because it was not circulated.

**Senator S. A. Akintoye** (Ondo Central) : Mr President, Sir, the distinguished Senator is making an honest mistake.

**The President :** On what grounds are you speaking, Senator Akintoye ?

**Senator Akintoye :** On point of information, Mr President.

**The President :** Order ! Order ! The distinguished Senator who raised a point of Order has not finished and you cannot raise a point of order on another point of order. He is still standing.

**Senator Dafinone :** Mr President, nobody is against this Motion in principle but it has got to be circulated and brought for Senators to study the revised amendments.

**The President :** Order ! Order ! It will be necessary to take a look at the original Motion filed by Senator Abiru and see whether, in fact, this amendment is related to the original Motion.  
(Interruptions)

**THE PRESIDENT :** The point raised by the last Senator, I think, is very valid because we must first determine whether this amendment is amending the substantive Motion under discussion or is in fact, a new introduction which is not an amendment.

**Senator Ojukwu :** Mr President, Sir, Standing Order 23 says :—

*Upon an amendment to insert or add words the President or the Chairman shall state the amendment and propose the question thereon in the form "That those words be there inserted (or added)"*

*Upon an amendment to leave out words, the President or the Chairman shall state an amendment and propose the question thereon in the form "That those words be left out"*

*Upon an amendment to leave out words and insert other words instead, the President or the Chairman shall first state the words to be left out and put the question thereon in the form "That those words be left out", and if that question be agreed to shall then state the words proposed to be inserted and put the question thereon in the form "That those words be there inserted"*

So, we do not understand what the Mover of the amendment is seeking. If he has said, take this out and insert that then the President will—

**The President :** I do not think you have to flog the issue any further. I sustain Order 23 but I want to know if the amended Motion is related to the original Motion.

**Senator C. O. Adebayo (Kwara Central) :** Mr President, Sir, I have been itching to speak on this issue. To my mind, the amendment is not such as is anticipated by the Standing Order. It would appear to me that he is bringing in a completely new Motion. What he should have done would have been what Senator Ali proposed the last time we debated the matter here. It would have been better if the Motion were withdrawn than to so completely destroy it by bringing in what he calls an amendment.

Mr President, Sir, I believe we have said a lot about the need for us to be absolutely objective in our comments on Motions such as this. I am not even going to refer Senators to the current Estimates, pages 528 to 538, Head 12, Sub-head 29, where the issue of Public Works is stated. I would just draw the attention of the Senate to the fact that a lot of roads for which money has been voted have not even been touched up till now.

I wish to submit, Sir, that this amended Motion, if passed, will amount to a deliberate distortion of our current plans. Having said that, one has to note that where there are emergency or crisis situations they deserve emergency attention or crisis treatment. That is why we find that although the treatment that the Ore road got recently is not in the budget, yet it received that attention. This was because it is crucial that that road be so attended to. It would

have been a happier thing if the original Mover of Motion was retained as it was originally than getting it under that premise, that is, that this is a road which serves the whole of Nigeria as a point of contact with the port and the hinterland and it is in a state which requires crisis treatment and it can be so treated.

To my mind, it would have been better if the Motion was retained as it was originally than get it watered down to an exercise which is puerile. You see, all he is saying is that there should be a programme on roads and we all know that there is already a programme on roads. So, Mr President, I beg to oppose his amendment.

**Senator Cyrus Nunieh (Rivers IV Bonny/Bori) :** Mr President, Sir, it is my humble submission, that an amendment may take any form. What we have seen in this amendment is that the Mover has accepted the amendments suggested by Senators when the Motion was first discussed and in the spirit of the Senate, he has changed the Motion to what it is. What he has only done is that he changed from the particular cases he gave to cases of general application in order to meet the needs of popular opinion. Many distinguished Senators have spoken that the concentration of development in Lagos was almost becoming objectionable because other parts of the country have almost been neglected. I am saying that this is still—

**Senator M. Uba Ahmed (Bauchi South East) :** On a Point of Order, Mr President, I wish to draw attention to the provisions of Order 23. Already, there has been a Motion and a fundamental amendment on the Floor of the Senate. First of all, the question has to be put as provided for under Section 23 of the Standing Orders. Then we would decide and proceed with whatever debate we want to go on with. Apparently, we have gone on debating the amendment and what have you without necessarily sticking to the procedure of accepting or rejecting this amendment. Thank you very much.

**The President :** I am very doubtful if, in fact, we are not doing what the Standing Order says we should do. We are deciding whether or not to accept the amendment but I cannot control the way people speak. Some people put their thoughts across in two sentences and others in twenty. So, I would ask Senator Nunieh to please wind up.

**Senator Nunieh :** Now, Mr President, with regard to the issue of the new amendment, I would say that the present Motion is not different from the one before. It is only an amendment and in matters like this we have what we call a substantial or a slight amendment.

**Senator Onyeabo Obi (Anambra West) :** Mr President, Sir, I would like to refer the Senate to Order 21 (1). It reads :

*Amendments proposed to any Motion or Bill shall only be in order if they are relevant to the question or matter then under discussion.*

I would like to say, Sir, that the amendment is relevant. In the Senate proceedings of Monday 26th November, 1979 the President put it to the Mover of the Motion on page 695 as follows—

*The President : Order ! Order ! did you hear that, distinguished Senator Abiru ? Are you prepared to accept the amendment to delete the areas you enumerated here so that it becomes a general Motion ?*

This, Mr President, Sir, is what the distinguished Senator has done by deleting specific examples he had given in the previous Motion and inserting in their place general examples which the whole Senate can approve. Having come this far, Sir, I think it is a little bit late in the day to say that he is not relevant since he was amending the Motion based on suggestions widely canvassed on the Floor of the Senate and on which the President gave an official sanction.

Secondly, Sir, one of the amendments—

**The President :** Did you say I gave official sanction to lobbying on the Floor of the Senate?

**Senator Obi :** No, Sir. I could not have suggested that. I said that the question of deleting specific examples and inserting general ones to avoid, as the President put it, 95 amendments, was one which conveyed the feelings of distinguished Senators. This amendment, to my mind, was brought to save that situation and allow the Motion to be speedily and generally disposed of. I would submit, Sir, that the amendment, as proposed by Senator Abiru, is in order and should be put under Order 23, Sir. Thank you.

**Senator F. O. M. Atake (Bende Delta) :** The main thing there is as contended by Senator Dafinoya and that is contained in Order 19, which reads :

*Unless the Standing Orders otherwise direct, notice shall be given of any motion or amendment which it is proposed to move with the exception of the following :—*

Then we have (a) to (h) which do not fall in the category of amendment now proposed. How is this notice to be given ? That is governed by Order 20 which stipulates : *where under any Standing Order, notice of motions or amendments is required,—such notice shall be given on a day on which the Senate is sitting, by being handed in at the Table ; or by being received at the office of the Clerk within the hours prescribed by the President for the purpose when the Senate is not sitting.* That is how a Notice is to be given, followed by the prescription on what should take place. When the Clerk has got notice of the Motion what does he do ? That is governed by paragraph (8) which says :

*Motions or amendments sent to the Clerk shall be printed and circulated by him—*

*Motions or amendments sent to the Clerk shall be*

The proposed amendment has got to be printed and circulated so that all of us will know what the Amendment is all about. Jumping the queue is not necessary. That is the Order, Mr President.

**The President :** I think that by the way we are going, we would spend the whole time debating the various Order numbers without actually dealing with the substantive Motion. I am beginning to wonder if it would not be safer for the Proposer of the Motion to withdraw the Motion entirely, recast it, and then propose a new Motion. This Amendment looks much more substantial to be accepted as contested by Senator Obi. I think that Senator Obi's point of order would hold. But this amendment is quite substantial, because it has changed fundamentally the whole concept of the original Motion. I would, therefore, advise the distinguished Senator that he, perhaps, needs to take a look at the Motion once again. He has a chance of filing another one.

**Senator Abiru (Ikorodu) :** Mr President, Sir, I would refer the Senate to Order 20 (4) (a) and (b) which says :

*One day's notice shall be sufficient in the case of the following notices of amendments :—*

*(a) an amendment to a Motion standing in the name of a Minister,*

*(b) an amendment to a Motion of which five clear days' notice has been given.*

The substantive Motion before this Senate was filed on the 19th November, well over five days and was circulated to all Senators. I would say that in bringing an amendment to this Motion, I am not required to give more than one day's notice and it does not require further circulation.

**Senator Idrisa Kadi (Borno North-Central) :** Mr President, Sir, the amendment mentioned by the Mover of the original Motion, to me is clearer than the previous one. But what I am going to suggest, while supporting the suggestions made by other Senators, is that he should have circulated the amendment so that we could have fully discussed it, because the previous Motion which he raised is one-sided and did not affect all parts of the country. Therefore, we were not able to debate or contribute effectively. So, by widening and broadening the Motion, he should have given Senators enough time to participate fully in the debate. I think the amendment made by the Mover is a very good one. So, I would suggest that he should circulate it so that we shall have it discussed. I beg to support the idea suggested by some Senators.

**Senator Adeyiga Ajayi (Ikeja) :** Mr President, Sir, I would refer to Order 21 which was raised by my friend Senator Obi, but to which you gave no ruling. I agree entirely that the amendment as proposed by Senator Abiru is really quite funda-

Motion, he could bring a fresh one. If you compare the amended Motion with the original one, they are completely different. Even if he gives five days notice now, we still have to raise some points of order and the Motion would have to be withdrawn.

So, to save the time of going through the orders and the amendments again, the most honourable thing for my friend to do is to withdraw this Motion so that we can have a new Motion entirely, which I presume would represent the wishes of everybody.

**Senator E. K. Ogunleye** (Ondo East) : Mr President, Sir, my contribution is that the Motion moved by my colleague, Senator Abiru, comes under Order 21 and Order 19 (f). Order 19 (f) says :

*Unless the Standing Orders otherwise direct, notice shall be given of any motion or amendment which it is proposed to move with the exception of the following :—*

*(f) A motion arising out of the business of the day made immediately after the business is disposed of and before any fresh matter is entered upon.*

The distinguished Senator was the first to mention this Motion. This is the first business of the day. Therefore, it comes under this section. I agree with Senator Obi that this Motion is almost substantially the same thing as the original Motion. In fact, the original Motion mentioned things like cattle, cow, haulage of trailers, tippers, heavy petrol tankers. These are all substantially the same thing as are contained in the original Motion. To that extent, I would say that even though the wordings are different, the Motion is substantially the same thing. There had been mention of Lagos, Onitsha, Kaduna, Benue, Bida, *et cetera* in the amendments proposed by the original Mover. There had been several amendments made by the Senators in this Senate. These amendments form part of the original Motion and they had been accepted. To that extent Sir, I would say that this Motion is properly brought before this Senate and I urge this Senate to accept it.

**The President** : I wonder what the Motion as amended here really stands to achieve. We should concern ourselves here with Legislation.

**Senator D. O. Oke** (Ondo West) : It seems to me that the crucial matter is not in fact the *what* of this Motion but the *how* of it—the whole procedure. It seems to me that the right things have been done by citing the orders on what kind of Motion can come in what manner, and by also citing the relevant clauses. I think in setting our procedure right, there are two crucial things we are ignoring. By talking about the scope of this Motion, it seems to me, with due respect, Mr President, that the Senate is leading itself to a rather irrelevant path. It was this same Senate, by debate, that directed the Mover of the Motion to make it as broad as he has done and I do not want us to give the impression that we are deliberately leading him to a *cul-de-sac* where we are sure the Motion will be killed. If we do that, it will be a very bad precedent because it can be used in the future against anybody and against matters that are far more significant than this one.

the Motion.

**(Senator Abiru conferred with the President)**

**The President** : Have you finished ?

**Senator Oke** : I was going to make the second point, and a ruling has to be given. So, I want to be heard by the President as I am going to make the point that will lead to a ruling.

**The President** : Go ahead.

**Senator Oke** : I have just mentioned the point on our practice and that we should not lead a Senator to a *cul-de-sac*.

The second point I was going to make is on the *how* of the Motion—how it reaches the floor of the Senate. The Mover of this Motion (Senator Abiru) has himself pointed out that he gave five days notice that was required for the Motion to come here in the first instance, and that he gave the one day's notice for this kind of amendment.

**Senator Adeyiga Ajayi** (Ikeja) : Point of Order.

**The President** : Yes, Senator Ajayi, what is the Order No. ?

**Senator Ajayi** : It is order 27 (2) which runs thus—

*when the question of Order has been stated, the Senator who raises it shall resume his seat and no other Senator, except with the leave of the President or the Chairman, shall rise until the President or the Chairman has decided the question, after which the Senator who was addressing the House or Committee at the time the question was raised shall be entitled to proceed with his speech given effect to the ruling from the chair.*

We have raised two important issues before you and you have to give a ruling. If you give your ruling that that amended Motion is not in order, that will be the end of the matter. But, no other Senator should rise and continue to speak on the Motion until you have given your ruling. So, we will like you to give your ruling on this amended Motion as to whether it is in order or not, and that will be the end of the matter.

**The President** : What the President did not want to do was to gag the Senate. I want everybody to feel free so that when a decision is taken, it will be seen that the decision is not taken in a hurry. I got the impression that Senator Abiru himself wanted to speak.

**Senator Oke** : What about the issue of procedure which I was raising ? I was talking on our procedure for the future.

**The President** : You were speaking outside the amended Motion.

**Senator Oke** : I was speaking on the issue of procedure.

**The President** : If you were speaking outside the amended Motion, then you may not continue to speak.

**Senator Oke** : I was not speaking outside the amended Motion.



**The President :** You may then proceed.

**Senator Oke :** I would want us to address our minds to the question of procedure because of the crucial nature of some of the matters we will be dealing with in this Senate. I have said that if we were to wait on certain things which go against individual Motions, and rule against them, in the future, Senators are going to cite them as precedents, and we are going to lose more important Motions. In this particular case, the question of the Motion not coming in a printed form before this Senate was not the fault of the Mover of the amended motion. It was a question of clerical effort and if clerical effort is not enough, I would not like the Senate to be held responsible for what has been a clerical failure. The Motion was duly moved with five days notice and duly amended with one day's notice.

So, if it was not printed and circulated before us, I would not like any Senator to be held responsible for that. I am saying, therefore, Mr President, that since the provisions of the time limit had been complied with, this Motion should be taken as it is because everything that is right has been done to get it to the Floor of the Senate.

**The President :** You have only just added to what other Senators have been contributing to the debate. The issue is clear that it is not relevant to the decision on the amended Motion and that there have been some clerical errors.

**Senator C. O. Ilori (Ife/Ilesha) :** I have been trying to speak all along just to help the Senate on this issue.

**The President :** The Senate is not confused.

**Senator Ilori :** It is confused.

May I remind you, Mr President, of exactly what you said when the Motion was first moved and when we began to receive several amendments and several counter or secondary Motions? You said something to the effect that, if we did not put a limit to these amendments, then the concept or the meaning of the original Motion would be lost and that is exactly what has happened now. What surprised me was that the Mover of the original Motion could have accepted the amended Motion because, you will all agree with me that the present Motion is very different from the original one. The original Motion was specific whereas the present Motion is broadly-based and covers almost all parts of the Federation.

I am going to suggest that in order to avoid this kind of thing in the future, as this is a technical point, we shall continue to have this kind of Motion where the intention of the Mover of the Motion is in relation to a particular issue or problem within his own area or his locality—we have to differentiate between what is called an amendment which leaves

A related Motion may come up from the original Motion because when this Motion was moved none of us was thinking about what we now call road development. I have the problem of road development in my area, and if I were to stand up at the time the original Motion was moved, I would have also added something to it, but then we would be broadening the original motion. When we have a case like this in the future—this is something I have slept over. I would like to help the Senate and that is why I have been trying to speak. If I did not have anything to contribute, I would not have stood up to speak.

So, what I am going to suggest is this. When there is a Motion of this kind which is a technical one, we have to categorise the Motion. This one is on road development. When we have a Motion of this type which deals with a specific problem, and there are related Motions, then we have to have a category of Amendments of Motions. We must allow the original Motion to remain intact because it is specific to the Mover. First of all, when I say category of Motions arising from the original Motion, we may call the original Motion *primary Motion* which should remain intact. But then, when there are related Motions we may call them secondary Motions.

**A Senator :** Point of order.

**The President :** Point of order. Senator Ojukwu, what is the point of order?

**Senator S. M. Ojukwu (Umuahia) :** He is not talking on the Motion.

**Senator Ilori :** I am talking on the Motion to help the Senate.

**The President :** Distinguished Senator, you may wind up.

**Senator Ilori :** I am going to wind up. What I am suggesting as a contribution to this debate, Mr President, is that the original Motion should be left intact. We can examine the Motion only if there are questions of diction, or grammar or what have you. Then it is if there are related Motions that the original Motion should be called the primary Motion and should be left at such. Now, if there are related Motions like the one proposed by Senator Obi, then this will be called secondary Motion and it will be treated as such. (*Interruptions*)

**The President :** Distinguished Senator, you may sit. Thank you very much.

**Senator Ilori :** I hope I have got my ideas across. Thank you very much. (*Laughter*)

**The President :** There is a moment for decision. You want to speak Senator Abiru? I recognise the Distinguished Senator and Mover of the amended Motion, Senator Abiru.

**Senator Abiru :** Mr President, in view of the

before the Senate is that the distinguished Senator Abiru begged leave of the Senate to withdraw his amended Motion.

*Question put and agreed to.*

*Amended Motion by leave withdrawn.*

**The President :** Point of Order ! Senator Garba Matta to speak.

**Senator Garba Matta** (Pankshin/Mangu/Kanam) : Mr President, I want us to straighten out this procedure.

**The President :** What procedure ?

**Senator Garba Matta :** If I have had the opportunity, it would not have been necessary for the Mover of this Amendment to withdraw because Order 33 clearly says: *It shall be out of order to make a Motion or move an amendment dealing with the subject-matter of a Bill or other order of the day appointed for consideration.*

So, this is the Order of the Day. The proposed Amendment was, in fact, out of Order if we had taken the necessary—*Interruptions*

**The President :** I am afraid, I do not sustain your order.

**Senator Garba Matta :** Yes, I want to get this straight because tomorrow we will sit down wasting our time talking about this order or that order. So, if we have a matter like this tomorrow, we do not want to repeat this sort of thing. If a matter is already on our Order of the Day, an Amendment like this under Order 33 is not acceptable. So, it is out of order.

**Senator Abiru** (Ikorodu) : The Amendment being proposed is a direct opposite to my original Motion. Thank you.

**The President :** I am afraid, you have to see the implications of what was withdrawn. It is the amended Motion.

**Senator Abiru :** It is an Amendment to the Motion, not the substantive Motion. The substantive Motion still stands, as it is.

**The President :** I am afraid we have been discussing what I have in front of me entitled, *Amended Motion.*

**Senator Abiru :** An amendment can come in on a substantive Motion. I hope, Mr President is not intending to kill my Motion.

**The President :** No. It is my job to assist you here.

**Senator Abiru :** I am saying that what was proposed before this Senate is an Amendment to the original Motion. Since this Amendment had received the resentment of this Senate, I decided, in order to save time, to withdraw the amendment. The substantive Motion still stands. We can proceed on that while I wait for its fate.

**The President :** I recognise the distinguished Senator from Lagos, Senator Shitta-Bey, to assist his fellow Senator from Lagos State.

think that what appears to be the record is an amended statement, but the real intention is an Amendment to the Motion. Assuming, Mr President, that what is there is an amended Motion, the original Motion is still there because that is the substantive Motion. If something goes wrong with the amended Motion, it does not destroy the existence of the original Motion. A decision ought to be taken on the original Motion. Mr President, I think that is the position. It is only if the amended Motion succeeds that it has an effect of modifying the original Motion. This is my interpretation, Mr President. I hope, Mr President, will accept it, at least, to save the Motion coming from Lagos.

**The President :** I assure you that I have another distinguished Senator from Lagos standing and that is Senator Ajayi.

**Senator Adeyiga Ajayi** (Ikeja) : Mr President, Sir, I beg to disagree with the distinguished Senator Shitta-Bey. The amended Motion is not rejected because the mover of the Motion is taking his Amendment from the original one. We have already—

**The President :** May I make a correction ? It was not ruled out or rejected. It was withdrawn by him. In this circumstance, my advice will be that it is necessary for him to re-cast his original Motion and take cognisance of the advice or what is his experience on the Floor, if he wants the Motion to go. This is what I am saying.

**Senator Ajayi :** He cannot even amend it again.

**The President :** I recognise distinguished Senator Fasanmi.

**Senator Ayo Fasanmi** (Ondo North) : I just want to correct an impression which is probably on record by now. This is not a Lagos Motion. This is a Motion in the interest of this Senate and it must be considered as such. The mere fact that somebody from Lagos moved this Motion does not mean that it is a Motion from Lagos. This is a Motion in the interest of the whole nation and it was considered as such. I, therefore, move that the Senate should go back to the original Motion and consider it on its merit.

**Senator A. Adegoke** (Oyo) : I second the Motion moved by the distinguished Senator, Senator Ayo Fasanmi. (*Interruptions*)

**The President :** Order ! Order ! He has not moved any Motion.

I recognise the distinguished Senator and Leader of the PRP, Senator Barau.

**Senator Ibrahim Barau** (Ikara/Zaria/Birnin Bwari) : I stand to support the original Motion with Amendment and I am prepared to give my notice. In supporting the Motion, I would make an Amendment to paragraph (c) of his Motion to read, *that the repair of the neglected Federal Road which links Kaduna State with Kano State should also be made.*

**Senator Andrew Abogede** (Benue North-Central) : Point of Order, Mr President.

**The President :** Point of order, Senator Abogede.

**Senator Abogede :** It is Order 26 (11) : *Except when the Senate be in committee no Senator shall speak more than once on any proposition before the Senate except in explanation.*

The distinguished Senator Barau spoke on this issue yesterday, he has spoken on it today, and he is speaking the third time now.

What I am trying to say, Sir, is that if there is another set of Standing Orders for the Leaders of the Parties, that is a different thing. If not, somebody should not speak on one Motion so many times thus, repeating himself.

**The President :** As much as I would like to sustain that Order, Senator Abogede, I am inclined to think that Senator Barau is speaking in a different capacity, that is, as the Leader of the PRP.

**Senator Barau :** Mr President, in actual fact, when you allowed me to speak first, I actually had not spoken. I actually started but then a point of order was raised which forced the Mover of the Motion to withdraw his Amendment and to represent his original Motion and it is on this that I stand to move this Amendment. There is a Federal Road which links Kaduna State with Kano State and which is now neglected. Unfortunately, Mr President, I would say that this road passes through important villages with large farming areas. These villages are responsible for the production of onions, Irish potato, which is now Nigerian potato, and beans which are extensively used in all homes in this country. These areas include villages such as Makarafi and Kodan. It also links important feeder roads such as Banjawa-Manre in Kano State and Funtua leading to Kasawu in Sokoto State.

If the Mover of this Motion will appreciate and accept this Amendment, Sir, I beg to second the Motion.

**The President :** Order ! Order ! I would come back to you Senator Adeleke.

I think that having accepted the withdrawal of Senator Abiru's amended Motion, we ought to decide what to do with the original Motion itself. If it is the decision of the Senate that we should proceed with the original Motion, we would proceed accordingly. I am afraid I would have no choice but to accept amendments which I have earlier turned down, affecting the original Motion.

**Senator Garba Matta (Pankshin/Mangu/Kanam) :** Order 24 (2). I do not think we have a choice here. If an Amendment has been proposed to a question the original Motion cannot be withdrawn until the Amendment has been disposed of. In effect, what this is saying is that the original Motion is still there. So, it is not a question of choice. Since the original Motion is still there, we have to go ahead. I would go further to advise the Mover, this is my

If he does otherwise, he will lose it. If he wants to try a gamble with it, let him bring it in and see its fate. I will advise him to re-submit this Motion in a more acceptable form. That is my advice to the Mover.

**The President :** Thank you for pointing out that Order number. There was no time that a decision was made as to what would happen to the original Motion. That was an earlier submission by a distinguished Senator. So, thank you for the addition. The Question, therefore, is that the original Motion could either be proceeded with, suspended or withdrawn.

I recognise the Mover of the Motion.

**Senator Abiru :** Mr President, Sir, it is my wish that debate on the original Motion proceeds.

**Senator Obi Wali (Phalga) :** Mr President, Sir, I only want to give my support to this Motion in the sense that I think we have to avoid in this Senate overburdening Motions when they deviate from the original intention of the Mover. It appears to me that each time somebody brings a Motion here, all sorts of people will drag their problems into that Motion. I think it is a very wrong procedure.

**Senator Shitta-Bey (Lagos) :** Point of order : *all sorts of people*, that is a language which is not acceptable. We are distinguished Senators, please. I am addressing the President. When a Distinguished Senator addresses other Senators as all sorts of people, I think the expression is unbecoming. We should correct ourselves. We are distinguished Senators here, not all sorts of people. I think we should be more polite. My point of order is Order 26 (5).

**The President :** Order ! Order !

**Senator Shitta-Bey :** Order 26 (5) reads :

*It shall be out of order to use offensive and insulting language about Members of the Senate.*

Mr President, Sir, that expression is unbecoming.

**The President :** That Order is sustained. I would now call on to the Senator to do something about it.

**Senator Obi Wali :** That is what I am about to do, Mr President. I am sorry. I know that we have considerable language problems in this Senate but in view of the fact that we are all not debating at the same level in terms of linguistics, I beg to withdraw that remark. To continue—

**The President :** I have not recognised you yet.

**Senator Shitta-Bey :** Mr President, Sir,—

**The President :** I have not recognised you too.

**Senator Obi Wali :** Mr President, Sir,—

**The President :** Order ! Order ! Let us now get

**Senator Obi Wali :** The point I am making, Sir, is that I noticed the other day when a distinguished Senator brought in a Motion here, on a particular community and its telephone problems, there was a tendency for Distinguished Senators to see their Local problems in terms of that Motion.

**Senator Atake (Bendel Delta) :** Point of Order. We are all Senators, distinguished and undistinguished.

**Senator Obi Wali :** Mr President, Sir, thank you very much for your continued protection.

**The President :** You are fully protected.

**Senator Obi Wali :** Thank you, Mr President. Actually, the simple point I am making is that if Senator Abiru brought a specific Motion here in terms of his own experience and the needs of his own community, I think it will be wrong for us to bring into that Motion problems of all States in the Federation and try to make it an omnibus Motion.

**Senator Jalo Waziri (Bauchi East) :** Point of Order. The distinguished Senator is introducing—

**The President :** What is the order, distinguished Senator Jalo Waziri ?

**Senator Jalo Waziri :** Order 26, Mr President. The distinguished Senator is introducing new Orders to the Senate. He has no mandate to do so, at the moment.

**The President :** I sustain that, he is the Chairman of the Orders Committee. Is he not ?

You have no mandate yet, Senator Obi Wali.

**Senator Obi Wali :** To do what, Sir,

**The President :** To introduce a new Order to the Senate.

**Senator Obi Wali :** I did not introduce a new Order.

I think, I had better conclude this little remark. So, Mr President, I think my simple remark is that we should really allow Motions in terms of their integrity to stand as they are and if Distinguished Senators have related issues they could definitely consult themselves and bring in Motions rather than trying to kill a Motion, overburdening it, by bringing in problems that are not related to it.

Thank you, Mr President.

**The President :** I recognise distinguished Senator Ameh Ebute.

**Senator Ameh Ebute (Benue South-Central) :** Mr President, Sir, if this Motion is left, as it is by its Mover, I rise to oppose it on the following grounds. There are so many difficulties involved in the Motion. First of all, the Distinguished Senator thought of asking a Select Committee to look at it, that was what he said. Now, the Motion has been re-presented in its original form and there is no Amendment to it. Mr President, Sir, the Motion talked of :

*Workable solution to the problem of transportation on trunk roads in Nigeria.*

Unfortunately, the Mover of the Motion in specifying the routes restricted his activity to one State alone, that is, Lagos State. If you look at Sub-paragraphs (a), (b), (c) and (d) they are all trunk roads in a particular State but the heading of his Motion, says :

*Workable solution to the problems of transportation in Nigeria as a whole.*

I think this is ambiguous. If you are referring to the problems of transportation in Nigeria and you are well-intentioned, it is not proper to restrict yourself to a particular State. On this ground, I would say that the Mover of this Motion has a misconceived intention.

Secondly, Mr President, I doubt very much that even if we adopt this Motion, whether the Works Department will do anything about it. This is a matter for the Executive, not for the Legislature. This is not a matter for us to make law on. The Ministry of Works is there, and recently they have made an announcement on how they are going to rehabilitate the trunk roads in Nigeria. This is putting the cart before the horse.

Lastly, in view of the restricted scope of this motion, I think it is not proper for us to pass it. After all, so much money has been sunk in Lagos. We want it to be taken elsewhere outside Lagos state. It is not only the people in Lagos that will always be consuming the nation's money. Our attention should be focussed on the new Capital now and not on Lagos.

I, therefore, beg to oppose this Motion, Mr President.

**The President :** I recognise the distinguished Senator and Leader of the NPP.

**Senator Jaja Wachuku (Aba) :** Mr President, Sir, I rise to support this Motion. (*Applause*)

**The President :** Order ! Order ! I did not quite get you. You support what ?

**Senator Wachuku :** The Motion as amended. There was an Amendment by Senator Obi which was accepted. There seems to be a confusion.

**The President :** May I enlighten you on what has transpired because I notice you have just come in.

**Senator Wachuku :** I have been following this, Mr President, and I know what has been going on.

**The President :** What happened was that the original Mover of the Motion filed an amended Motion which was debated on the Floor of this Senate, and was later on withdrawn by him. It has, therefore, become necessary that we go back to the original Motion.

**Senator Wachuku :** Yes, as amended.

**The President :** What you are now saying is that the original Motion should be as amended two days ago by Senator Obi.

**Senator Wachuku :** Yes, according to the Votes and Proceedings.

**The President :** And that amended Motion was accepted by you.

**Senator Wachuku :** Yes, by this Senate.

**The President :** Could you read the amended Motion.

**Senator Wachuku :** Delete *Select Committee* and substitute *the Public Works Committee*. The Amendment will read as follows—*that the Senate do direct the Public Works Committee of this Senate as a matter of urgency to consider* instead of *Select Committee*.

Mr President, if we put the Motion in its proper perspective, the confusion that has come would just be removed and we shall understand it properly. The Mover is no longer concentrating on a few roads. He says this Senate should direct the Public Works Committee to look into all the Federal roads. And then a Senator who interested in his particular constituency is saying, while you are looking at these roads, do not forget my own here, and this one at this corner, and that one at that corner. The Senator is saying, in the course of doing this, I am using this opportunity also to say, the Express Roads which were proposed by the government, before the Ibadan Express Road and before the Badagry-Cotonou Express Road, that is the one running from Lagos, Ikorodu, Shagamu, Ijebu-Ode, Ore, Benin and then goes to Onitsha and leads to Aba, Ikot-Ekpene and then goes across Calabar, Ogoja, Obudu and then branches there to Port Harcourt—this proposed express road should be looked into, too.

Since the distinguished Senator has asked the Public Works Committee to look into this matter, as a man very much interested in the need for this road, I will support it for this reason, Mr President. That express road was approved before these ones. Then they said, well, there was not enough money, but they found enough money to do Lagos-Ibadan express way at a cost of forty million naira, and I think the other one at a cost of one hundred and seventy-nine million naira. Yet, this all most important road that runs through Ikorodu, Shagamu to all those places I have enumerated—an economic nerve of this country—has been left out.

It is only recently that a special order was given for the old ten kilometre road joining the Benin end to Ore to be put right. As a result of the long neglect of this road, most of the vehicles were damaged and destroyed and business was brought to a stand-still.

This being the case, Mr President, I think Senators, in contributing to this debate, should add the particular roads which they would like the Public Works Committee to take note of because it would appear in our proceedings. The Public Works Committee would take note of all the various roads which are in the process of going to Sokoto, Kano

I think that is what this Motion wants, and if we agree that this is the Amendment, well, I do not see the reason why we should oppose it. We should support the Motion. Some Senators are complaining that they did not name their own roads; I have named mine. Each Senator should name his own and leave the rest to the Public Works Committee to do. If there are any omissions that have been made by the original Mover, by this Amendment, those omissions would be filled in and there will be no quarrel any more.

With this remark, Mr President, I think, now that Senators have understood the purpose of the Motion, I support the Motion and hope that the Senate will also support it.

**The President :** I recognise the distinguished Senator from Benue, Senator Ali.

**Senator Anadu A. Ali (Benue West) :** Thank you very much Mr President. It is really unfortunate that the Standing Orders allow Senators to bring in Motions and only they can withdraw them. This Motion, for example, has been so protracted; amendments have been made by people and rejected, the original Mover moved an Amendment and threw it out himself; and we could not, throughout the Motion, recast it the way that it would help us, unless the Mover himself does it. This is a thing that the Chairman of the Business and Rules Committee should please take into consideration for the future.

As I was saying, before the interruption from across the Table, I will crave the indulgence of Senator Abiru to please save us the burden of going on with this Motion which will definitely crash, because there will be ninety-five amendments. We said this before. We should move Motions here that have got meanings. We should make proposals that are implementable. I would suggest that Senator Abiru as I have discussed with my Colleague, Senator Ayantuga, will get up and look at the Development Plan of this nation which is ending next year, know what roads have been mentioned there, what has been achieved and those that have not been achieved would be got together and we would prepare a document that would feed the next Development Plan starting from 1980. It would make more sense. We can talk about ninety-five amendments here and there is no money to execute them before 1980 and the Development Plan has not included them. On the day they will bring the Plan here, we start all over again bringing in ninety-five Amendments.

Mr President, Sir, I would like you to please plead with Senator Abiru to withdraw his Motion so that we can have a comprehensive review of the whole road network in this country.

**The President :** Senator Abiru, you may now speak.

Mr President, Sir, this is a Motion which I had moved very conscientiously on the national basis. This is a Motion which when I started to move it, I did appeal to distinguished Senators to—

**The President :** I am afraid there is one thing I want to know, and it is whether or not you agree with the suggestion of the last speaker. If you do not agree, then we would go ahead with the amendments and let distinguished Senators contribute before the Question is put. You cannot simply jump up and ask that the Question be put. It is not even in your own interest to wind up.

**Senator Oke :** Point of Order, Mr President.

**The President :** What order ?

**Senator Oke :** Order 31 (1), and it says :

*After a question has been proposed a Senator rising in his place may claim to move "That the question be now put", and, unless it shall appear to the chair that such Motion is an abuse of the rules of the Senate or an infringement of the rights of a minority, the question "That the question be now put" shall be put forthwith and decided without amendment or debate notwithstanding that the Mover has had no opportunity to make his reply.*

Mr President, Sir, I do not see any minority interest that is threatened by putting the Question now and in fact, after listening to words of wisdom and caution given by Senator Obi Wali, I have no doubt that if the Question is not put now, we shall be repeating ourselves again. So, I beg to move that the Question be now put.

**Senator S. A. Shitta-Bey (Lagos) :** I beg to second.

**The President :** On what should the Question be put ? Is it as amended to reflect the Works Committee of the Senate or a Select Committee ?

**Senator Oke :** As amended to reflect the Works Committee.

**The President :** I have not put that amendment to the Senate.

**Senator Oke :** It was put and accepted by the Senate.

**The President :** This is, therefore, a printing error. Senators should correct today's Order Paper to read *Public Works Committee*. Is it the wish of the Senate that the Motion be taken as amended ?

**Several Senators :** Yes.

**Senator D. O. Dafinone (Bendel South) :** Mr President, since Senator Abiru has agreed to the proposed amendment and he is prepared to—

**Senator Atake :** Mr President, Sir, I urge that you uphold Order 31 (1) and put the Question.

**The President :** I would like Senators to take this seriously and the question is that the Motion proposed by Senator Abiru and as amended be put before the Senate for approval.

*Question that the Question be now put, put and agreed to.*

*Main Question put and negatived.*

**Senator J. S. Tarka (Bende East-Central) :** Mr President, Sir, in the absence of any other duties—

**The President :** You cannot say in the absence of any other duties.

**Senator Tarka :** Mr President, Sir, I have to move that the Senate do now adjourn till 3 o'clock tomorrow afternoon which is the usual hour for commencing our sitting.

**The President :** Order ! Order ! Before we start to deal with the Motion for adjournment, there are one or two items still to be tackled. The question is that the Senate do now adjourn till 3 o'clock tomorrow, but before I put the question I have information that the distinguished Senator N. N. Anah from Anambra South who is Chairman of the Senate House Committee has a Report to lay before the Senate.

I call upon Senator Anah to lay his report on the Table.

### JOINT HOUSE COMMITTEE REPORT

**Senator N. N. Anah (Anambra South) :** Mr President, Sir, I beg to lay on the Table of this Senate the report of the Joint Meeting of the House Committee held on the 15th November, 1979.

**Senator F. J. Ellah (Ahoada/Ikwerre/Etche) :** Point of Order, Mr President.

**The President :** Point of Order, Senator Ellah.

**Senator Ellah :** Mr President, Sir, I have a Motion standing in my name on the Order Paper and I am not quite sure what will be the effect of this Motion if we adjourn.

**The President :** Unless you withdraw the Motion, if it is not taken today it will be relisted for another day's work ; You and only you have the power to withdraw a Motion that has been filed by you, but if because of the business of the day we do not take the Motion, it will be relisted for another day.

**Senator Ellah :** Thank you, Mr President. I would like to crave your indulgence to have this relisted tomorrow, but please may I make this remark.

**The President :** I think I would have welcomed that, but I would humbly appeal that the remark might not be necessary at this stage.

**Senator Ellah :** Thank you.

### MESSAGES FROM THE PRESIDENT

**The President :** I now have to present to the Senate messages that were delivered on the Floor of this Senate from the President of the Republic, Alhaji Shehu Shagari. I have the honour to read the messages to the Senate. The first message reads :

STATE HOUSE  
RIBADU ROAD  
LAGOS, NIGERIA  
26th November, 1979

T o

SENATE OF THE FEDERAL REPUBLIC OF  
NIGERIA

I nominate the persons whose names are listed below for appointment as Ministers of Cabinet Rank and Ministers of Non-Cabinet Rank as indicated :—

MINISTERS OF CABINET RANK

1. MRS Adenike Egun OYAGBOLA .. NPN
2. PROF. Ishaya AUDU .. NPP
3. MR Samuel Adebisi OGEDENGBE NPN
4. MR I. C. MADUIKE .. NPP
5. PROF. Sunday Mathew ESSANG .. NPN
6. ENGR. Paulinus Chimulu AMADIKE NPP
7. ALHAJI Umaru Abdurrahman DIKKO NPN
8. MR Samuel MAFUYAI .. NPP
9. PROF. Emmanuel Chuka OSAMMOR NPN

MINISTERS OF NON-CABINET RANK

10. DR Abubakar USMAN .. NPN
11. CHIEF (MRS) Janet AKINRINADE NPP
12. DR Ishmael Jikiri IGBANI .. NPN
13. MR Ademola THOMAS .. NPP
14. MR Cladius Agboola BAMGBOYE .. NPN
16. ALHAJI Garba WUSHISHI .. NPN
17. DR Paul MICHAULUM .. NPP
18. ALHAJI Iro Abubakar DAN-MUSA NPN
19. MR E. AGUMA .. NPP

ALHAJI SHEHU SHAGARI,  
President of the Federal  
Republic of Nigeria

There is a second message which reads :

STATE HOUSE  
RIBADU ROAD  
LAGOS, NIGERIA

26th November, 1979

To the

SENATE OF THE FEDERAL  
REPUBLIC OF NIGERIA

I nominate the persons whose names are listed below for appointment as Ministers of Cabinet Rank :

MINISTERS OF CABINET RANK

- MR PAUL UNONGO .. NPP
- CHIEF Richard AKINJIDE .. NPN

Distinguished Senators, these were the messages that were delivered on the Floor of the Senate by the President of the Federal Republic of Nigeria. The messages would be listed for discussion or for approval at a later date.

Senator Jaja Wachuku (Aba) : Point of Order. Order 10 (1)—

The President : I am not too sure, with all due respect, distinguished Senator and Leader of the NPP, whether the Order you are quoting will be relevant to this particular case because this is an innovation which will be applied only in the new Order that is being prepared by the Business and Rules Committee of the Senate. I would humbly appeal and crave your indulgence. I would suggest that the messages be received and, of course, be listed and brought before the Senate. The Business Committee will decide when.

Senator J. S. Tarka (Benue East-Central) : Mr President, Sir, the Business Committee is sitting tomorrow and will duly inform Members of the date of discussion. I can assure you, distinguished Senators, that it will not be a short notice.

Senator S. A. Akintoye (Ondo Central) : Question, Mr President.

The President : Yes, Senator Akintoye ?

Senator Akintoye : I just wanted to ask the question whether the President of Senate and the Clerk of the Senate will not forget to supply us with these names when we do come to discuss them, together with the relevant documentation, namely *curricula vitarum*, tax and other documentation.

Thank you, Mr President.

The President : All that I had done was to read out a message that has been sent by the President of the Federal Republic of Nigeria. When this message is brought to the Senate, it will be accompanied by all the relevant documents.

I recognise distinguished Senator and the Leader of the UPN, Senator Odebiyi.

Senator J. A. O. Odebiyi (Egbado North/South) : Mr President, Sir, I suppose that we will be given a definite time when this matter will be discussed. Secondly, I think we will agree to an open session for discussing it. It is very fundamental to what we are going to do.

Senator Victor Akan (Eket) : Mr President, Sir, I want to comment on the remarks made by the last speaker, Senator Odebiyi, to say that I agree with his first point but as to whether we ought to have these considerations made in an open Senate, that is to say that the Gallery will not be cleared or the sitting will not be in camera. Sir, surely, we cannot have some people cleared sitting in camera

**Senator Victor Akan** (Mr President, Sir), all that one is trying to say is that you cannot expect to have Members of the same Cabinet appointed through different ways. I stand to be corrected. Frankly, one would prefer an open session because there is really nothing to hide.

**Senator Amadu A. Ali** (Benue West) : Point of Order, Mr President. It is Order 26 (2).

**The President** : The Order is sustained.

**Senator Sabo Bakin Zuwo** (Kano Central) : Thank you, Mr President. In respect of the President's message, I have a different view. We are crying we have no money and the President is bringing in more Ministers. Where are we going to get the money? We have no money to pay the salaries of the—

**The President** : Order! Order! Senator J. S. Tarka can speak.

**Senator J. S. Tarka** (Benue East-Central) : Mr President, Sir, considering the long time in which we have waited for the message to arrive at your desk, and be duly read to us and considering the volume of work which both the National Assembly especially the Senate, in this instance, and the Executive have been doing in various directions, I do hereby move that we thank the President for exercising his duty and sending us the message as laid before us.

**Senator Jalo Waziri** (Bauchi East) : I beg to second.

**The President** : Thank you very much.

**Senator Ayo Fasanmi** (Ondo North) : Mr President, Sir, in supporting that Motion, I just want to point out one mistake in that letter. The second letter says *I nominate*. I think it should be *I re-nominate*.

**The President** : Order! Order! I have just been reminded by the Chairman of the House Committee that the Senate has not adopted the report he laid in the Senate and I think he is correct. May I invite distinguished Senator Anah to move.

**Senator N. N. Anah** (Anambra South) : Mr President, Sir, I beg to move the adoption of the minutes of the Joint Meeting of the House Committee held on the 15th November, 1979.

**Senator Ameh Ebute** (Benue South-Central) : Mr President, Sir, I beg to second.

**The President** : The Motion has been moved and seconded but what you have not told us is whether to accept it for discussion or not.

**Senator Anah** : Mr President, Sir, the Resolutions of the Joint Sitting of the House Committee taken on the 15th November, 1979, really do not need discussion because the minutes accord with the wishes of this Senate. In effect, Mr President, we are asking his Excellency the President of the Federal Republic of Nigeria to implement, as a matter of supreme urgency, the Resolutions of the Senate and the House of Representatives on house allocations which were respectively made on the 19th October and the 15th November, 1979.

Mr President, Sir, on 19th October, 1979, it was unanimously adopted by this distinguished Senate that the President of the Federal Republic of Nigeria be called upon to allocate to Senators the houses at Victoria Island, which are seventy six in number. In addition, he should allocate the twenty four flats contained in a multi-storey building near the seventy-six houses.

Mr President, Sir, on the 15th of November, 1979, the House of Representatives met and debated a Motion calling on the President of the Federal Republic of Nigeria to allocate to them 500 flats out of the 1,004 flats at Victoria Island Federal Government Housing Estate. During a joint meeting, all of us agreed that the Senators could have their separate houses and that the Members of the House of Representatives could have 500 flats from the 1,004 flats for security purposes. This resolution is contained in the first Resolution which we all arrived at on the 15th of November, 1979.

In effect, Mr President, what I am saying is that since the President of the Federal Republic of Nigeria wants a joint resolution by the House of Representatives and the Senate, it is simply a repetition of a call which we had earlier made on the President on 19th October, 1979. Since nothing has been done up to this time, we are calling on him again, as a matter of supreme urgency, to implement the resolution which we arrived at. He should also implement the resolution which was carried by the House of Representatives on the 15th of November, 1979.

Mr President, what I am saying is that this Paper does not really need any discussion because I am quite sure each and everyone of us, here present, wants these Houses to be allocated to us as a matter of supreme urgency.

Thank you very much, Mr President.

**Senator Ayo Fasanmi** (Ondo North) : Mr President, Sir, in the spirit with which Senator Bakin Zuwo spoke a few minutes ago, I would humbly suggest, Sir, that until we know the state of the economy of the nation, we should not consider this Paper.

Secondly, Sir—

**The President** : Which Paper?

**Senator Ayo Fasanmi** : This document which is a recommendation of the joint meeting of the House Committee.

**The President** : What has it got to do with the state of the economy?

**Senator Ayo Fasanmi** : Mr President, Sir, it has. The houses have been built quite all right, but we are occupying some flats at the moment and since we have said earlier on that we want to know the state of the economy of the country, it is very ill-timed for us to discuss this type of paper now.

**The President** : The Paper is not calling for further expenditure.

**Senator Ayo Fasanmi** : I agree, but it is bound to involve some expenditure.



**The President :** The expenditure has already been incurred.

**Senator E. I. O. Akpata (Bendel Central) :** Mr President, Sir, I do not think we ought to presume the views of the Members of the House of Representatives at this moment. Speaking for myself, I want to say clearly that I am not interested in the multi-storey flats at Victoria Island, which I understand were ear-marked for civil servants. I would rather stay where I am if the other seventy-six houses are not ready but the ones that are ear-marked for civil servants, as we understand, can—(Interruptions) I say this because my Chairman in introducing this matter, said that he was sure that everyone here would think that it is of supreme urgency to have some of the flats in the multi-storey buildings.

**The President :** I would suggest that this report should now be accepted subject to discussion at a future date. I would now take the Motion for adjournment and I appeal to Senators to be brief.

## ADJOURNMENT

### NIGER DELTA

**Senator A. Zuofa (Brass/Sagbama/Yenogoa) :** Mr President, Sir, I beg to move the Motion of Adjournment. In doing so, I wish to make a short statement on the Niger Delta.

On October 16th, 1979, His Excellency, the President of the Federal Republic of Nigeria, addressed the National Assembly for the first time in the history of the country. His address was comprehensive and covered many aspects of the life of Nigeria. This address was eventually described as a State of the Nation Message.

Mr President, Sir, I want to take this opportunity to remind His Excellency, the President of this country, my fellow colleagues of the National Assembly and all Nigerians for that matter, of the important responsibility which was left for this nation to shoulder at the time of our independence.

When Nigeria was granted independence in 1960, the British Government handed over the Niger Delta as a specific development problem for the nation to tackle when it assumed authority. It is a matter of current history, Mr President, that in 1957 a Commission of Enquiry, normally called the Minorities Commission, was appointed to inquire into the fears of the minorities and the means of allaying those fears. The Commission took evidence from all over the country and it found and agreed with the fears expressed by the minorities of the Niger Delta Areas. Although it did not agree that their fears could be met or removed by granting them a separate State, it did recommend measures to meet their demands.

With your permission, Mr President, I wish to

*This is a matter of the problems of the Niger Delta which requires a special effort and the co-operation of the Federal, Eastern, and Western Governments. It does not concern only one Region not only because the areas involved two Regions but because it is called backward and neglected, the whole of Nigeria is concerned. We suggest that there should be a Federal Board appointed to consider the problems of the area of the Niger Delta.*

The report goes on to say that the Board should investigate and draw up schemes that will meet the peculiar needs of the area as were identified by the Commission and thereafter that the Federal and Regional Governments should—

**The President :** What report is this ?

**A Senator :** 1957.

**The President :** That is a very long time.

**Senator Zuofa :** What I am saying is that at the time of independence, the responsibility—

**The President :** It was written by the British.

**Senator Zuofa :** Yes, but independence was given to us by the British and we are enjoying it, Sir. At that time, they also added that this is a difficult area which the new nation of Nigeria should show concern about, and that is why I am bringing it up today.

Following upon that, the Federal Board has done the investigation and has identified the areas where the Government can act to meet the problems of the area. Unfortunately, because of the civil war in this country, there has not been an elected government, or elected House like this, where this matter can be placed. That is why at this time I am saying that because of this special responsibility which has been given to the Nigerian Government, all of us here, Members of the National Assembly, should show sympathy for projects related to the Niger Delta when they are brought up here.

I will specifically appeal to His Excellency, the President of the Republic, that in all other subsequent State of the Nation's messages, he should kindly assign a sentence or a paragraph or two to the state of things in the Niger Delta.

**The President :** May the hon. Senator please wind up.

**Senator Zuofa :** I am winding up. It should not only be the State of the Nation Messages that the Niger Delta be mentioned, but also in the Development Programmes which are made periodically as well as in the annual estimates. I am appealing to His Excellency, the President of the Federal Republic to remember that the Niger Delta is a special concern of this country.

**A Senator :** Get a State.

**Senator Zuofa :** What the regional governments

Federal Republic has just appointed Revenue Allocation Commission. The President should advise this Commission to remember the problems of the Niger Delta.

**The President :** You will recognise that we are not going to take any decision here on this because it is on Motion for Adjournment. If you feel so strongly about it, you should bring a substantive Motion. I recognise the distinguished Senator Mahmud Waziri.

## RICE

**Senator Mahmud Waziri (Adamawa) :** Thank you very much, Mr President. In supporting the Motion for Adjournment, I want to say that a few days ago, the distinguished Senator from Kano Central, Senator Sabo Bakin Zuwo, spoke during a Motion on Adjournment, with regard to the lifting of ban on the importation of rice. Today, rice is a very staple diet in all parts of the country.

Happily enough, yesterday I heard on the news that the hon. Minister for Commerce, Mr Isaac Shaahu, is going to lift ban on the importation of rice soon, and consequently, would, quoting him, issue import licences. But the rice business, Sir, has become a racket and few Indians have monopolised 90 per cent of the importation of rice in the country. They are using our fellow Nigerians in their bid to exploit the country.

These companies for record purposes include INLAKS, CEEKAY TRADERS, SETEA—which is a company based in London, *et cetera*.

What some of these Indians do is to float a company here with perhaps 200 Naira, retain 10 per cent of that capital and leave the rest to Nigerians in order to bring rice into the country as a camouflage that the rice is being imported by Nigerians. But the most serious aspect of this is that they go to Thailand and import rice which is 100 per cent broken and invoice it for the companies here in Nigeria, to say that it is 5 per cent broken, that is quality-wise. So, a 100 per cent broken rice in Thailand may cost about 200 U.S. dollars per ton. But what is in the invoice and which states that it is 5 per cent broken, may be 600 U.S. dollars. So, this is a big racket.

Apart from that, what they do again is to use dilapidated ships which are unseaworthy, remnants of the Vietnam war and load this low-quality rice, saying that it is still 5 per cent broken in quality, and they would sink them in the ships. The Nigerian law requires that you have to insure here anything you import. Consequently, they send claims to our insurance companies here.

I am appealing to the Minister of Commerce that when those few licences are going to be given, they should be given to Nigerians alone to bring food into the country.

Thank you very much.

**Mr President, Sir,** I am referring to page 113 of the Nigerian Constitution. Paragraph 11 (i) says :

*Every public officer shall within 3 months after the coming into force of this Code of Conduct or immediately after taking office and thereafter submit to the Code of Conduct Bureau a written declaration of all his properties, assets and liabilities and those of his house, or unmarried children under the age of 21 years.*

Mr President, Sir, it is now two months that we started operating the present Constitution.

**The President :** It is not two months yet.

**Senator Ayo Fasanmi :** It is almost two months, Sir. We only have another month to go and up till now, this Bureau has not been set up.

**The President :** The Constitution says three months, so why are you worried ?

**Senator Fasanmi :** I am suggesting that the machinery for this Bureau should be set up immediately.

In view of the fact that a number of vacancies occur both at the State and Federal levels for legislators who either die or resign, I am also suggesting that another machinery should be implemented to set up a new FEDECO so as to fill these vacancies.

Mr President, Sir, I beg to move.

**The President :** I recognise distinguished Senator Oke.

## UNIVERSITIES

**Senator D. O. Oke (Ondo West) :** Thank you very much Mr President. Some days ago, our newspapers published report of the new steps taken by the President of the Federal Republic on some issues affecting Nigeria's universities. Among the steps taken were pardon granted to some rusticated students or students who were sent out of the universities following the 1978 unrest in the universities ; steps on the channel of communication between the Universities and the Federal authorities ; and steps on the ban of the NUNS, that is, the National Union of the Nigerian Students. Specifically, the Federal Government undertook to accept the principle of the establishment of a central students association and intends to organise a Constituent Assembly of the type used for the Nigerian Labour Congress to draft a constitution for the existence of the association ; and finally steps on the appointment of Vice-Chancellors to Nigerian universities.

Specifically, the Government was recommending that University Councils should accept the responsibility of submitting three nominations to the President of the Republic out of whom one would be selected. These are steps which I think go some way to remove some of the stigma attached at the moment to the administration of our Universities. Some of the

SENATOR D. O. OKE

problems were created by the over-centralization by the Military regime which took active although unwitting steps to debase the qualities of our Universities. So, President Shagari should be commended for, in fact, beginning the move to restore dignity to the Universities. (*Applause*)

However—

**The President :** I think you should stop at that point.

**Senator Oke :** I would like to praise the President of the Republic as often as he does something good. He has done something good in that sense. But I would also like to point out, with your permission, that nothing is well done that is done only by half. On the question of Vice-Chancellors, the President of the Republic, I am sure, would go a step further if only he knew a little more about the disorganization and the falling morale in these Universities following the intervention of the former Military Government in the appointment of Vice-Chancellors.

In fact, the President should go that step further by asking the Universities right away whether to have or not to have the Vice-Chancellors they have right now. Morale has sunken to an extremely low level in some cases. As a matter of fact, we do know that some of the Vice-Chancellors that resigned recently and whose resignations would take effect from the end of this week did resign because of the pressure brought to bear on them by the University communities in some of these places. In one case, it is understood that the personal library of the Vice-Chancellor had to be burnt before he decided to leave the University.

**The President :** You have one second left.

**Senator Oke :** There are some Universities which are suffering in silence. So, the President of the Republic should take an additional step of getting them to quit right now in good grace and subject to the will of the people over whom they preside.

### COMMERCIAL BANKS

**Senator Suemo Chia (Benue East) :** I intend to speak on the activities of the commercial banks in the country. The commercial banks can contribute tremendously to the economy of the country, to the economy of the States and also to the economy of the areas in which they operate, but there is one aspect of their operation which I would like to comment upon as it is a stepping stone even towards national unity.

In some of these commercial banks, instead of offering loans to the people in the localities or places where they are situated, they only give loans in most cases to their relatives. They ask their relatives to come to the branches where they are managing. You will find that the people of that area do not benefit much from such banks being cited in their areas. It will be much to the interest of this country if the States where we have these commercial banks as well as the localities stand to benefit. If this is not done, we will find that people may become

**Senator Nosike Ikpo (Bendel East) :** I wonder, having regard to the time now, if the President would give me enough time to deal with my subject as it is a fairly wide one.

**The President :** You can speak tomorrow if you like.

**Senator Nosike Ikpo :** That is all right, Sir.

**The President :** You will speak tomorrow then.

### LAWS OF NIGERIA

**Senator S. A. Akintoye (Ondo Central) :** I will be brief. I just want to tell the President that for our work in this Senate, it is important that those of us who have to make the laws of Nigeria should be familiar with the laws of Nigeria and I think it will be a good thing if Senators can be supplied with the complete set of the Laws of Nigeria and the Decrees amending them.

### DELTA AREAS

Secondly, it is a pity that you did not allow Senator Zuofa to complete his address on the Delta area because it is a matter that interests not only the present Rivers State but also the Bendel, Ondo and Cross River States. We, in Ondo State, are very much interested in the development of the riverine areas of this country and we will hope that when the time comes and when we combine to move Motions and to present Bills for the development of these areas, the matter will receive the support of this Senate.

### AMNESTY TO POLITICAL DETAINEES

**Senator Sabo Bakin Zuwo (Kano Central) :** I rise to speak on the Motion for Adjournment and in doing so, I would like to say that the present situation today in Nigeria, particularly after the Federal elections, is rather sad. Many people in various parts of the country are still in prison under detention and some are facing trials in the Magistrate Courts and the various Alkali Courts in Borno, Sokoto, Kano and some other Northern States, while some of them have been convicted. I would like to appeal to the Federal Government and whoever is responsible for granting amnesty or mercy to give them amnesty and release them with immediate effect. I am referring particularly to the political prisoners who were victimised by certain political parties after conspiring with the Police.

Secondly, the President of this country has already given amnesty to the students who were dismissed from the Universities but there is another part of the story—the staff of the Universities who were not allowed to participate in politics. I hope the President of this country will allow the University staff to participate in politics as they are the intellectuals and they are the people who will show us the light.

*And it being after 6 p.m., the Senate adjourned without Question put pursuant to Standing Order*

Thursday, 29th November, 1979

The Senate met at 3.25 p.m.

**PRAYERS**

(The President in the Chair)

**ANNOUNCEMENTS**

**The President :** Order! Order! I have the following announcements to make.

The Foreign Relations Committee would meet on Tuesday, 4th December, 1979, at 9 o'clock in the Senate Committee Room to look into and hear evidence in the affair of Col. Gom. I am aware that the Chairmanships of the various Committees have not been made, but I have asked distinguished Senator Jaja Wachuku from Aba to chair the Committee on Tuesday.

**Senator Jalo Waziri (Bauchi East) :** Mr President, Sir, the Rules and Business Committee has booked that Committee Room for business at that particular time on Tuesday.

**The President :** There are three Committee Rooms functioning and I am sure that they would find space in another Committee Room.

**Senator S. A. Shitta-Bey (Lagos) :** Mr President, I am inclined to think that we took a previous decision that Committee meetings should start at 10.00 a.m. every day.

**The President :** In other words, you are objecting to an early start.

**Senator Shitta-Bey :** It is not that I am objecting as such but—

**The President :** Fair enough ; I think that the day's business normally starts at 10 a.m. until further notice when probably the new Standing Orders would have been approved by the Senate. So, the Committee will meet at 10 a.m.

**Senator Shitta-Bey :** I am grateful, Sir.

**The President :** On Wednesday, 5th of December, 1979, the enlarged Select Committee on Remunerations will meet for an open hearing in the Senate Chamber at 10 a.m. It will meet under the distinguished chairmanship of Senator Jalo Waziri from Bauchi East.

**NOTICES OF MOTIONS**

**HOUSE MESSAGE**

**The President :** We may now proceed with the day's business and I take it that Senator Jalo Waziri from Bauchi East is standing in for the Senate Leader. I recognise him to speak.

**Senator Jalo Waziri (Bauchi East) :** Mr President, Sir, I beg to bring to the notice of the Senate, a message from the House of Representatives as follows :

*Clerk of the Senate,  
National Assembly,  
Lagos.*

I am directed to request you to bring the above House Resolution No. 24 (H. Res. 24), passed on Thursday, 22nd November, 1979 (vide House of Representatives Votes and Proceedings No. 18 of 22-11-79), to the attention of the President of the Senate and to request the Senate to agree to pass a similar Resolution so that the Resolutions would be a "Joint Resolution" of the National Assembly, to be forwarded to the Executive for appropriate action before the expiry date of December 4, 1979, given by the Central Bank (Miscellaneous Provisions) Notice 1979 (LN 24 of 1979), first published on page B 67 of the Supplement to Official Gazette No. 31, Vol. 66, of 5th July, 1979 and later amended in Currency (Miscellaneous Provision) (Amendment) Notice 1979 (LN 37 of 1979), published on page B 97 of the Supplement to Official Gazette No. 46, Vol. 66 of 27th September, 1979).

**2. The Resolution Reads as Follows :**

*That in view of the inadequate publicity given for the deadline imposed for exchanging the old for the new currencies in view of the fact that the commercial banks still continue to issue out old currencies to their customers, this Honourable House requests the Central Bank to extend the deadline allowed for the exchange of old currencies to new ones from December 4, 1979 to March 1980, during which period a country-wide and intense publicity campaign in the various Nigerian languages and in local dialects should be mounted to reach even the remotest hamlets and villages (inhabited mostly by illiterate farmers and market women) and the commercial banks likewise stopped forthwith from issuing out old notes to their customers.*

**3. Early action will be appreciated.**

Sgd. (B. I. OLINMAH),  
Clerk of the House of Representatives

Sir, I beg to bring the notice of this Motion to the hon. Senate.

**Senator D. O. Dafinone (Bendel South) :** Mr President, I beg to second the Motion.

**The President :** The question before the Senate is the consideration of a Resolution adopted by the House of Representatives by the Senate. I recognise Senator Shitta-Bey from Lagos.

**Senator S. A. Shitta-Bey (Lagos) :** Mr President, Sir, it appears to me that this is a non-controversial Resolution which Senators would support. In view of this, Sir, I think we need not waste time on it. I therefore move that the Question be now put.

**The President :** I recognise distinguished Senator Kajal.

**Senator B. Kajal (Mubi) :** Thank you, Mr President. In fact, I want to move an amendment. It is, in the first place, very good that the Lower House has brought up this Motion. In fact, when I went home, this was one of the things my constituents thought should be taken up. Sir, I think that the three months deadline is not enough for the exercise and I am suggesting that instead of 1980, we should amend it to read 1981.

**Senator Onyeabo Obi** (Anambra West) : Point of Order, Mr President. Mr President, Sir, there is no Motion on the Floor of the Senate; there is a message received from the other House and if there is to be a Resolution, there has to be a motion tabled before the Senate in the wordings which have been suggested and passed by the other House.

**Senator J. Waziri** (Bauchi East) : Mr President, Sir, I beg to move—

That in view of the inadequate publicity given for the deadline imposed for exchanging the old for the new currencies, in view of the fact that the commercial banks still continue to issue out old currencies to their customers, this Honourable House requests the Central Bank to extend the deadline allowed for the exchange of old currencies to new ones from December 4, 1979, to March 31, 1980, during which period a country-wide and intense publicity campaign in the various Nigerian languages and in local dialects should be mounted to reach even the remotest hamlets and villages (inhabited mostly by illiterate farmers and market women) and the commercial banks likewise stopped forthwith from issuing out old notes to their customers.

Mr President, Sir, I beg to move.

**Senator A. Adeleke** (Oshun II) : I beg to second.

**The President** : The Motion which has been moved and seconded can now be discussed.

**Senator Kajal** : Mr President, Sir, as I was saying, it is only in Nigeria that currencies are exchanged without consideration being given to the ordinary people. In 1972, we were hurried into exchanging currencies and even before then, there were exchanges of currencies without adequate time being given. In more developed countries such as Britain for example, years are given over which old currencies are phased out carefully. Here in Nigeria, the Military Government, I would say, made laws which were passed without consideration for the people. It has so happened that my constituency is one of the areas where an exchange of this sort would affect—

**Senator 'Lere Adesina** (Ibadan) : Mr President, Sir, I have a point of Order and I refer to Order 20 (3) While I do not want us to insist on this Order, there still shall be a Motion suspending the Standing Orders to enable us discuss this Motion. A Motion requires five clear days before it can be discussed but we can ask for the suspension of this Order in view of the fact that if we waited for five days, the Motion in question would lapse and the Central Bank's ruling would have come into effect on the 4th of December, 1979. So, I move that we suspend the Standing Order to enable us discuss this Motion.

**The President** : I have read the Order and I am inclined to sustain your point of order.

**Senator O. Ayantuga** (Epe) : Mr President, I beg to second.

**The President** : A Motion has been moved and

**Some Senators** : Yes.

*Question put and agreed to.*

**The President** : Standing Order 20 (3) is therefore suspended for the purpose of the Motion under discussion.

**Senator Kajal** : Mr President, I am saying that having now returned to civil rule and having great concern for the ordinary citizens of this country, we should impose a longer period for exchanging old currencies, Decrees and what have you notwithstanding. In which case, the period suggested by the lower House would be inadequate. Realising that after taking a decision now, we require six months to reconsider that decision, I would suggest that instead of the 1980 deadline a Resolution should be passed to fix the deadline for 1981.

I am, therefore, moving an amendment to that effect.

**Senator Umara Lawan Bama** (Borno East) : I beg to second.

**The President** : The amendment is that the time factor stipulated in the Motion reads 31-3-80 be substituted with 31-3-81.

*Question put and negatived.*

**Senator C. O. Adebayo** (Kwara Central) : Mr President, Sir, I want assistance with regard to the usefulness of the Motion under discussion. Is it not of the same category as those issues which you said would require to be activated only through a formal Bill? As I said, Sir, I want to be educated.

**The President** : I do not think it requires a Bill.

**Senator Jalo Waziri** (Bauchi East) : Mr President, this is a simple and concurrent Motion. Any motion we pass in this Senate does not become law until it goes to the other House and is passed and *vice versa*. So, this is one of those cases.

**Senator A. Adegoke** (Oyo) : Mr President, Sir, if we look at the *Gazette*, and wherever we find the alphabet B, it means something within the Executive prerogative of the President which needs a simple Resolution from both Houses of the National Assembly urging him to act.

**Senator N. N. Anah** (Anambra South) : Mr President, Sir, it is my humble and respectful view that in any civilised society there is no time limit for stopping the use of a currency. What usually happens is that the banks would gradually withdraw the old currency until it is completely out of circulation. If we place a time limit as in this Motion at 31-3-80, which date is around the corner, I am sure that by that time, it would not have received enough publicity in the rural areas and in the hinterlands. It is therefore my considered view that no time limit should be placed on this Motion. Rather, the Motion should be amended to ask the Central Bank to withdraw from circulation, the old currency. You may not realise, Sir, that even up till now, the banks

The best thing in the circumstances, would have been to stop issuing old currencies and whenever old ones are paid into the banks, the banks should retain them. In the course of time, you would find that the old currencies would be out of circulation. It is my considered view that placing a time limit would still cause the same hardship to the users of the notes as extending the time to the 31st of March, 1980.

So, I would like to amend the Motion to read as follows :

I would like to amend the Motion to read, *The Central Bank be requested to stop forthwith the circulation of the old currencies.* The main purpose of my Amendment is to delete completely the time limit which has been placed for the circulation of the old currencies, that is, March 31st, 1980, from the Motion and just leave it at that so that, in due course of time, they will be completely out of circulation.

**The President :** I understand from Senator Anah that he is making an Amendment. Is the Amendment supported ?

**A Senator :** I support the Amendment.

**The President :** The question is that an Amendment should be made to this Resolution to remove time limit element. I will put the Question.

**A Senator :** On a point of information, please. Before you put the Question and before we take a decision, this is a Motion that had been passed by the House of Representatives.

**The President :** We are free to amend it.

**A Senator :** Which means we are going to send it back to them again and we are now saying that the time is so short. We want to pass this.

**The President :** Do not Campaign. He has made an Amendment. You either support his Amendment or not. I will put the Question. I will repeat exactly what we are deciding on. There is an Amendment by distinguished Senator Anah and it has been supported, that we remove the time element completely in the Resolution sent to us by the House of Representatives.

*Amendment put and negatived.*

**The President :** I recognise the distinguished Senator from Kano North-Central Alhaji Usman Dambatta.

**Senator Usman Alto Danbatta** (Kano North-Central) : Mr President, Sir, the reason why I am not often called to speak is because my name is difficult for the President to pronounce. It is Alto, or Usman, or Danbatta. I will pardon the President if he calls any of those names.

Mr President, I want to make some Amendment on this Resolution. The Amendment is very small. I want a substitution for the word, for *publicity*, in line five of the Resolution. Where it says an *intense publicity campaign* I want to substitute *public for publicity*. So it should read *an intense public campaign*.

**The President :** What exactly do you want ?

**President,** is that our Nigeria is very wide. In many corners of Nigeria it is not the telephone, it is not the radio, it is not the normal newspapers that are the main communication media in some remote areas. There are some normal communications which are more effective than the telephone, television, newspapers and other media that are known in the cities.

**A Senator :** Like what ? You mean talking drums ?

**Senator Danbatta :** I am not talking about talking drums. In the far remote areas, we have got some authorities, the Local Authorities. There are the village heads, the hamlet heads and all the lots. The people living in such remote areas recognize and listen more to these local people. They have no radio to listen to, they cannot read newspapers and there are not sufficient media of communication except through these local leaders.

I am sure people who live in remote areas (I know a few do live there and they may not experience what I am experiencing) but people who live in real localities know very well that such approaches, such information, is more effective than telephone and other media of communication. This is why I am suggesting that the authorities of the Bank should talk to the authorities at same time in any of the Local Authorities, because they know how to pass information and this information will get to the people, and the people will understand it more.

I am sure people who are in the cities do not keep their money largely in their houses but I know in such localities their monies are even hidden in holes. These people who hide monies in holes would not know until their hamlet heads go to them and say,

*Oh, look, hurry up ! there is a time limit.*

I appreciate Senator Anah's view, and I felt if the House had passed that Resolution, there would not be any fuss about any other thing again in connection with this Resolution. I beg to ask this honourable Senate to approve, without any further comment this change because it will really help the people.

Thank you very much.

**The President :** I take it that you have an amendment and the nature of the amendment is that *publicity campaign* should be *public campaign*. The word *intense* should be left there. You replace *publicity* with *public*. The amendment has been seconded. I will put the question.

*Amendment put and agreed to.*

**Senator Jalo Waziri** (Bauchi East) : I would like to establish that those who said *Ayes* perhaps have not sufficiently considered the Amendment.

**The President :** In other words, you are calling for a revote. Thank you. I would grant that leave and put the question again.

**Senator Jalo Waziri :** I would ask Mr President to put the question again.

**Senator N. N. Anah** (Anambra South) : Point of Order.

**The President :** What is your order ?

**Senator Anah :** Mr President, Order 20, Sir. Under what order is the distinguished Senator calling for a revote ?

**The President :** He is challenging my decision that the *Ayes have it*.

**Senator J. S. Tarka (Benue East-Central) :** I am afraid that he is not challenging your decision, Sir.

**The President :** I am only repeating what he said. He said it in a very low tone.

**Senator Tarka :** He is not challenging your decision, Sir. He is only emphasizing the points that we all heard. It does not mean that we are challenging your decision. We have no right to challenge your decision. We have the right only to disagree with you.

**Senator Jalo Waziri (Bauchi East) :** Point of correction. The challenge is only on the collection of the voices. Surely you would appreciate that.

**Senator F. J. Ellah (River II (Ahoada/Ikwerre/Etche) :** I appreciate that.

**Senator J. A. O. Odebiyi (Egbado North/South) :** Is he challenging our President ? The third man in the hierarchy ? We must not accept that at all.

**Senator A. A. Adesanya (Ijebu North/East) :** Mr President, Sir, he is not asking for a revote but for a revolt ! (*Laughter*)

**The President :** You are protected. I think actually we should know exactly what we are deciding on. On the resolution which we are now considering and which was sent in from the House of Representatives, line five reads :

*which period a country wide and intense publicity campaign in the various Nigerian languages, and in local dialects should be mounted—*

He is saying that the word *publicity* should be replaced by the word *public*.

**Senator Isa Obaro Aboniyi (Kwara South) :** Point of Order, Mr President.

**The President :** What is the Order ?

**Senator Obaro :** Order 37 (3).

**The President :** What does it say ?

**Senator Obaro :** It deals with voting. I would read the whole of it so that it would make sense.

(1) *No Senator may speak to any question after the same has been fully put by the President or the Chairman.*

(2) *A question is fully put when the President or the Chairman has collected the voices both of the Ayes and of the Noes.*

(3) *The result shall be declared by the President or the Chairman stating "I think the Ayes have it" or "I think the Noes have it" as the case may be, but any Senator may challenge the opinion of the Chair by claiming a division. The point of order is*

**Senator Waziri :** Mr President, Sir, when deciding a challenge, even before a division is made the Question is put again.

**The President :** I am not too sure of that. The Order raised by the distinguished Senator from Kwara applies at this stage, because I am not too sure myself what was the decision. This is why I was prepared to put the Question the second time to be absolutely sure of what we are doing.

**Senator Usman Alto Danbatta (Kano North-Central) :** Point of Order.

**The President :** I am not accepting any more of that. Let us get on with business. We want to replace the word *publicity* with *public*. This is simply the crux of the matter. If it does not make sense, say so.

*Question put and negatived.*

**The President :** Order ! Order ! I permitted the Clerk to list these items first on the Order Paper, because I had thought that it would be non-controversial, otherwise, I would have listed the letter on the programme of the day. I may have to ask you whether you want a debate. If so, you may have to defer it to a later time, because yesterday I gave permission that distinguished Senator Ellah's Motion should come first today. I thought that this was non-controversial. Maybe I am wrong.

I recognise distinguished Senator Odebiyi.

**Senator Odebiyi :** Mr President, Sir, since the official notice is for this currency to be withdrawn by the 4th of December, and next Monday is 3rd of December. We must take a very quick action on the matter, otherwise it would be overtaken by events.

**Senator Tarka :** Mr President, Sir, actually I should not contribute to this debate because the Motion was filed in my name. I think Senators have been very generous in dealing with it. The Resolution itself is very clear, and those who have spoken on it have probably spoken because of the experiences around the country. Even when we had a civil war on, and currency notes were changed, there was a time limit to terminate the whole currency. It is not really the fault of the public.

**Senator Danbatta :** The time when the former currency—

**The President :** I would not allow exchange or challenges, otherwise, we would soon turn this Senate into a Portuguese's Parliament.

**Senator Tarka :** You are very right, Sir, except that he happens to be my distinguished friend and I cannot exchange words with him. I think we should review the whole thing with the kind of sympathy which we have given to it. Senators have spoken very well on the issue. I do not think we should stop the issue. It is really the commercial banks who are creating a bit of difficulty in the exchange programme. What I think we should actually do is what the Bank of England has done. They have changed the currency

that would be accepted and that ended everything. If we take that view and accept what is in the Resolution, where there are no more district or village heads, all we need to do is to appeal to state Governments to use their new arrangement to give publicity to the situation. So, the Resolution is very clear. If politics is not read into it, we should then put the Question and pass it. That is my Motion, Sir! (Interruptions)

**The President:** Order! Order! I think we should put the Question.

**Several Senators:** Yes.

**The President:** Senator Mahmud Waziri, are you objecting or what?

**Senator Mahmud Waziri:** I have a very important amendment to make, and I feel very strongly about it.

**The President:** Please go ahead, but be brief, Sir.

**Senator Mahmud Waziri:** Thank you, Mr President.

The last sentence, *to their customers* on the Resolution, the unquote should be deleted, and we leave the fullstop there, and add one more sentence.

**The President:** Where did you say we should stop?

**Senator Mahmud Waziri:** It should stop at *customers*. We then add a sentence which will read as follows:

*Meanwhile, all the exchange of old currencies should be done at the various branches of the Central Bank in the country.*

This is the amendment. I say this, because we all know that so many offences are being committed if commercial banks are allowed to continue to do this. We should not forget that the first notice was issued by the Governor of the Central Bank since July, and that is six months ago, and we are going to extend the period by another three months again.

If that is the case, I will respectfully want us to think of the security of these currency notes, and ensure that any exchange from 4th December to 31st March should be done at the branch of the Central Bank only.

**Several Senators:** No!

**Senator Mahmud Waziri:** Mr President, Sir, we know people in the so-called villages, how much they have; what is their income *per annum*.

**The President:** Could you put your amendment properly so that the Question could be put.

**Senator Mahmud Waziri:** Meanwhile, all transactions in respect of—

**Several Senators:** How many branches do they have?

**Senator Mahmud Waziri:** Wait, the Question is going to be put.

Please address the President, Senator Waziri?

**Senator Mahmud Waziri:** Mr President, let me read the sentence, which I would like to be added to this:

*Meanwhile, all transactions in respect of the exchange of old currency notes may be done at the various branches of the Central Bank in the country.*

Thank you.

**Senator Joseph Tarka:** Only shipping magnates can do that. There are no branches of the Central Bank in all the States.

**The President:** Any Seconder?

**Several Senators:** No!

**Senator Mahmud Waziri:** The Distinguished Senator from Benue (Senator Tarka) has seconded it!

**The President:** Since the amendment is not seconded, it cannot, therefore, be considered.

I now put the Question. The Question is that Resolution No. 24 of Thursday, 22nd November, 1979 in the House of Representatives and as considered by the Senate this day, be approved by the Senate.

*Question put and agreed to.*

**Resolved:** That in view of the inadequate publicity given for the deadline imposed for exchanging the old for the new currencies, in view of the fact that the commercial banks still continue to issue out old currencies to their customers, this Honourable House requests the Central Bank to extend the deadline allowed for the exchange of old currencies to new ones from December 4, 1979 to March 31, 1980, during which period a country-wide and intense publicity campaign in the various Nigerian languages and in local dialects should be mounted to reach even the remotest hamlets and villages (inhabited mostly by illiterate farmers and market women) and the commercial banks likewise stopped forthwith from issuing out old notes to their customers.

**The President:** I call upon the distinguished Senator from Rivers State, Senator Ellah.

## ESSENTIAL FACILITIES FOR SENATORS

**Senator Francis John Ellah** (Ahoada/Ikwerre Etche): Mr President, Sir, distinguished Senators, the Motion is:

*That the Senate do approve the taking of certain urgent administrative measures which will provide Senators with basic essential facilities, over and above the question of housing and welfare, required to enable Senators fulfil their proper role under the new political system introduced by the new Constitution of the second Federal Republic of Nigeria.*

As already indicated, this Motion deals specifically with basic essential facilities which we require to be able to perform the vital functions which Providence, personal choice and the will of the



[SENATOR ELLAH]

people have placed on us. Unfortunately, it appears the impression has been created throughout the country today that since we began sitting, we have talked of nothing other than our salaries and our comfort, and that we have been unmindful of the problems and necessities of those who voted us into office.

My purpose of moving this Motion today, is to correct this unfortunate and dangerous impression by drawing attention to the self-evident fact that this Legislature, or indeed any legislature for that matter, can never achieve anything without basic tools and facilities unless, of course, it is able to perform miracles. At this early stage, I beg leave of this Senate to emphasise the point that this Motion does not call for any amenities whatsoever, as some sections of the media may be quick to report. The Motion will touch on various issues which affect the work of Legislators, and as Legislators represent the interest of the people themselves, this will be seen to affect the people as well.

Without any intention of raising the salary question again at this stage, please permit me to observe that the recurrent cost of some of the basic facilities in question, for example, the emoluments of administrative and clerical staff required by legislators as provided for in the budget of one great nation which has operated the Presidential System for centuries is over one thousand *per cent*, repeat, one thousand *per cent* of the salaries of the legislators in that country.

I make this point with the greatest sense of responsibility and humility. I am prepared to prove the fact by documentary evidence which I have at my disposal. One is here dealing with proportions and relativities, not absolute or isolated figures, so the question of wealth or poverty of a nation does not arise. Our basic problem is really a question of principle. We must be principled enough to see the principles in the practices outside our country and to be able to adapt them properly to our own system.

It was NTV which first added up the proposed salaries and declared them too high in absolute and superlative terms, although no final decision has yet been taken by this Senate, and without comparing them to the related statistics; you are all witnesses to the fact that this gave rise to the flood of misguided animosity which has been let loose on the National Assembly ever since.

Other information media have not fared better either. Reporting one and the same meeting of the National Assembly which was held on Tuesday, 27th instant, two newspapers, the *Daily Times* states: *Assembly sticks to its Guns*. This was the headline, and *The Punch* said: *Assembly Pipes down*. Now these are diametrically opposed statements, and one of them must naturally be false.

There are other examples of false reports and mischievous slangs which can play the greatest havoc on the intelligence of the average Nigerian.

If democracy should fail again in this leading

On the question of administrative and clerical staff, it will be recalled that under the old parliamentary system, the Ministers who controlled the Ministries with all the service machineries of those Ministries, were also the front line legislators, and in that capacity they controlled the Legislature as well. Therefore, the service machineries and facilities were, so to speak, used in common by the legislative and Executive Branches.

But under this new system, the Legislature is not only separated from the Executive in theory, they are both separated in practice as well. The Legislature must be self-contained with its own staff and its own facilities. It is not enough merely to have a meeting Chamber like this one, and one or two Committee Rooms, a President's Office and a Clerk. Every Senator, indeed every Legislator, must have his own office and staff at Headquarters as well as in the Constituencies, fully paid for and maintained at government expense.

Without these facilities, one does not see what we can do. We cannot perform our functions at all. Or do people expect us, after having screened Ministers, to be seen hovering around the Ministries of these Ministers seeking for clerical or administrative assistance?

Admittedly, this is an expensive system. One believes that those who fashioned it were fully aware of this fact. Besides, official teams were sent out which studied various presidential systems and produced reports. Is it too much for us to expect to be shown these reports and recommendations? Up till now, I have not seen any provisions made for these facilities either practically or theoretically. And yet, we are expected to carry on energetically just because we have a sitting Chamber.

Mr President, distinguished Senators, in the short period since we were sworn in, one has felt almost dismayed by these handicaps, constraints, public reactions and other difficulties which can be traced to inadequate or faulty planning and also to misguided or mischievous information media. What is happening, Mr President and distinguished Senators is that Legislators have no staff and no public relations men, but the Executive have inherited all the machineries of government, and the most important news media are under their control. These, knowingly or unknowingly, are being let loose on the Legislative branch in one over-dramatised act with appropriate supporting scenes.

Undoubtedly, under the new system, a healthy rivalry is to be expected between the Legislature and the Executive. This is inevitable, but such a rivalry must begin without a handicap. This has begun with a great handicap, in which case, the result appears to be a foregone conclusion; and if the Legislature is thus reduced to a mockery or a nonentity, it cannot be in a position to fulfil its role. It cannot provide those vital checks and balances upon which

jaundiced eye, and those who read, listen and comment loosely, and those who demand oddments, we would all be responsible and answerable for the fortunes of our race.

It is for this reason, Mr President and distinguished Senators, that I have determined to make one comprehensive effort to place our predicament in perspective, to see if anything can be done to salvage the situation. If nothing happens, I can say quite frankly and firmly that I cannot see myself, or any Legislator who thinks as I do, continuing in this manner. A hostile Press, after reading this, might decide on some such caption as *Ellah threatens resignation* but a thoughtful and responsible Press would prefer some such title as *Ellah pleads for working facilities for Legislators*. In my view, this is the difference between constructive, patriotic, responsible reporting and thoughtless, treasonable incitement of the people.

I shall go on to indicate some of the problems which have been facing Senators since we began. I propose to do this by examining actual events.

**Senator D. O. Oke** (Ondo West) : Point of order, Mr President.

**The President** : What is your point of order ?

**Senator Oke** : 26 (1). Mr President, it reads : *A Senator shall not read his speech* and so on and so forth. I will be glad, Sir, if we could see the Senator's face as clearly as we hear his voice. (*Laughter*) I would like that better.

**The President** : I do not think he has been reading his speech really. I have been observing him from here and I think he was just making references to his notes.

**Senator Ellah** : Thank you, Mr President. I was merely refreshing my memory by referring to my notes, as provided for under Order 26 (1), Mr President.

**Mr President** : You may wish to continue, Senator Ellah.

**Senator Ellah** : If I may refresh my memory, (*Laughter*) I propose to examine a few incidents which have taken place since we started and to suggest improvements which would serve as a guide in the future. Our National Day, that is on 1st October, 1979, must be counted as among the most remarkable and momentous events that have taken place in the history of our country, and in fact that of any other country since decolonisation. In the case of decolonisation, Britain and other colonial authorities handed over power to indigenous peoples in various places at various times. But the Nigerian Military example must be recognised as the only known instance in the whole world when a ruling Military Head of State, at the very height of his power and prestige, voluntarily prepared the people for civilian rule toured round personally. (*Interruptions*)

**Some distinguished Senators** : What about Ghana ?

round personally. He toured round personally and he thanked everyone for co-operation, and deliberately handed over power to the elected representatives in one of the most moving ceremonies to be recorded in history. I was not in Ghana, and I cannot say that the Ghana ceremony was more moving than ours. However, this wonderful record was almost marred by the complete omission of the Legislative Branch during the course of the ceremonies.

It is common knowledge that under the new system the Legislature, the Executive, and the Judiciary are separate and equal. Now, the power which was handed over to civilians comprises both Legislative, Executive, and Judicial Powers. This fact should have been properly reflected at least, symbolically during the handing over ceremonies. As it happened, only the Executive and the Judiciary featured in the ceremonies, creating the wrong and misleading impression that the Legislature is inconsequential.

It is true that some of us were able to collect invitation cards from a heap in the Badagry Road flats, but these were worse than useless because in many cases they did not even guarantee ordinary standing space to their holders at the ceremonies. I, myself, in order to avoid the indignity of being pushed around, had to go home and watch the events on television. It is hoped that these fundamental principles would be observed in future and that people would get familiar with them, and ensure that the Senate shall never again be subjected to such discourtesy, contempt, and ridicule on official occasions.

Another very significant incident, which I would like to refer to, occurred on the 2nd of October when Senators-elect assembled here in response to an official notice to attend the inaugural meeting of National Assembly. Now, the least that one would have expected on such an occasion was for some form of information, either verbal or written, concerning the meeting, to be circulated. There was nothing forthcoming except rumours, some of them extremely wild and alarming. After waiting for hours, Members dispersed and travelled home not knowing exactly what to expect.

On Tuesday—

**Senator Nosike Ikpo** (Bendel East) : Point of order.

**The Deputy President** : What order ?

**Senator Nosike Ikpo** : Order 29 (1) and it reads : *Debate upon any Motion, Bill or Amendment shall be relevant to such motion.*

Mr President, Sir, while I associate myself with the sentiments expressed so far by the Mover of this Motion, I think that he has deviated from the substance of his Motion.

**The Deputy President** : I think he has not quite done so because he is moving, except that I want to correct a certain impression here. I have been reliably informed that, because the Members of the National Assembly have not been sworn in

[THE DEPUTY PRESIDENT]  
by October 1st, the Clerk of the National Assembly, Alhaji Gidado Idris, was invited to that ceremony. I think, at least, that is of symbolic importance. So you may continue, please.

**Senator Ellah :** We assembled again on the 9th in response, this time, to a radio broadcast, and on this occasion letters were seen in our pigeon holes concerning the meeting of the 2nd. Now, this anachronism, I think, would appear to have added insult to the injury which Senators had already suffered in silence. One hopes that in future functionaries will save Senators anxiety, embarrassment or downright insolence of this nature.

I believe that Senators want to do their duties with decorum and human dignity, and all concerned have a duty to give them their co-operation and assistance. In this connection, I may call attention to some letters that have been received by Senators, particularly from the accounting section of the Senate Secretariat. With your permission, Mr President, Sir, I would like to read a few specimen letters. There is one without date, signed by the Principal Accountant, and is titled, *To Members of the National Assembly. It has been observed that you have not submitted your Bank Account to which payment of your salaries will be credited. Will you please complete the attached form duly signed et cetera, et cetera.* This is plainly rude. There is another one, again not dated, and is titled, *To Members of National Assembly. Payment of transport allowance. This is to inform hon. Members of the National Assembly that payment of transport allowance will be made in respect of applications submitted as indicated below. Please report at Rooms 3 and 4 on Monday, 12th November, 1979 to collect the pay at the time allocated to the States to avoid rush.*

Note, to avoid rush, we are supposed to be rushing, and when the Press pick up this kind of thing, you know the rest. Then we were timed. *Anambra 8 a.m. Bauchi 10 a.m.* I can imagine Senators filling up at the appointed time in front of an official.

Recently, I got a registered slip and I was ordered to come to Room number something, I did not even look at the number because, this I thought was the height of insolence. Why can we not sign our slips here, have them sent through the messengers we have here, and the thing is to us either in our pigeon holes or by whatever means? If they think that the pigeon holes are not secure, they can provide lockers and give us the keys.

We cannot be roaming around the corridors going to report at the desks of some very junior clerks to receive money or to receive registered letters. If you have ten registered letters in one day, as some of us sometimes have, we appear ten times. This would not, Mr President, distinguished Senators, enhance the dignity of this Senate or of us as individual Senators.

Surely, the letters could have been couched differently. They could have been worded more tersely, and they could have been impersonal and more imaginatively couched in the traditional Civil Service style. What is most irritating is the subtle and crafty subordination of Senators to officialdom by

There is no reason why our pay or whatever it is cannot be sent to any bank account that we indicate.

As I have said, undoubtedly, this unimaginative attitude must have contributed, in a large measure, to the misrepresentation by some pressmen that Legislators were scrambling for money and were scrambling also for allowances. You note the word *rush* in one of the official letters sent to us.

You will recall that this was the beginning of all our tragedy. Speaking for myself, and I believe this applies to a number of Senators, since I entered politics, and let the newspapermen note this, I have not received one kobo either from FEDECO or from any Government nor have I used Government transport or accommodation, except this Chamber, due primarily to the manner in which these facilities have been conducted. On the other hand, one has also in addition, undertaken travelling both within and outside this country, and one has also tried to equip oneself by purchasing books in order to make sure that one is able to cope with this assignment; and yet it is believed we came here to make money, not to do anything for our country.

It is an open secret that in advanced countries where they appreciate patriotic services, they do everything possible to encourage their citizens in the little they do so that they can indeed try and excel themselves. It is not through baseless accusations that they achieve these ideals.

Let me take this opportunity to sound a note of warning to the Civil Services of this country. Clearly some of the mistakes that I have indicated are due to sheer incompetence and inefficiency on the part of the public service. I must say that the Clerk and the immediate Clerk of this Senate have carried on their duties most remarkably and are not at all involved in this comment that I am making, except, of course I have been trying to correct one little mistake since we started to show that my first initial is *F* and not *S*. This is the only exception.

However, my observation still holds good that a large part of the public service inadequacy is due to perhaps not so much personal inadequacy as to a major fault in the system. Please permit me to read paragraph 29 of my address read on the 29th April, 1978, to the 16th Annual Conference of the Nigeria Institute of Management on the subject matter—*Managerial Leadership, a Challenge to Business and Government*. Under paragraph 19, Mr President, I said then :

*The other sectors of the economy have, during the past decade witnessed a fantastic explosion due no doubt to the oil boom. Within the decade, the number of State Governments has increased from four to nineteen. The number of higher institutions has increased by up to 500 per cent. As a result of indigenisation Decree a great number of new Management positions in business organisations, say 500 positions are now occupied by Nigerians. Certain benevolent government policies have increased the strain on the administrative services. Examples are*

in our economy within the past decade. We must accept that apart from formal training, it takes the average person up to ten years to acquire the necessary experience on the job and become self-confident as a Manager. Consequently, our current facilities could produce only a fraction of the number of experienced managers we require. This situation can be regarded as the greatest single factor responsible for the low productivity in many sectors of our economy.

Now, in the circumstances, one views with dismay the present trend in some of the public services where the number of Permanent Secretaries has been doubled over-night through arbitrary promotion of comparatively junior officers and under employment of experienced staff. One reason allegedly given—

**Senator Ayo Fasanmi (Ondo North) :** Point of Order, Mr President.

**The President :** Yes, what Order ?

**Senator Ayo Fasanmi :** Mr President, Sir, it is Order 26 (2). Except the distinguished Senator is delivering a valedictory address, I do not think he is confining his observations to the subject matter. We are asking for facilities and he is talking of the address he delivered at the Institute. Order 26 (2) says that :

*A Senator must confine his observation to the subject under discussion and may not introduce matters irrelevant thereto.*

Some of the things said by the distinguished Senator are not relevant to the Motion he is moving.

**The President :** He is talking about facilities. I think he has been deliberately detailed. All the same, I would ask the distinguished Senator to perhaps list some of these essential facilities and cut out others.

**Senator Ayo Fasanmi :** And he can drop his papers into our pigeon holes. We would read them.

**Senator Ellah :** Thank you, Mr President. I hope that distinguished Senators will bear with me because until one actually lands with a point you cannot see the relationship. Certainly, the subject of facilities is a little comprehensive, Mr President. I had mentioned here the problems we are getting due to the inadequacies of the Public Service and I am going forward to show how that is intimately connected with the subject matter of my Motion. I hope that distinguished Senators will let me land on each occasion so that they can see the connection.

**The President :** I wish you a soft and safe landing. *(Laughter)*

**Senator Ellah :** Now I had said that Permanent Secretaries and other officials had been promoted at random and I had observed that one reason allegedly given for the steps that have been taken is that the older Permanent Secretaries are unreliable and disloyal. One may ask when were they tried ? This is because most of these Governments have just started. When did they try these older Permanent Secretaries in order to find them wanting ?

Now, I am not, for one moment, holding any brief for indolent staff or the proverbial dead-woods. But I do think that it is our business to take an

interest in this. We do have a Public Service Committee and you will see that part of my theme is that we need staff. These staff are going to be drawn mainly from the Public Service. I hope that the relevance of what I have been trying to develop can be appreciated.

Now I was going to warn that the country has made considerable progress in spite of our handicap and this progress depends to a large extent on the loyalty and devotion—*(Interruptions)* I need your protection, Mr President.

**The President :** Yes, you may continue. Perhaps the best answer is to wind up but you can be rest assured you have my protection.

**Senator Ellah :** Undoubtedly, the Civil Service will change as a result of the new political order and the efflux of time ; but we must be careful to ensure that any changes introduced will enhance the efficiency and effectiveness of the service not impair and destroy it since the new system involves the creation of numerous top political posts including the ones we are agitating for and this will change hands—*(Interruptions)*.

**The President :** Order ! Order ! Please wind up, distinguished Senator Ellah.

**Senator Ellah :** I have said that since the new Presidential system of government involves the creation of numerous top political posts, including the ones we are agitating for, which will change hands with the emergence of every new government, it appears only logical that the number of top career civil service posts should not be unduly proliferated in the interest of economy of funds, conservation of scantily trained and experienced man power, organizational stability and maintenance of standards.

Now, another incident which will be of direct interest to us is the incident which occurred on the 9th of October when a Senator fainted and another tripped and almost fell to the ground. These Senators who were falling and fainting, Mr President, Sir, are not weaklings or convalescing patients—

**The President :** Order ! Order ! May we listen to Senator Ellah in silence.

**Senator Ellah :** Thank you, Mr President, for this protection. Mr President and distinguished Senators, I submit that these two incidents mentioned did not happen to these distinguished Senators because they were weaklings or convalescing patients but because of the special difficulties facing us in this place and these difficulties, I crave your indulgence to refer to and suggest remedies and improvements.

The first one will interest most of you because it is about travelling by air. Anyone of us who has travelled by air will agree with me that this is one of the greatest ordeals to be faced by anyone anywhere on earth. It is common knowledge that even if you travel only once with the Nigeria Airways, you recognize the big difference between what is happening here and what exists elsewhere. A prospective passenger is subjected to every form of indignity

**Senator Ellah**

and endurance test in the most ludicrous, inhuman and absurd manner imaginable. Before I go on with the Airways situation I would like to show that it is very relevant—(Interruptions)

**The President :** Order ! Order ! Let me say something here. I think it is true that the Standing Orders do not have time limit for Senators when they are proposing Motions. It is only applicable during debates. This is very clear to me, but all the same, it is a matter of style really, and I think that what the distinguished Senator should do is to try and carry the Senate with him. If I were in his shoes and if I saw that perhaps Senators were becoming disenchanted with the way I am presenting my Motion, I would try and wind up. At least, he needs, the support of the rest of the Senate.

May you please wind up.

**Senator Ellah :** I thought I should tell distinguished Senators the relevance of the Nigeria Airways before I begin to move the Motion because many Senators here depend wholly and solely on the Nigeria Airways for coming to this meeting. It is for this reason that I thought that the point must be emphasized that we ought to do something about the way the Nigeria Airways carry on, but in view of the reaction, as observed by the President, I would like to go straight to my Motion.

Mr President, if you permit, I would now go straight to the Motion that I want to move. I had wanted to explain the background of these Motions to distinguished Senators before going to them but in view of the time factor, I would beg your permission to go straight to then. I have to read them because I have written them down.

**The President :** You may do so.

**Senator Ellah :** I beg to move that measures be taken immediately to provide Senators and indeed all Federal Legislators with basic essential facilities required to enable them fulfil their proper role under the newly introduced Presidential System of government and, in particular—

(1) That adequate and fitting protocol arrangements be made for Senators on all state occasions, ceremonies, functions, National Day celebrations, National meetings and the like.

(2) That the official who signed the notice inviting Legislators to meet on October 2, 1979, but did nothing to advise them on the postponement should tender an unqualified apology to the Senate. That the Accountant responsible for issuing improperly couched circulars be made to withdraw his letters and replace them with better couched material.

(3) That a Public Relations or publicity committee be set up, which will explain Senate actions to media representatives who may be in doubt and ensure that deliberately mischievous and dangerous journalism is dealt with according to law.

and controlled in keeping with the accepted principles and practises under the Presidential system of government.

(5) That the Senate Leader be prayed to supply more information to Senators as is customary in other Senates.

I beg to read a relevant paragraph from page 147 of *Senate procedures* by Walter Oleszek.

**The President :** Is all that part of the Motion ?

**Senator Ellah :** Yes, it is part of the Motion, Mr President. If I have your permission, it says :

*At the end of each day the Majority Leader announces the programme for the next day or subsequent days. Periodically, he indicates the Legislative agenda. What the Legislative agenda looks like for long periods of time Senators are kept informed of the Legislative programmes through summaries of measures to be introduced which are distributed by both parties and by weekly Whip notices.*

(6) That an intensive study be commissioned by the Investigation Committee which will examine the structure of the Public Services and make recommendations for its adaptation to the new system of government with the least possible disruption.

One hopes that in this connection staff will be released for service in a Legislature Secretariat which I am going to develop in my argument.

(7) That with immediate effect the staff of the Nigeria Airways be made to indicate seat numbers in the Boarding cards issued to all intending passengers under pain of instant dismissal.

(8) That any Airways staff who fails to attend a queue of more than ten persons without valid excuse should likewise be instantly dismissed.

(9) That the Transportation Committee introduces a Bill in this Senate within the next six months which will break the monopoly enjoyed by the Nigeria Airways which has contributed in no small measure to the disgraceful situation in our airports.

(10) That urgent action be taken to obtain tickets and reserved seats as may be necessary to enable Legislators who have to travel by air to do so with dignity and decorum.

(11) That the Executive Authorities be commended on the mature stand it is understood they have taken on the question of allocation of residential housing for Legislators and be urged to expedite action on the matter.

(12) That a Bill be presented to the Senate within six months by the Committee concerned which will deal comprehensively with housing in a manner that will boost housing development in the private sector so that the country can become self-sufficient in housing within reasonable time.

(13) That a sub-Committee be set up which will make recommendations for phasing out the policy of providing official quarters for public

14. That urgent action be taken to secure exemption of Legislators' cars from the application of the odd and even number Edict which already has provision for exemptions, pending the taking of adequate measures to replace that Edict with more democratic and more rational legislation within six months.

15. That immediate action be taken to release a suitable building in Ikoyi to serve as a Secretariat or Offices for Legislators and their staff as Headquarters.

16. That similar actions be taken at State level to provide accommodation within Federal property for Federal Legislators and their staff in the various Constituencies.

17. That adequate financial provision be made for clerical and administrative staff required by the Legislators both at Headquarters and in the various Constituencies up to a level comparable to what is practised elsewhere, that is, between five times and twenty times the annual compensation or honorarium paid to Legislators.

18. That adequate financial provision be made for basic equipment and essential facilities necessary to operate offices—(Interruptions) at Headquarters and in the Constituencies as is the practice elsewhere! (Interruptions)

**The President :** Order! Order! Whatever is the case, I think it is the inalienable right of a distinguished Senator to make his Motion. It is a Motion! (Interruptions) As far as I am concerned, there is no time limit for putting across a Motion. There is only time limit for debates! (Applause)

**Senator Ellah :** 19. That the Committee on remunerations should consider whether in lieu of salary they can recommend for the time being only a sitting allowance of ₦50 *per diem* as a means of preserving the dignity and integrity of the National Assembly.

20. That unless the necessary facilities are provided within 30 days or concrete evidence is shown that appropriate steps are being taken in that direction, Senate should adjourn sitting indefinitely until the position is rectified.

21. That the accounting section of the Senate Secretariat should assemble relevant data showing the total cost of personal emolument, office equipment and transportation in the Legislature, the Executive, the Judiciary branches of the Government for purposes of comparison and enlightenment of the media.

Thank you, Mr President. (Applause)

**The President :** May Senators please sit down. I think that what you have said is not on the Order Paper. To me, it is an amendment to the Motion we have here. I think the proper thing is to ask leave of the Senate to amend the Motion, because what you have read to us is not what is on the Order Paper. So what you have said amounts to an amendment.

**Senator Ellah :** My view was that the Motion speaks about facilities and these are the facilities I am talking about in the Motion.

**The President :** It is an amendment.

**Senator Ellah :** I think it is a clarification or amplification.

**The President :** It means we should now ignore all what you have read out. (Interruptions) Let me ask you once again, do we take what is on the Order Paper as a Motion and get somebody to second it?

**Senator Ellah :** That is what is on the Order Paper, as amplified.

**The President :** Let me hope that Senators have listened to that amendment very carefully.

**Senator Ellah :** If they want I can read it again, Mr President. (Laughter)

**Senator Victor Akan (Eket) :** Mr President, I am aware of the need for us to execute our duties to the people of this country, and I am conscious of the fact that this is the highest Legislature in this country. It gives me great pleasure, privilege and honour to second this Motion so ably moved by the Senator from the Rivers State. Thank you, Mr President. (Applause)

**Senator Onyeabo Obi (Anambra West) :** Having been duly recognised by the President to speak, I wish to associate myself with my distinguished colleague to support in all seriousness the Motion proposed by the distinguished Senator Ellah. I would like to commend to Senators his emphasis on a matter which, to use the words of the Motion, rises above the question of housing and welfare—I may add, remuneration.

I think that what we should rightly be complaining about now which Senator Ellah has highlighted, is the lack of facilities which made all of us sit down as a lame duck and become a little bit irritable when we have no serious business to do. I think these are matters which ought to receive serious consideration and support from Senators from all sides of this Senate.

I would like to plead, Sir that our distinguished Colleague has not been known to make trivial contributions to the Senate and, therefore, when he went a little beyond some people's patience to amplify on the Motion, he deserves, certainly, understanding and support from the more precocious of us in the Senate including myself.

I would like to say, that if we could receive a quarter of the facilities which the system demands that we should receive for the proper execution of our responsibilities as stated in the Motion, the nation will see that we are actively and conscientiously discharging the responsibilities which are laid down on the legislature in a system of checks and balances which are the cornerstone of this new arrangement. I would commend to all Senators that we do not, in anger at the length of time in which the Motion or the amplification took to propose, seek to jettison the Motion which goes to the core of the problems which this distinguished Senate is experiencing.

Mr President, I fully support the Motion.

**Senator J. A. O. Odebiyi (Egbado North South) :** Mr President, Sir, while I appreciate that honourable Mover of this Motion has very good intentions, I do feel that this is not an opportuned moment for

[SENATOR ODEBIYI]

this type of Motion to be brought. I would rather prefer that this matter be referred to the House Committee to consider in greater details, so that we will not rush into this as we did with the remunerations. He has raised very, very important issues in his Motion, and I am in sympathy with the views he has expressed as he has spoken for all of us. But, the appropriate place to do this and consider it fully is the House Committee. I, therefore, put the Amendment that the Motion be referred to the House Committee for further consideration.

**The President :** If it is an Amendment, I want it supported. The Amendment is that Senator Ellah's Motion should be referred to the House Committee.

**Senator J. S. Tarka (Benue East-Central) :** I agree, as a matter of compromise, that the matter goes to the House Committee. The misfortune of this Motion itself is that we are in the heat of a debate on various issues affecting the welfare of Senators, in fact, Members of the National Assembly, and we have so far got to a situation where we feel that we have to call a halt to the situation and re-examine the whole issue. This was the way we discussed the four Resolutions before the Joint Session of the National Assembly.

I tried this afternoon in a belated hour to get Senator Ellah, unfortunately, I mistook the name for a Benuean name because it sounds like Idoma. I think that if my senior distinguished colleague Senator Odebiyi did not intervene at that hour, I was going to ask him to withdraw the Motion because there was no basis for us to create a situation whereby people talk about us all the time. We can be talked about because we all look handsome and we are very popular, and we were elected. But, we do not have to spoil the image of the Senate by talking about one thing all the time. We should not look like babies. We should talk on behalf of the people and the people should then talk on our behalf; we should talk on behalf of the Executive and the Executive will then talk on our behalf. If we belabour the whole issue, people will start to ask whether this was what has brought Senator Ellah or all of us here and they will ask Senator Sola Saraki to look for a Psychiatrist to examine our brains. In any case, we should not reach that stage.

So, what we should do now is to follow the wise counsel of our distinguished Senator Odebiyi, and leave the matter to the House Committee which has been working on this issue for sometime and it has, in fact, given us a paper on it. So why should we have disrespect for senior Senator Anah's Committee? I, therefore, support the amendment put forward by the distinguished Senator Odebiyi and hope that we will put a halt to this debate and then close the issue.

**Senator S. A. Akintoye (Ondo Central) :** I move that the question be now put.

**The President :** Senator Ellah, have you accepted the amendment?

complete the unspoken part of my speech! (*Interruptions*) All right, I would circulate it in writing as part of the Amendment.

**The President :** I still have to put the question to the Senate.

*Question put and agreed to.*

**Resolved :** That Senator Ellah's Motion be referred to the House Committee.

**Senator Ibrahim Dimis (Bauchi South) :** In view of the prevailing circumstances—

**The President :** Before you speak, I may say you have filed notice of withdrawal of your Motion in your name in which you said that I beg to ask leave to withdraw items (a) (b) along with items (c) (ii) and (iii). In effect, your Motion would only now be that we lift the ban on wage freeze on Nigerian Workers. Senator Dimis, you have the Floor.

**Senator Dimis :** Mr President, Sir, in view of the prevailing circumstances and events, I do not intend to move the Motion even (c) (i) again, because we have not discussed the President's Address. So, I would like to withdraw. I would not even move. I do not move, Mr President, Sir.

*Motion by leave withdrawn.*

**The President :** I have a notice from the distinguished Senator and Chairman of the House Committee that he intends to speak on the paper he laid before the Senate yesterday.

### Report of the Joint House Committee

**Senator N. N. Anah (Anambra South) :** Thank you, Mr President, Sir, I would like to apply, under Order 61, for the suspension of the Standing Orders to enable this Senate discuss the minutes of the Joint Meeting of the House Committee which was held on the 15th of November, 1979, and which I laid on the table of this Senate yesterday, in view of the urgent nature of our suggestions in the minutes.

Mr President, Sir, in making this application I have in mind the fact that His Excellency, the President of the Federal Republic of Nigeria, has said that he would not be able to take any action on the allocation of accommodations to the Members of the National Assembly unless a Joint Resolution of both Houses is submitted to him for consideration. Mr President, Sir, in view of this we held a meeting on the 15th of November, 1979 a meeting of the two House Committees of both the House of Representatives and Senate.

In that meeting, it was unanimously agreed by the Joint Committee that the President be requested to allocate to the Members of the House of Representatives 500 flats out of the 1004 flats complex in Victoria Island. Also in that meeting, Mr President, Sir, it was revealed that the House of Representatives had taken a Resolution on this matter. Also here, the Senate took a Resolution for the allocation of the 76 houses in Victoria Island. Therefore the Joint

It is not possible for the two Houses to have a Joint Resolution in view of the fact that the type of accommodations we are both looking for are separate and distinct. However, the two Houses, the House of Representatives and Senate, agreed that, for security reasons, it will not be prudent to have the Senators and Members of the House of Representatives lumped together in the 1004 flats complex in the Victoria Island, and it was in view of that, that the House of Representatives agreed to take 500 flats from the 1004 flats complex in Victoria Island, and at the same time agreed to the Senate taking the 76 Houses and 24 flats in the multi-storey building at Victoria Island.

Unless, Mr President, Sir, the Senate resolves here and now that the President of the Federal Republic of Nigeria be asked, as matter of supreme urgency, as we suggested in the meeting of the 15th of November, 1979, to implement the separate resolutions of the two Houses, it will not be possible to make further progress on the matter.

So, because of the urgent nature of this request, Mr President, Sir, I have respectfully made an application for the suspension of the Standing Orders to enable us pass this. I do not think it is a matter which really needs debate because it is a re-affirmation of the resolution which we had already passed in this Senate.

With this, Mr President, Sir, I beg to move. Thank you, Sir.

**Senator Andrew Abogede** (Benue North Central) : Mr President, Sir, I beg to second.

**The President** : Senator Nosike Ikpo may speak.

**Senator Nosike Ikpo** (Bendel East) : Mr President, Sir, I rise to oppose the Motion. I am aware that the House Committee was continuing an assignment given to them a few weeks ago. But I think it is time we shifted emphasis from ourselves. In the *New Nigeria* publication of today, it was reported that the Joint meeting of the National Assembly Committee looking into the housing problem of Members was also put before the Senators yesterday.

My distinguished colleague from the Bendel State, Chief Olu Akpata, was reported to have said as follows : *Speaking on the report Senator Idahosa Akpata dissociated himself from any attempt to acquire for the Senators houses built for civil servants.*

Mr President, Sir, this is the crux of my opposition to this Motion. I have looked through the current Estimate of the National Assembly, under Head 28. I did not see any provision for the construction of the Badagry flats for the National Assemblymen. The only provision I saw was a retired sum of ₦306,000 for the construction of sewage system in the Victoria Islands flats.

I began to ask myself, if the Victoria Island Flats were intended for the National Assemblymen, why do we have to beg for them? Why was a sum of ₦306,000 voted for the construction of the sewage system in these flats?

**The President** : They say they are too good for Senator. (Applause)

**Senator Nosike Ikpo** : Again, I want to say that I have not seen any provision, any money, for the construction of the Badagry Road. I think, Mr President, Sir, this Motion has to wait and investigation conducted into the circumstances as to how the appropriation of the money for the building of the Badagry flats for Assemblymen was approved because I did not see it under the National Assembly current Estimates, Head 28. The only money voted for flats under the National Assembly, Head 28, was a retired sum of ₦306,000 which was used to construct the sewage for those Victoria Island flats. I want to believe, Sir, that those flats were intended for us and we are now being pushed out of that place and put in defensive position.

**The President** : Order! Order! I am inclined to think that if the distinguished Senator from Bendel intends to oppose a fundamental decision already taken by this Senate he would have to bring a substantive Motion to rescind that decision because we had already taken a decision earlier on that we would ask the President. I have not seen anything from my record that that decision has been changed. So, the report of the House Committee, I believe, is a formality and we should not waste our time unnecessarily. Any Senator is free to bring a Motion to rescind a decision if he feels strongly about it.

**Senator S. J. Ellah** (Rivers II Ahoada/Ikwerre/Etche) : As a matter of information, if you may allow me.

**The President** : Order! Order! I would put the question. May I have one Senator speaking at a time when he has been recognised. So far I have not recognised any. I recognised the acting Leader of the Senate, Senator Tarka.

**Senator J. S. Tarka** (Benue East-Central) : Mr President, Sir, I did not intend to intervene at this juncture because my colleagues from the other side and I consulted and I was of the impression that he was going to save the day by requesting our distinguished Senior Senator to put his house in order in the House Committee and bring us whatever he could bring. We do not need to advertise ourselves too much. We have advertised ourselves. There was a judge who said to me, you have a good case but you have over-argued it. I lost the case and I went to jail for six months. This is what we are trying to do here. I would beg of you, Mr President, to put the question so that we close the matter and go ahead and make progress on another issue.

I beg to move that the question be now put.

**The President** : Is it the wish of the Senate that the question be put?

**Several Senators** : Yes.

**The President** : The question is that we adopt the House Committee's Report.

*Question put and agreed to.*



[SENATOR OYERO]

If the President of this country could make an order that Ore road should be repaired immediately, I think Sir, that it behoves us in this Senate to also pray the President to take appropriate measures to remove this Boat from Tarkwa Bay out into the Atlantic Ocean.

**The President :** As serious as this Motion seems to look, do you think it could have been brought under Motion for Adjournment? I have since called for more information about the boat in question. I was hoping that the distinguished Senator was going to bring a substantive Motion.

**Senator Oyero :** It is urgent.

**The President :** It is very urgent. What I am saying is that you are speaking under a Motion for Adjournment. The Senate is not in a position to take any decision.

**A distinguished Senator :** Point of Order.

**The President :** Point of Order. No Senator must leave the Chamber! (*Laughter*) I call on distinguished Senator 'Lere Adesina to speak.

#### Nigerian High Commission in Port of Spain Trinidad

**Senator 'Lere Adesina (Ibadan) :** Thank you very much. Mr. President, Sir, we are all aware of the anxious and testy test moments which our Nationals in the Nigerian High Commission in Port of Spain, Trinidad are undergoing at the moment. We must not completely feel unconcerned. Even though Port of Spain's government has spoken and made statement that they guarantee their protection, our government is yet to make a statement as to steps being taken to bring the situation back to normal.

Families of those serving in the High Commission are very anxious indeed, and those who are in contract with those serving there would know definitely that their lives are not all that safe. The situation must not be allowed to degenerate, Mr President. This distinguished Senate has a duty to perform, and I am, therefore, suggesting that we direct the Foreign Relations Committee to look into this whole situation and address the Senate on it very soon. Thank you very much.

**The President :** I hope that the Foreign Relations Committee would take note.

Order! Order! Are you asking a question or are you making a speech?

**Senator Oke :** I am asking a question. I was saying just now that—

**The President :** Then ask a question.

**Senator Oke :** What exactly is the reason, because the reason we were given was rather non-convincing?

**The President :** Order! Order! The reason is that there will be committee meetings tomorrow morning. You are free to exercise your right in the way you vote when the question is put. I will now put the question that the Senate do stand adjourned until Monday, 3 o'clock.

*Question put and agreed to.*

**Resolved :** That the Senate do now adjourn until 3 o'clock on Monday.

*The Senate adjourned accordingly at 6.00 p.m.*

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*12th-30th NOVEMBER, 1979*

EXPLANATION OF ABBREVIATIONS

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**Com**=Committee



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