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PARLIAMENTARY DEBATES

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LAGOS

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(FORMED BY ALHAJI THE RT. HON. SIR ABUBAKAR TAFAWA BALEWA, JANUARY 1960)

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SENATE OF THE FEDERAL
REPUBLIC OF NIGERIA

Wednesday, 23rd September, 1964

The Senate met at 10 a.m.

PRAYERS

(The President in the Chair)

OATHS

Oath of Allegiance was administered to the following new Senators :—

Senator Chief J. M. Ajayi-Obe

Senator Chief J. A. O. Akande.

DEATH OF MEMBERS

The President : It is with regret that I have to inform this House of the death of Senators Oba Adeniji Adele II of Lagos and Alhaji Abubakar Bale. I have, on behalf of the Senate, expressed our deep sense of the losses we have sustained and our sympathy with the relatives of the late Senators.

The Minister of Health (Senator Chief M. A. Majekodunmi) : Mr President, I would like to express, on behalf of the Government, the deep sense of loss which we all feel in the death of the two distinguished Members of this House. One of them is, by Constitution, the Vice-President of the Senate. He had contributed much to our work here and had on all occasions given us very wise and very fatherly guidance in our deliberations. We shall miss him very much. He had not only contributed to the stability and high standard of the Senate, but had, during his reign, enhanced the prestige of the Oba of Lagos—and that is His late Highness, Oba Adeniji Adele II. We wish to convey the condolences of this House to his family and to the Chiefs and people of Lagos.

Senator Alhaji Abubakar Bale was a very great and wise old man. In all our debates, as all Senators know, he was never known to be ruffled. We were very sorry indeed to learn that he died during his pilgrimage to Mecca, and we pray that his soul rest in peace.

Senator E. A. Lagunju : Mr President, on behalf of all Senators I have to join the President and the Minister in expressing our deep sympathy for the irreparable loss the House has sustained. Within the life-time of the

present Senate we have lost four Members. It is rather unfortunate and it goes to prove that life is very empty indeed ; and it was Shakespeare who said :

*We are such stuff as dreams are made of
And our little life is rounded with a sleep.*

We all know the contributions the Oba of Lagos had made to this House, the prominent role he played in our debates and the way he came down to the level of every Member of this House. He was indeed the ruler of the time and was ready to mix with everybody. He really did all that was in his power to raise the status of Lagos. I think he was the first Oba in our life-time to play such an important role, and we are very sorry he is gone.

Nevertheless, what really matters is not for how long one lives, but how far one has been able to contribute his quota to human progress, and I think the Oba had played his part. So, it is not the length of time that matters, it is the quality of the service rendered.

Similarly, Alhaji Abubakar Bale who died on his way to the Holy Land was another fine Senator. We all remember his wit, his humorous ways of expressing himself, and indeed his likeable personality. But nevertheless, as I have stressed, we are all here for a time and what we have to do is to make sure that we leave behind our footprints on the sands of time. I am sure these two people had done their very best. May their souls rest in peace. We express to the people of Lagos our heartfelt sympathy.

Senator Chief O. A. Fagbenro-Beyioku : I would like to associate myself with the condolence you very ably expressed, Mr President, to the relatives of the late Oba of Lagos and the late Senator Alhaji Abubakar Bale on behalf of this House. It was something which gave us great grief when we learnt of the death of these two illustrious sons of Nigeria.

We all started this session of the Senate together and it was our intention that we should all close the session together, but, as it is said, man proposes but God disposes. It has been the will of God to call these two great men to a higher service and to make them members of the "Senate" beyond. What they had done here below will live in our memories forever ;

[SENATOR FAGBENRO-BEYIOKU] the contributions they had made to the progress of Nigeria shall never be forgotten. Their names have gone down in history as the first accepted great fathers of the land, and mature men who were entrusted with piloting the 'ship' of this great Republic immediately before and after independence.

Our Oba of Lagos was somebody we all loved so much in Lagos; he was wise; he was cool and collected; he was judicious in his decisions; he was a man; he was a king; he was a ruler. Left with us as men, we should like him to live forever as it was expressed: "O King, Live Forever!" The institution of kingship lives forever, but the personality of Adeniji Adele has gone beyond. We people of Lagos are looking up to another emblem to signify our kingship in Lagos and in that we have the great hope that the spirit of Adeniji Adele would help.

I always refer to Senator Alhaji Abubakar Bale because I remember that our very first President of the Senate, Dr Nnamdi Azikiwe, just to make us feel happy at one time, humorously referred to Senator Alhaji Abubakar Bale as "Abubakar Tafawa Balewa". And from then up to the time of his death, any time we ran into ourselves, I called him Senator Alhaji Abubakar Tafawa Balewa," and it was all smiles and cheers. We all know how much he championed the cause of this Senate. He was somebody who believed fervently in the unity and solidarity of this great country, and in all his speeches he was never afraid to give expression to his intentions—that whether you come from the North, or from the East or from the West, we are all Nigerians, and that the interest of Nigeria should be paramount in our minds. He has gone but he has left us with a mission—the mission of welding Nigeria into one great body. Forget about our ethnic groupings, or our tribal affiliations—that was the mission that Senator Alhaji Abubakar Bale carried out in his life time, and by the grace of God we shall be guided by that. Also by the grace of God, the day will dawn in Nigeria when we shall light that candle of unity and it shall never be quenched.

Mr President, I associate myself with your sentiments.

Senator M. B. Chukwubike : The news of the death of the two Senators came to all of us as a thunderbolt out of a clear sky, for when

last we met here, these two Senators contributed very much to our deliberations. By the death of Senator Oba Adeniji Adele this House has lost a father—a father in the sense that he played the role of a father to all of us and he had every quality of being called the father of the Senate. His contributions were very wonderful and he was a noble man not only in the Senate but he proved to be so in his other day-to-day business.

The other Senator, Alhaji Abubakar Bale, died when performing his religious duties. We all remember his gestures and his towering personality.

On behalf of the Senate, I ask the relations of the two Senators to have patience and peace of mind.

Senator T. Olamijulo : I feel it incumbent upon me to say a few things in line with what others have already said. Much has been said about these two illustrious sons of Nigeria.

To the late Oba of Lagos I have to say that he was the first ever real king of Lagos, because during his life-time he established the right type of kingship in Lagos as known to Yoruba tradition and culture. Many of those who ruled Lagos before him never did as much as he had done for the people of Lagos. He left the kingdom very open to any eligible aspirant from whatever quarters he might come, and not the old-fashioned method of limiting it to particular families. It is true he became the Oba of Lagos through this restricted circle, but he discarded that method and left it open to any Lagosian who feels he is entitled to the throne.

He played his role very nobly to please the nation as a whole, and when he was dying he died as a real king. He did not only please the people of Lagos but he also pleased the nation to the extent that he was able to become the Vice-President of the Senate, and in this position he played his part very well until his death.

The same is true of that noble man, Alhaji Abubakar Bale. He was humorous, as we all have been saying, and he was not ruffled. In short, the two noble men who left us were old people and men of good ways, and I pray that their souls may rest in peace.

Senator J. K. Nzerem : I would like to associate myself with the views expressed about the death of these two Senators who were patriarchal figures.

Senator Oba Adeniji Adele was, as it were, a real father to all of us, and he was a much travelled Oba, perhaps more travelled than any other Oba of Lagos from time immemorial. He was once a civil servant, and served in the North, in the East, and in Lagos his home. The late Oba was indeed a great man, and his contributions to the debate in this Senate will never be forgotten.

The other patriarchal figure, Alhaji Abubakar Bale, was a very religious man. We are told that "as a man lives so he dies, and as a tree falls so it lies." The man was good and religious all his life, and to prove that, he died doing a pilgrimage. People have spoken about his humours and his gesticulations. These are all lively in our minds, and we shall never forget him.

They have both played their part. We are told the world is all a stage and that we are all actors, each coming and playing his or her part. They have played their part honourably. Their death is a challenge to us. What are we doing ourselves? Are we playing our parts honourably? Are we trying to do all we can so that when we are gone our foot-prints on the sands of time will remain?

On behalf of the Members of this House, I want to extend to the families of the two deceased Senators our sincere and heartfelt sympathy.

Senator Chief (Mrs) Wuraola A. Esan : Mr President, I only rise to join my comrades in praying that the souls of those who have gone may rest in peace.

Senator Alhaji Abubakar Bale was so humorous that on the day I learnt of his death I had a shock. On the last day of our last meeting he humorously asked me to join him on his pilgrimage to Mecca, and I told him that if he could get permission from Mr Esan I would gladly follow him there.

A Senator : Was he then making an offer?

Senator Chief (Mrs) Esan : If he was making an offer he made it too late, and I did not think he was serious about my going along

with him. So, he was just a humorous fellow who did his best to unite every part of Nigeria in this Senate, because he was always ready to say that Nigeria was one and that whatever we, the elderly statesmen did must be towards one purpose. He wanted us to think about Nigeria and not about our tribes or any political party we like to sympathise with or support. Therefore, Alhaji Abubakar Bale has not really gone, because his work is living after him, and I do hope that after the next federal elections we shall continue to praise such people for having been among us even if only for a very short time.

As for our noble father, the Oba of Lagos, his dignity is understandable because of the fact that a chief, or a king, or an Oba should not always be heard. This is a memorable example for all other Obas to follow, because while he was here he spoke very little and not very often. At times, after a debate he would tell me that he had quite a lot to say but was unable to say anything because of our argument. So, he knew when to speak and when to keep silent, and that helped a great deal.

When he occupied the Chair of the President of the Senate, he played his role as if the Chair had been made for him. It was a pity that he was not very well at the time the Chair was vacant, otherwise he could have filled it. At any rate, those of us who have worked with him have a living memory of his dignified way of approaching all matters and the dignity he used in everything throughout his life.

I would not like to sit down without saying that they have gone just at the right time. We do not know what is coming in the future, and even if most of us do not come back here after the next federal elections, we would continue to feel the humorous way, the happiness, and all other things we have enjoyed in this House, because we never heckle, we never abuse each other, and we never shout on each other. I do sincerely hope that we shall follow the noble example of our noble fathers who have gone before us. If we do come back, I hope we shall continue in such a way as to show our future generation that we are really elderly statesmen.

May their souls rest in peace.

Senator H. O. Abaagu : Mr President, it looks as though we are paying contributions to the call of death on the Senate. Since the inception of the Senate, we have lost four Senators. I do not know whether it is a happy or a sorrowful coincidence that the late Senators were evenly distributed to all the Regions of the Federation. The first death was that of a Senator from the West and Mid-West combined ; the second was a contribution from the East ; the third was from the North and the fourth came from the Federal Territory of Lagos. It is because of such a coincidence that I am one of those who vehemently oppose the creation of more States, because it seems to me that as many States as we have so many Senators shall we lose.

In any case, our only consolation is that we are hopeful that all these Senators might now be enjoying a place in Heaven because all of them died a good death. The Senator from the West and Mid-West combined died in active service. He died while he was fighting for the creation of the Mid-West State. The Senator from the East died on his way to join a campaign team in the West. He also died in active service. The Senator from the North also died a good death because according to Moslem belief, if a man dies on his way to Mecca, he stands the chance of going to Heaven. Lastly there is the honourable death of the Senator from Lagos.

Senator Oba Adeniji Adele II of Lagos contributed to the Debates of the Senate with dignity and wisdom. He enjoyed the love and confidence of the people of Lagos and I hope they will pray for him that he enjoys his place in Heaven.

I pray that the souls of our departed Senators may rest in peace and that we may all come back to the Senate next year to say more prayers to our late Senators. We should try to avoid more deaths by keeping the Federation as it is now because I believe that the creation of more States will bring about the death of more Senators.

Senator Chief R. A. Umoh : I rise to join my fellow Senators in expressing my personal sympathy to the relatives of the two Senators who have departed from this world. It is true that they were men of energy and ability

who did their work splendidly and successfully here in this Senate. We are all living witnesses of what they have done.

As I am talking now, I can very clearly visualise the late Oba Adele II of Lagos, sitting on the Chair of the President of the Senate. As old as he was, he was able to execute the duty incumbent on him as the vice-President of the Senate with such wisdom that we were all proud of him. He was cool headed, thoughtful and full of wit. As a matter of fact, he has not left anything undone.

We Senators are known as the fathers of this country and Oba Adele was counted among those who gained independence for this country. In fact, our late Senators did what they ought to have done. They paved the way for the juvenile members of the Nigerian community. It is now left to us to do what we can do.

Senator Alhaji Abubakar Bale was a very jovial man. He used to speak with confidence, pride and respect. Everyone of us was his friend and there is no one who did not admire the humorous ways in which he put across his ideas to the Senate. Therefore, while I believe that we have lost great men, I also believe that these men were not only great in the world but that they are now great men before God. Being chiefs, I believe that they were affiliated directly, as a branch of the vine, to the chief of chiefs and King of kings. The living evidence of this is that Alhaji Abubakar Bale died on his way to a pilgrimage. This is something that rarely happens and only to those who are really very spiritual.

I would therefore not end my speech without calling on God, as recorded in Psalm 50, to have mercy on us. I call on God to have mercy on them according to His great mercy and according to the multitude of His tender mercy to blot out their iniquities, for they loved God and it is hoped that God will never forsake them.

Senator S. Eytayo : I would like to join the previous Senators who have spoken in praise of Oba Adele II. I am not very conversant with the history of Lagos, so I am not in a position to know who was the best ruler among all the Obas of Lagos. It is my belief that each Oba of Lagos did his best according to the conditions prevailing in his own time.

I therefore believe that the late Oba Adele did his best according to the conditions prevailing in his time. May his soul rest in peace.

We all know Senator Abubakar Bale as a deeply religious man. We Christians know that there is a passage in the Bible which says, "For what does it profit a man to gain the whole world at the expense of losing his own soul."

The late Senator Abubakar Bale was a great man politically and a Chief in his own home but he knew that God alone is great and it was because of this that he left his greatness to go to Mecca on a pilgrimage to perform his religious duties. It was while he was performing this religious duty that he passed away. Well, he has taught us a lesson, and the lesson is that in whatever position of life one is, one should not forsake one's God because only God is great. I therefore pray that his soul may rest in peace.

Senator A. Nwoke : I rise to associate myself with the sentiments expressed by various Senators. The death of the Oba of Lagos was relayed over the radio. It was a bit shocking when it was first relayed and the more it was relayed, the more shocking it became particularly to me because any time I came for the sitting of the Senate, the Oba would like to see me.

He told me that the dress I used to put on reminded him of the dress from a particular area in Iboland where he once worked when he was a surveyor and that is Bende. With such wonderful reminiscences, he told me stories I did not even know myself.

At one time when we were conversing I expressed the desire that he should find time to tour the East, probably as the guest of the Government. That desire was not to be, as I heard immediately we left this Senate that my good friend and co-Senator was no more.

Really, we in the Senate feel his loss more than actually his relatives, I dare say. Any time the Senate was infested with tribal sentiments, he did not take side. It was very painful to him that the nation should go that way and he had all the time shown fatherly advice and behaviour.

In his sonorous voice, he was able to pacify a lot of bad situations. All that we can do

now is to pray to God to give wisdom and strength to the Regent, our brother Senator, Chief Ojon, who is now acting for him. We pray also that God may give him guidance and direction to select a suitable Oba to replace the deceased without rancour and without going to the law courts as was experienced when the deceased took up office as the Oba of Lagos.

If the family of the deceased and the king makers of Lagos could make a peaceful selection, as I wish, they would be doing honour to the late Oba Adele II of Lagos. If this is done, we Senators will feel that a lot has been done to respect the late Oba and the Senate.

As regards our good friend, late Senator Alhaji Abubakar Bale, we have words of encomium, not because he is now deceased but because he still merits praise even though he is dead. He was a man, like the late Oba of Lagos, who never partook in partisan politics in the Senate and who never associated himself with tribalism. This much must be said about him in his favour. He embraced debates from purely personal motive and did not believe in rancour and hard words. It was a pity that he died while serving his God away from the country and that is the more reason why we should be solemn in mentioning his activities. All I can do now is to associate myself once more with the previous Senators and to say that the souls of these two Senators may rest in peace.

Senator Zanna Medalla Sheriff : I rise to associate myself with the sentiments expressed by previous Senators who have spoken. It will be wasting too much of your time, Mr President, if I repeat all that has been said. From political and spiritual considerations, the two late Senators had fitting places in the country because Senator Oba Adeniji Adele II of Lagos and Senator Alhaji Abubakar Bale were great Moslems. Therefore, it will not be out of place, with the permission of the President, if I review the things these two Senators witnessed during their lifetime in Nigerian politics.

As I said earlier, they were true nationalists. Fortunately, they witnessed the independence of Nigeria and the transformation of Nigeria from sovereign status to republican status.

[SENATOR ZANNA MEDALLA SHERIFF]

The late Oba was singularly fortunate to witness, just before his death, the raising of witness, just before his death, the raising of Lagos to a city status.

I would not like to commit myself by over-praising the late Oba in his activities to rule Lagos. I can only reckon that he was one of the most progressive, godly and moderate Kings of Lagos.

On behalf of the Senate, I wish to extend my profound condolence to the relatives of the late Oba of Lagos.

As for late Senator Alhaji Abubakar Bale, we were collectively impressed by his performances and utterances in the Senate; there is no argument about that. But being a Moslem brother and having come from the North, I would like to say frankly that we benefited very greatly from his wise counsel.

I would not like to record certain instances in detail on the Floor of the Senate. On any occasion when tempers rose, Senator Alhaji Abubakar Bale acted as a good leader to us, Senators from the North. We had to seek his wise counsel and we benefited very greatly from it. His death is an irreparable loss to us. To his family and well-wishers, I extend our heartfelt regret and sympathy.

May the souls of the departed Senators rest in peace.

Senator M. G. Ejaife : Mr President, my fellow Senators have paid very glowing tributes—and deservedly so—to the late fellow Senators I can do no less than underline these sentiments expressed by my fellow Senators.

I would like to follow the same line pursued by my fellow Senators, of being reluctant to specify precisely what the merits were of the great ruler of Lagos who has passed away. But this much we do know, that in this Senate, if we ever value silence as being golden, we can see no better example than the performance of our late revered Oba who was silent when it was necessary, and whenever he spoke, he spoke with commendable dignity and his words weighed perfectly well.

But if the late Oba was silent most of the time in the Senate, he was much less so outside the Senate because if the radio was any guide, I think I have heard his voice times without number when he spoke espousing the cause of education for Lagos children and education for

the children of the Republic of Nigeria. As an educationist myself, I am very proud to have been associated with him for that consistent espousal of the cause of education.

I think his plea for developing Nigeria was not confined only to education. Hardly any great visitor from abroad came to this country without being impressed, no doubt, by the performance of the late Oba who received these people very warmly and projected the personality of Nigeria very favourably. Whoever came to this country, either as an ambassador or as a great visitor, left Lagos with a very proud and very favourable impression of the late Oba and, through him, of Nigeria.

Our late Senator Alhaji Abubakar Bale was a man of whom I was personally very proud because not only was he very self-respecting, he was a man who was very highly respectable. And, if religion means anything, I think it means a great deal these days of materialism, and I think that a man who was so imbued with religion as the late Alhaji Bale is one to command the respect of all responsible citizens. I think it is a fitting thing indeed that he died when he was performing the holy pilgrimage.

I think we can still pay these people no better tribute than by trying to follow the examples which they laid down in this House—examples in which they showed very good sense in debate, in which they showed by their words, by their action, by their person that Nigeria should be one. We have noted this fact that in this Senate there has hardly been much commotion such as we get in some other House, and I think that these two late Senators contributed their share very much to making this Senate one that reflects the unity of this great country.

I think we can do a good deal, and I am sure we shall satisfy them wherever they are, by following their example, because their performance was a challenge to us, and whatever we do, whatever we say as tributes to them, I think we should remember what they were and what they still mean to us by doing our best to preserve the much needed unity of this country.

Mr President, I would like to end with these words : may the souls of these two faithful departed rest in peace.

Senator (Mrs) Bernice U. Kerry : On behalf of the new Senators from the Mid-West and the whole Senate, may I say a few

words in praise of Senator Oba Adeniji Adele II of Lagos and Senator Alhaji Abubakar Bale.

Although as new Senators we have only stayed with the late Senators for a short time, they had proved to us by their attitude that they were fathers, and we enjoyed their comradeship.

Another thing we have learnt from the departed Senators is that we must behave well in anything we do. Our lives in this world can be likened to that of a student. We are all living in examination rooms and our 'examiner' is an unseen guest. We all know that it is very difficult to obtain a credit in this examination but I am appealing to all Senators to see that each and everyone obtains a good pass. May I say that the subjects for the examination are loyalty, humility, perseverance, faithfulness, hardwork, and so on and so forth.

I am happy to say that these two late Senators have passed this examination. They passed this examination before they were elected to the Senate, and from their performance in this Senate they impressed us a lot. The two late Senators we are remembering to-day tried their best to retain the good name they had before they were elected to the Senate, and I think this is a great lesson to all of us, and I am sure God is with them.

I am appealing to all Senators to copy the good examples of our departed Colleagues so that we can both in word and in deed, be fathers and mothers of the nation. We must not be satisfied with getting forty *per cent*; we must strive to have a good pass from fifty or fifty-one *per cent*.

We commit the souls of these two departed Senators to the care of the Almighty, and may their souls rest in peace.

Senator Chief S. T. Hunponu-Wusu : Mr President, I thank you for giving me this opportunity after forty-seven minutes. As a matter of fact, I listened attentively to other Members when they made their contributions and I thank them for what they have said. May be it was because I did not put on my glasses that the President oversighted me. Nevertheless, much has been said about these two illustrious sons of Nigeria, and particularly about the Oba of Lagos.

You will all agree with me that his soberness, compartment, his way of doing things go to

prove that he was really a true Oba. He was never bitter to anybody; he was never bitter to any party. I am only very sorry that his lieutenant, Senator Chief Ojon who was his right hand man, is left as the regent of the whole of Lagos, and I am appealing to the President as well as to all Members of this House that it is our duty to pay homage to the Palace as a body and give our respects to the late Oba. This will give this House an honour and prestige. Although we could not go there during his lifetime, let us express our appreciation for his work as Vice-President of the Senate by going to the Palace sometime as a body to pay our respects. Although much has already been said in the papers about the late Vice-President, I am sure the regent with the other Chiefs will ever appreciate our going there. It will go down in history. Now, the Parliament is going to be dissolved. We are grateful that we are the foundation members of the first sovereign Parliament in Nigeria. I suggest this to the Members of this House to think over, that it is a thing worth doing to go to the Palace and pay our homage to the late Oba of Lagos. He has done his best, and may his soul rest in peace.

Referring now to Alhaji Abubakar Bale, we all know what he had done and we all appreciate his efforts here. He played his part very well. Whenever he spoke in this House he always reminded us that we were welcome in the North any time. He did not belong to the class which always preached tribalism. He realised our position as statesmen and not politicians.

I am grateful to the President and those Senators who spoke about these two illustrious sons of Nigeria who have departed.

May their souls rest in peace.

Senator Chief P. I. Acholonu : Mr President, I rise to take sides with the Senators who have spoken to give honour to those to whom honour is due. So many things have been said about these two elderly statesmen in this House. I have no other word to say than to associate myself with what others have said. When we came here we all met together. The late Oba Adeniji Adele II, an easy-going elderly man was always very quiet and I regarded him as a silent father. He never made frequent contributions in this House

[SENATOR CHIEF ACHOLONU]

but whenever we saw him on his legs we knew he was going to clear some important points. His silence did not mean that he had nothing to say, but he did not like to associate himself with quarrels or noise making.

The same thing goes for Senator Alhaji Abubakar Bale who was a brilliant debater. Whenever Senator Bale stood up in this House to say something, we knew that he was going to talk sense as an elderly man. The death of both of them is a great loss to each and everyone in this House as well as to their relatives. I associate myself with others in praying that their souls may rest in peace.

Senator Chief J. A. O. Akande : I rise to join the Senators who have spoken in extending the heart-felt sympathy of the Senate to the people of Lagos and the family of Senator Alhaji Abubakar Bale.

I have just been sworn in this morning and you may regard me as a new Member, but the Chamber is not new to me. I sat here between the years 1954 and 1959 when this Chamber was used as the old House of Representatives.

It is good, as Senators say, that when one is alive one must do all that is good. These noble sons of Nigeria have played their part and they have left the stage. This world, as you all know, is a stage and we are all actors. We are bound to play our part and leave the stage remembering, as lives of great men always remind us, that we must make our lives sublime and, dying, leave behind us our foot prints on the sands of time.

Mr President, I pray that the souls of our departed brothers may rest in peace.

Senator Paul Okoro : I rise to associate myself with other speakers. It is indeed a pity that a man like the Oba of Lagos is no longer in our midst. He was not my relation, but the kindness he showed to me the few days that I have attended this House is something I cannot forget. The day I heard the news of his death on the radio, God knows that I cried as I intend to do now.

Several Senators : Please do not cry.

Senator Okoro : But one thing we must realise is how old death is. How old is death? It is as old as the world and yet we cannot accustom ourselves to it, because recollections

of the dead man's way of life make it always fresh in our memories and in our minds. I always bowed before him. In our native way of life we are taught not to shake hands with a big man. We only bow to him, and whenever I bowed to this great man, he always gave me his hand, then I would shake him.

If you come to think of the dignity of Lagos and he being the only head, apart from the other political heads, and if you come to think that that personality is no longer with us, all you have to do is to pray severally and individually that the Almighty God should receive him in the same way the late Oba used to receive and shake hands with the commoners.

The question arises as to how many of us who are to-day living are worthy of such praises as have been showered on the two late Senators? We still have days, months and years in which to play our own part and give of our own quota; so let each and everyone of us remember that the day shall come when we shall have to be judged. If we do not work hard during our life-time, we shall never merit any praise. The two late Senators never asked us to remember and praise them, but we are remembering them to-day because it is our bounden duty so to do, taking into account the part they played when they were with us. There is a limit to what anyone of us can do, and when the time is due even a doctor's prescription cannot help any longer.

It is true I am not an old face in this House, but if the brand of brotherly attachment that abounds in the Senate is extended outside it, there is no doubt that every man would regard his other fellow Nigerian as his brother, be he from the East, the West, the Mid-West or the North. Since I have been in this House I have found out that even where Senators are not in any way related, they say 'good morning' to everyone, and I have since followed suit. So it is indeed a pity that we have lost the two Senators.

May God receive their souls and may they be remembered by the Angels and may their souls rest in peace.

Senator Abdul Salami Yusifu : I rise to join my Colleagues in paying tribute to the two Senators who have passed away. Much has been said by those who have spoken before me; at any rate, I feel there are some gaps which I have to fill.

I do not know much about the late Oba of Lagos, and so I would leave whatever is to be said about him to those who knew him very well before his death. As for the late Senator Alhaji Abubakar Bale, whom I knew for a long time, he started his life as a father. I say so because when he completed his secondary education he became a teacher in physics and he was so kind to his students that they regarded him as their own father. I would say that he died a noble death because he, being a member of this Upper House, was virtually a father of the land, and evidently he died for his salvation; and to be exact, he died whilst on a holy pilgrimage to Mecca—and it is generally believed that those who die on a holy pilgrimage to Mecca invariably go up to Heaven.

As I said earlier on, much has been said in tribute to the two elder statesmen, and for that reason I do not think I have got very much more to say in praise of them. May their souls rest in peace.

Senator Chief P. C. Ndu : I rise to pay tribute to the two dead Senators and to sympathise with the members of this House for the loss we have sustained. Also I have to sympathise with myself particularly because I feel the chill most, for they were sitting next to me in this House, together with Senator Chief Ojon. I only wish the wind of death has stopped so far. We shall all die, but then we expect to live much longer before we die.

Those of us who witnessed the contributions made by the late Oba of Lagos in this House would in fact have the feeling that we have lost a great soul. Senator Oba Adeniji Adele II was good; he used to speak so wisely; he had a charming appearance; he shook hands with the commoners and the way he conversed freely with them is a living testimony of his greatness.

The other Senator from the North had done so well, indeed. He used to speak so gently and reasonably so much so that people admired his speeches.

My fellow Senators, these two Senators who lived with us and have now left us are being praised to-day because they had lived in this world with clean records. I wish all of us to emulate the actions of these two Senators so that when it comes to our own time we may be praised by those we may leave behind.

That is the time when everybody is remembered for what he or she has done during his or her lifetime. So the relatives of the departed Senators are the people to be sympathised with, and I wish, on behalf of this Parliament, that the souls of the two departed Senators may rest in peace.

The President : I am afraid the time for *Oral Answers to Questions* has passed.

BUSINESS STATEMENT

The Minister of Health (Senator Chief M. A. Majekodunmi): Mr President, Sir, I rise to make the following Business Statement or programme of work for the Senate during this sitting of Parliament.

Tomorrow, 24th September, 1964, the Senate will take the Evidence (Amendment) Bill—Second Reading and other stages; the Lagos Local Government Bill—Second Reading and other stages, and the Survey Bill—Second Reading and other stages.

Friday, 25th September, 1964, the Senate will take Division of Nigeria into Constituencies—Resolution, and will then adjourn and re-convene on Wednesday the 30th of September, 1964. The business for that day will be Supplementary Appropriation Bill—Second Reading and other stages; Supreme Court (Amendment) Bill—Second Reading and other stages; Casino Licensing Bill—Second Reading and other stages; Export of Nigerian Produce (Amendment) Bill—Second Reading and other stages, and Gulf Oil Company Training Fund (Administration) Bill—Second Reading and other stages.

On Friday the 2nd of October, 1964, the Senate will take the Civil Aviation Bill—Second Reading and other stages; the Nigerian Research Institutes Bill—Second Reading and other stages, and the Pharmacists Bill—Second Reading and other stages.

This programme will appear in the *Hansard* tomorrow.

ADJOURNMENT

Motion made and Question proposed, That the Senate do now adjourn—(THE MINISTER OF HEALTH.)

Question put and agreed to.

Resolved : That the Senate do now adjourn.

Adjourned accordingly at twenty-five minutes past eleven o'clock.

SENATE OF THE FEDERAL
REPUBLIC OF NIGERIA

Thursday, 24th September, 1964

The Senate met at 10 a.m.

PRAYERS

(The President in the Chair)

ORAL ANSWERS TO QUESTIONS

CABINET OFFICE

Police Orderlies

O.28. Senator Chief J. M. Egbuson asked the Prime Minister, how many Police Officers are engaged throughout the Federation on personal orderly duties for:—

Police Officers

Judges

Ministers

Parliamentary Secretaries

Governors

Obas and other Natural Rulers and

Other Very Important Personalities.

Minister of State (Mr A. O. Olarewaju) : 306 members of the Nigeria Police Force are engaged on personal orderly duties. Of this number, 57 are for superior Police Officers, 97 for Judicial Officers, 139 for Ministers, 5 for Governors, 2 for Obas and Natural Rulers and the remaining 6 for other persons.

O.29. Senator Chief Egbuson asked the Prime Minister, if he will put an end to the allocation of Police orderlies to Superior Police Officers, and Parliamentary Secretaries.

Mr Olarewaju : Police orderlies are not assigned to Parliamentary Secretaries. In accordance with Police regulations, orderlies are assigned to Officers holding the rank of Assistant Commissioners and above and to other superior Police Officers in charge of Provinces when on duty tour.

EXTERNAL AFFAIRS

Mental Cases Overseas

***O.44. Senator J. K. Nzerem** asked the Minister of External Affairs, how many Nigerian students overseas are known to be suffering from mental illness; and how many such students were repatriated in each of the years 1962, 1963 and 1964.

The Minister of Health (Senator Chief M. A. Majekodunmi) : It is very difficult to be exact as to the number of Nigerian Students abroad who suffer from some form of mental illness since not all our students abroad are registered with our students' offices and not all mental cases are reported to our missions. The following analysis for the years 1962 to 1964 shows the number of cases reported in those years and the number repatriated.

It must be stressed however that these mental cases are of varying degrees; very few are extreme and some are nothing more than a mere touch of delusion.

Year	Reported cases	Number repatriated
1962	.. 19	13
1963	.. 15	8
1964	.. 16	3
1962-64	<u>50</u>	<u>24</u>

Senator Alhaji Abubakar Garba : Did the Federal Government print and publicise Dr Lambo's Report on mental illness affecting our students overseas for the benefit of the general public?

Senator Chief Majekodunmi : Dr Lambo's Report of the investigation on mental illness for the general public was commissioned by the Western Nigeria Government and it is not within the competence of the Federal Government to publish it.

Senator Chief J. I. G. Onyia : May I know why some of these mental students were not repatriated? According to the Minister of Health's answer, some students were repatriated and others were not. This House would like to know why some students were not repatriated.

Senator Chief Majekodunmi : I must inform Senator Chief Onyia that what I am going to say now is only a conjecture which is probably derived from my special knowledge of mental illnesses. Not all cases of mental illnesses require repatriation because there are

facilities in Great Britain for treating them and rehabilitating them so that the affected students can continue their studies. Those cases which were reported could benefit from repatriation were being repatriated, but those who could be cured were cured there.

Destitute Nigerian Pilgrims

*O.45. Senator J. K. Nzerem asked the Minister of External Affairs, how many Nigerians are known to be stranded in the Sudan, Saudi Arabia and other Near and Middle East countries; and what plans he has to get them repatriated.

Senator Chief Majekodunmi : It is not possible to give the exact number of Nigerian Pilgrims who are stranded in the Sudan and in Saudi Arabia. It is officially estimated, however, that there are about half a million Nigerians in the Sudan and about 30,000 in Saudi Arabia. The Federal Government has entered into an arrangement with Airlines used by Nigerian pilgrims for the Holy Pilgrimage to Mecca whereby their aircrafts returning from Saudi Arabia collected more pilgrims from Nigeria, transport destitute Nigerian Pilgrims from Saudi Arabia and the Sudan to Nigeria at nominal rates. This arrangement enables the destitute pilgrims to return to their homes at very little cost to the Federal Government.

As far as is known, there are no destitute Nigerians in other countries of the Near and Middle East.

WORKS AND SURVEY

Benin-Shagamu Road

O.47. Senator J. K. Nzerem asked the Minister of Works and Surveys, how much the Federal Government has spent so far on the construction of the Benin-Shagamu road; and whether he has plans to widen the many narrow bridges on the road.

Senator Chief Majekodunmi : The Federal Government has so far spent £1,942,028 on the construction of this road. There is a plan to widen the narrow bridges.

MINES AND POWER

Geological Survey

O.48. Senator Alhaji Abubakar Garba asked the Minister of Mines and Power, what were the results of the geological survey

conducted in Adamawa, Bauchi, Bornu and Sardauna Provinces during the recent country-wide geological survey.

Minister of Mines and Power (Alhaji Yusuff Maitama Sule): In point of fact, there has been no recent country-wide geological survey. The Geological Survey of Nigeria was established in 1919 and, since that date, has been cataloguing the nation's mineral resources. Its work has been intensified and expanded under the Development Programme.

Most important work on underground water resources has been carried out in Bornu Province during the last few years and this work is being continued.

Systematic geological mapping of the country, which is a lengthy and time-consuming business, is being undertaken and parts of Bauchi Province have recently been completed.

Port Harcourt Oil Refinery

O.49. Senator Alhaji Abubakar Garba asked the Minister of Mines and Power, if he will make a progress report on the construction of the Oil Refinery near Port Harcourt.

Alhaji Yusuff Maitama Sule : It was originally planned to commission the Oil Refinery now under construction near Port Harcourt in April 1965. Construction is, unfortunately, now running about two months behind schedule, due largely to Nigerian Ports Authority strikes at Port Harcourt. As a result, essential plant and equipment which has to be imported has been received late. It is now hoped that the Refinery will be commissioned in June 1965.

E.C.N. Training Scheme

O.50. Senator Alhaji Abubakar Garba asked the Minister of Mines and Power, how many Nigerians has the E.C.N. so far trained in their training scheme for indigenous officers to specialise in various sections of the industry.

Alhaji Yusuff Maitama Sule : I am informed by the Corporation that under its training scheme five Nigerians have so far been trained for specialised personnel and administrative duties and eleven Nigerians have been trained for specialised technical posts.

Senator Alhaji Abubakar Garba : On a point of order, Standing Order 14 (7)—

“If a Senator is not present to ask his Question or if the Question is not reached before 10.30 a.m., the Answer shall be printed in the Official Report, . . .”

Senator Nzerem and myself asked very important and searching Questions yesterday. I thought I would see the Answers in the *Hansard* of yesterday, but they are not there.

The President : They will appear and you will see them.

ORDERS OF THE DAY

EVIDENCE (AMENDMENT) BILL

Order for Second Reading read.

Minister of State (Mr M. T. Mbu) : I rise to move—

That a Bill for an Act to amend the Evidence Act as to certain certificates in criminal cases, be now read a Second time.

The main purpose of the Bill is to empower officers of the Central Bank, other than the Governor, the Deputy Governor and the General Manager, to be authorised by the Governor to sign certificates which could be produced as evidence in criminal cases.

Subsection (1) of section 41 of the Evidence Act, Cap 62 of the Laws of Nigeria, was amended by the Evidence (Amendment) Act, 1960 to include the Governor, the Deputy Governor and the General Manager of the Central Bank in the list of officers authorised under that subsection to sign certificates which could be produced as evidence in criminal cases.

When the Evidence (Amendment) Act was passed in 1960, the scope of activities of the Central Bank was not as wide as it is now and Bank had relatively fewer senior officers and certificates issued in respect of the genuineness of currency had had to be signed by the Governor or Deputy Governor or the General Manager.

As Senators are aware, the Central Bank has since substantially widened its area of activities and has trained capable senior officials to cope with the various aspects of

its work, and it is now possible for some of these senior officials to sign these certificates.

The Evidence (Amendment) Bill, 1964 seeks to further amend the provisions of subsection (1) of section 41 of the Evidence Act, Cap. 62 of the Laws of Nigeria to enable officers duly authorised by the Governor of the Central Bank to be included in the list of persons who could sign certificates which could be produced as evidence in criminal cases. This Amendment, while making room for flexibility in the procedure, will, at the same time, continue to fulfil the purpose of subsection (1) of section 41 of the Evidence Act.

I beg to move.

The Minister of Health (Senator Chief M. A. Majekodunmi) : I beg to second.

Senator Chief J. A. O. Akande : This Bill is non-controversial, but I think that the list of officers or senior officers in the Central Bank should have been stated. If they want all the senior officers to sign, it would have been correct if the Government had said, “all senior officers or certain list of senior officers”.

Question put and agreed to.

Bill accordingly read a Second time ; immediately considered in Committee ; reported without Amendment ; read the Third time and passed.

LAGOS LOCAL GOVERNMENT BILL

Order for Second Reading read.

The Minister of Health (Senator Chief M. A. Majekodunmi) : I rise to move—

That a Bill entitled, “Lagos Local Government Bill”, be read a Second time.

The purpose of the Bill is to amend a few sections of the Lagos Local Government Act, 1959. The amendments affect the preparation of voters' lists, the acceptance and administration of property by the Lagos City Council for public purposes and the definition of authorised expenditure.

The Bill also contains sundry adaptations to the principal Act made necessary by the present Constitution of the Federation. It is a consolidation of existing laws and seeks to make tidy the administrative arrangements

which will enable the City of Lagos to cope with the purchase and acquisition of property in Lagos.

It is non-controversial and I commend it to the Senate.

I beg to move.

Minister of State (Mr M. T. Mbu) : I beg to second.

Senator Chief O. A. Fagbenro-Beyioku : Mr President, I agree that this Bill is not controversial, but there are certain aspects of it to which I must invite the attention of the Minister.

The question of voters' lists as it stands at the moment in Lagos, is something which perhaps may be corrected by the new census list which may become the preliminary list.

On the question of objection as it is stated in this Bill, if a person wants to object to the names of some people in the lists of voters, he has to send the notice of objection by registered post. If there are about one thousand names to be objected to, the registration fee for one thousand to two thousand names amounts to something substantial, something that can even purchase the person filing the objection a house. I think the best way is for the objection to be sent either by ordinary post, by hand dispatch or by registered post, whichever is found convenient. I do not want to feel very strongly about this but I want to command it for the consideration of the hon. Minister.

Another point which the Bill provides for is the question of the Lagos City Council holding properties in trust. At this stage, I would like the hon. Minister to institute an inquiry into the Elegbata Fire Victims Relief Fund as it is now administered by the Lagos City Council. There was a time the Lagos City Council decided at one of its general meetings to divert the fund for the use of another group of fire victims. This would be wrong because the fund was specifically raised for Elegbata Fire Victims and up till now the Elegbata Fire Victims have not benefited from it.

The Lagos City Council also now holds in trust some fees for market stalls collected since 1958. An inquiry was instituted on the question by the then Lagos Town Council, setting

down some conditions precedent for women in Lagos to obtain market stalls and asking them to deposit between £6 and £10 each. The amount involved then was enormous. The money is still in the hands of the Lagos City Council. We do not know what has happened to this money held in trust, and it would be a very good thing if the Minister of Lagos Affairs would be kind enough to institute an inquiry into this aspect also.

As far as the other amendments are concerned, they only seek to substitute "Minister" for "Governor-General", which is welcomed.

Coming to the other aspect of the Bill—when polling stations should be opened and when they should close for elections to the Lagos City Council—there has been a lot of irregularities about this and I very much welcome the provision. There were certain polling stations during the last Lagos City Council elections where people practised some sort of irregularities. They were to close at six o'clock but closed at half past five, and when you get to the polling station they tell you: "polling is closed", which means that you have to keep your vote for the next three years, unless there is a by-election. I very much welcome the provision that such certificates should be issued.

May I also take this opportunity to invite the attention of the hon. Minister to the general activities of the Lagos City Council in respect of markets which I feel should have been covered by this Bill also. The Minister of Lagos Affairs should have more powers in respect of markets that are now controlled by the Lagos City Council, because the way market stalls are allocated by the Lagos City Council is far short of what is required. I should be very glad if the hon. Minister will institute an immediate inquiry before the Federal elections in December or thereafter.

Senator Chief S. T. Hunponu-Wusu : I whole-heartedly support all the points raised by Senator Chief Fagbenro-Beyioku on the Lagos Local Government Bill. The Minister of Lagos Affairs should institute an immediate inquiry into the collection and disbursement of money and goods collected for the Elegbata Fire Victims. These victims living at Johnson

[SENATOR CHIEF HUNPONU-WUSU]

Street right down to Elegbata received the sympathy of the public and money was specifically collected to help the fire victims, but it was diverted to other uses.

These people were also promised that they would be given accommodation at Victoria Beach, but up till to-day none of these promises has been fulfilled. Many of them are still hanging around living with friends and relatives and the Lagos City Council has done nothing to help them.

There was also the point mentioned by Senator Chief Fagbenro-Beyioku that some years ago some market women were asked by the then Lagos Town Council to pay ₦6 each for the allocation of market stalls. Up till now these women have not been given stalls and the Council is still keeping their money. We would like the Minister of Lagos Affairs to look into this. It is time an immediate inquiry is instituted into what is going on in the Lagos City Council.

Question put and agreed to.

Bill accordingly read a Second time and immediately considered in Committee.

LAGOS LOCAL GOVERNMENT BILL :
CONSIDERED IN COMMITTEE

Clause 1—(ADDITIONAL POWERS IN RELATION TO LISTS OF VOTERS.)

Senator Chief Fagbenro-Beyioku : I would like a sort of observation from the hon. Minister in respect of my own observation requesting that in the case of filing notices for objections, if he will feel inclined to consider including that such notices can be sent either by ordinary post, dispatch or registered post instead of making it rigid that it should only be by registered post.

Clause 1—ordered to stand part of the Bill.

Clauses 2-6—ordered to stand part of the Bill.

Schedule—(MISCELLANEOUS AMENDMENTS).

The Minister of Lagos Affairs (Alhaji Musa Yar'Adua) : I beg to move an Amendment—

Section 72, for "Chartered Accountants" substitute "Corporate Accountants".

Question, That the word proposed to be left out, be left out, put and agreed to.

Question, That the word proposed to be inserted be there inserted, put and agreed to.

Schedule, as amended, agreed to.

Bill reported, with Amendment, read the Third time and passed.

SURVEY BILL

Order for Second Reading read.

The Minister of Health (Senator Chief M. A. Majekodunmi) : Mr President, I rise to move—

That a Bill for an Act to alter the Constitution of the Surveyors Licensing Board and the qualifications required for the issue of a Surveyor's licence; and for purposes connected with the matters aforesaid, be read a Second time.

Sir, this is a very short Bill and it seeks only to amend the Survey Act in order to enlarge the Surveyors Licensing Board by making provision for representations from the Regions and increasing the representation of Surveyors in private practice on the Surveyors Licensing Board.

It also seeks to abolish the power of licensing as Surveyors those persons who are not professionally qualified as such.

The Bill is completely straightforward and non-controversial, and I think the Senate will have no difficulty whatsoever in accepting it.

The Minister of Lagos Affairs (Alhaji Musa Yar'Adua) : I beg to second.

Senator J. K. Nzerem : Mr President I agree that the Bill is not controversial, but there is only one thing in it which I do not quite agree with, and that is that those men in the service of the Government for very many years who have acquired experience from actually doing the work should be denied the opportunity of getting licences. In every walk of life, experience counts. I know that there are people who are very good teachers but who have not the knack for passing examinations. Such men are awarded Teachers' Honorary Certificates. There are people in the civil service who get promotion by mere acquisition of experience. I do not see why it should not be so in the case of Surveyors.

A Senator : Why not in the case of doctors ?

Senator Nzerem : The case of doctors is different. Doctors are responsible for human lives and human life is not a thing one can play with. Now, even if a Surveyor makes a little mistake in measuring land, that would not cause anybody his life. I am suggesting that consideration be given to men of experience. And, of course, I do not think that the Government intends that the Bill will have a retrospective effect to deprive those already licensed of their licence.

Senator E. A. Lagunju : I think this is really a straightforward Bill. It is a progressive piece of legislation. We want efficiency. We cannot sacrifice efficiency on the altar of sentimentality. While it is true that in the teaching field some people are granted honorary certificates, I think these certificates are subject to certain conditions. Apart from teaching for a long time, they get their inspection report.

They get some other things and they go in for in-service training. They are not just awarded certificates anyhow and the two things are separate. I think we must do whatever we can in the early stage of our national development, particularly in the field of survey. If a piece of land is wrongly measured, it can lead to many things in the future. All sorts of litigation and what's not might arise. So it is really necessary to get the right type of people, people who are actually qualified.

I do agree that it is not all that easy to get fully qualified and licensed people, because they must have the Chartered Institute of Surveyors licence which, of course, cannot be got in this country. It may be necessary for them to go overseas just as many people have been going overseas for training in other fields. All we can do in this case is to appeal to the Federal Government to set up as soon as possible faculties necessary to give adequate training to our people so that people can get fully qualified. If they can get that in Ibadan, Lagos, Zaria or Nsukka, then there will be nothing to quarrel with about this Bill.

I think we want efficiency and what is practicable in other parts of the world should be practicable here. Mr President, personally, I have no quarrel with this Bill. It is a wel-

come piece of legislation.

Senator M. G. Ejaife : I would like to underline the views expressed by the last speaker, mainly, that only the best is good enough for Nigeria. I think we have had excuses in the past because facilities for training in order that people might qualify were not very many. I think that nowadays there is no excuse. There was a time when we thought that a Nigerian could not get a Ph. D. but the number of holders of higher degrees has increased considerably ever since. I do not think it is impossible for anybody with a mind and wish to be a licensed surveyor to pursue that course now, whether overseas or here in Nigeria. Where there is a will there is a way.

If in medicine a doctor is responsible for one human life, I think a Surveyor's error can be responsible for more than one human life. To-day we hear of clashes in which people are killed because someone else has gone into some other people's land, and from land to life is but a very small margin. I think we should not joke with any matter concerning land nowadays because it is the basis of life. We build on land, we can get out life and living from land and land survey is as important to our living as anything else.

Also, there is plenty of racket about surveying nowadays in this country. I do not know if the authorities know about this. Mushroom schools have sprung up producing people who are just draughtsmen. They learn to draw single sketches and they call themselves surveyors. They go into the villages and tell the people that they are surveyors, draw a few lines and go to a licensed surveyor and he signs his name. This has happened several times. I do not know whether this has not been brought to the notice of the authorities. I should have thought that such a thing should be legislated against; the practice whereby ordinary laymen who only know how to draw lines and put on figures, charge exorbitant fees and go to the ordinary men and present such a drawing as if it were a true plan. These plans are generally signed by licensed Surveyors. I think it is essential that if we want to do a thing at all, we should do it well. I think this Bill is welcome and there should be no concession or giving any quarter in this matter.

Senator Chief Frank Oputa-Otutu : I would like to draw the attention of the Minister to just one point. I hope that the Bill does not seek to deprive already licensed surveyors who are not properly qualified, of their licences when this law comes into force. I do hope that this would not be the case. Those who have been granted licences in the past, although not professionally qualified, should be allowed to continue to practise.

Senator Chief R. A. Umoh : In these days of mass development, I personally feel it is not good to narrow this matter of the future of surveyors. Actually we want to develop the rural areas and at the moment the number of surveyors needed for this development—developing townships and roads—is not even enough. Therefore, I believe that whilst it is necessary that we have efficiency, we should at the same time have mass production. We talk of efficiency but when you look at the field of survey there is no age limit. You find a surveyor who is highly advanced in age; how does he keep up with efficiency? All he does is to despatch people who are not at all qualified to do the survey work and he will initial it as having done it himself. When he is not sound enough because of old age he is unable to go out himself to do the survey work. And yet we talk of efficiency!

The Bill lays down a 15-year apprenticeship period. I must say that this period is too long. There are certain bright chaps who can develop to any considerable standard within a lesser period, say, ten years. Most of us in this House are not from townships. Most of us are from the rural areas, and we want our areas to be developed. How then do you expect your area to be developed when you have to wait for a man who has to take 15 years to qualify before he is deemed to be a licensed surveyor?

What I am putting to the Minister is that he should see to it that the way is open for the development of rural areas by turning out many licensed surveyors so that we might minimise the chances of having those who are not properly qualified in the field of survey. What obtains at the moment is that you run into someone in the village carrying all the necessary surveyor's equipment, and although he is in no way qualified, you will hardly question him, even if you are a parliamentarian. The man presents himself to you as a surveyor

and, without hesitating, you give him a survey work to carry out. He does it and takes it back to a licensed man to initial. All this happens because we have a dearth of surveyors.

There was a case where a village wanted to mark out the boundary of a portion of land; a man presented himself as a competent surveyor and got the job for about a thousand pounds. It turned out that the man was an unqualified surveyor. I actually saw this happen myself and it happened only because we have not got many surveyors. I feel that we should do something to produce more qualified surveyors. And whilst we are trying to restrict the number and type of people who pose as surveyors, we should ensure that we have mass production and efficiency because we want mass development, and mass development is dependent on land. If there is no land, there is no development. Whatever you want to do, land is the primary factor, and it is on land that the people depend for their wealth.

Senator Zanna Medalla Sheriff : I have not got much to say but to disagree with the remarks made by Senator J. K. Nzerem on his suggestion that honorary certificates be issued to surveyors. I think that that is entirely out of the question. When you are bound to have efficiency you should not be merely satisfied with half measures. I think that his corollary with the teachers' honorary certificates is irrelevant to the issue involved in the Bill before the House.

I would like to know of what stuff our surveyors are made. Are they of secondary school level, or of university level, or of primary school level? What is the recognised certificate for surveyors in this country? That is what I would like to ask the Minister.

Another point concerns the development of rural areas as remarked by a Senator a short while ago. It is hardly possible to find a fully qualified surveyor in the interior places because we do not have enough of them in this country. We have quite a lot of survey work to be done in the rural areas if those areas are to be developed at all, and unless something can be done now to produce the required number of licensed surveyors, the rural areas will forever remain undeveloped. And the only

way open to us would be the establishment of a school of survey, if there is none at present. I strongly recommend to the Minister that something should be done to have an institution immediately for turning out competent surveyors.

With the foregoing remarks, I beg to support.

Senator Chief O. A. Fagbenro-Beyioku : I want to emphasise on those people with fifteen years' experience, sentiment aside. If the existing practice is that a surveyor's licence should be renewed yearly or at intervals, then as soon as this Bill becomes law those people will not be eligible to have their licences renewed. For all I know, if a surveyor's licence is to be renewed like the legal practitioner's licence which is renewed yearly, then a surveyor's licence has got to be renewed yearly.

However, I would like to point out that all the people who are given surveyors' licences after fifteen years are trained men. They are men from colleges who were trained at Ibadan or somewhere at a Survey Training School. After their training they went back to the Government though they had no licence to work as private practitioners. They are deprived of it. They are granted this licence after they have done fifteen years with the Government so that when they retire, they can continue to practise on their own. They are not quacks. They are trained surveyors. I know several of them who are my colleagues. They went to a Survey School and came out; they then went back to the Government.

There was even a time in this country when people who qualified as surveyors had this same trouble. I remember a man like the late Ishola Phillips. When he qualified as a Civil Engineer and came back, he was requested to take a test before he could be given a private practitioner's licence. I think the late Herbert Macaulay then protested by writing several articles in our daily newspaper in those days. Even when these people were compelled to take that test, they fought hard after the test to get the licence. In fact, this thing is embodied in the existing Surveyors Act.

This Bill has got to be made quite clear, particularly in respect of those people with fifteen years' experience. Nobody says that

we should not have efficiency in this country, but when we have efficiency we are at the same time committed to safeguarding the interests of the individual in this country.

So, I want an assurance from the Minister in charge that it is not the intention of Government to withdraw those licences already granted. If that is so, it must be made quite clear, otherwise when the new Survey Board takes over, it may say that it is acting in accordance with the Act and is sorry that licences cannot be renewed.

Senator Chief Majekodunmi : Perhaps it would shorten the debate if I give this assurance as has engaged the attention of Senators. I think most Senators actually understand the purposes of the Bill, and they have, in fact, spoken eloquently in support of it. But, as I said earlier, there are two purposes which this Bill wants to satisfy. First of all, it is intended that the Surveyors Licensing Board should be enlarged to enable Regional representatives to be able to sit on it. Secondly, it should be made impossible for those who are not professionally qualified to be licensed. It does not seek to deprive those who are already qualified, and, indeed, the reference to those who have had fifteen years' experience may, in fact, be one of the systems whereby they would achieve their professional qualification.

This is a Bill which has been requested by the surveyors themselves, and by this they intend to raise the standard of surveying in this country. The members of the Licensing Board are themselves surveyors who are out to protect the interests of surveyors, and we, as laymen, cannot protect the interest of surveyors any more than the people who are practising in this field themselves. Therefore, I want to assure Senators that the Government has no intention whatsoever of depriving anybody of his means of livelihood. In fact, the more surveyors we have the better, but they should be professionally qualified.

Those who are already licensed cannot be deprived of their licences. Nobody ever engages in such a legislation. All we are trying to ensure is that those who are going to be licensed in future will have to be professionally qualified according to the standard to be set by this Surveyors Licensing Board.

Senator Chief J. S. Olayeye : I have very few words to say on this Bill. I really appreciate what the Minister of Health has said. I just want to mention one thing, and that is that the number of surveyors working under the Federal Government is very small and not enough because the work these surveyors have to do is neglected. For instance, my family granted some pieces of land in Okitipupa to the Government, and up till now they have not been re-surveyed. I do not know how long land is being surveyed or re-surveyed. I want to know whether the survey is done yearly, or every five years, or every ten years.

For example, I do not know who was responsible for the removal of the stone pillars or marks made by a Government surveyor to demarcate my personal land near the Prison at Okitipupa. All I can find now is that the stone pillars have been removed. I wrote to the Regional Surveyor who is to communicate my complaint to the Office of the Minister in charge, and though it is almost a year now, I have had no reply. I cannot use my land, and I am not in a position to sue the Federal Government for trespassing on my land. I waited the whole of last year but no surveyor came. This year again no surveyor has turned up, and I find it very difficult to use that land for the purpose I intend it.

In summing up these points, I consider that Government has not got enough surveyors to do their jobs. Or if it has a sufficient number of surveyors, it must certainly be due to the fact that the surveyors are lazy to go round the country.

It seems that when Government want a piece of land from one they come to one with sweet words, but immediately one gives out the land to them they just go away, and they do not come back to re-survey it, though they have some agents to remove stone pillars every time! In the name of my people who are so kind to apportion such pieces of land for development purposes, I appeal to the Government to see to it that they send some surveyors down to re-survey those pieces of land in order to avoid unpleasantness.

I do not want surveyors who survey at midnight and run away, as was the case when a surveyor came there sometime ago at night and went away before dawn, and sometime

later when I had him brought back, I asked him what he had surveyed but he had nothing to show me.

Senator J. K. Nzerem : On a point of order, Senator Chief Olayeye is irrelevant.

The President : The Senator should please be relevant.

Senator Chief Olayeye : I am speaking about survey or Licensing Board. All I want to say is that if something is not done to remedy the conditions of things, when Government will be requiring any piece of land in future the people may refuse to give it out. Therefore, I would like to know immediately what the Government intends to do to remedy these irregularities.

With these few remarks, I beg to support.

Senator H. O. Abaagu : I just want to say a few words on this Bill. If I got the Minister of Health correctly, he said that this Bill was suggested by the Surveyors themselves. If it was the Surveyors who asked for this Bill, I think their intention could be ambiguously understood. This Bill could be for a genuine purpose and it could as well have some sort of selfish motive behind it. I am afraid it might be a conspiracy by Surveyors to build an empire for themselves and thereby deprive others of their means of livelihood. I am therefore, seriously warning the Government to be on the look out and check the recommendations of the Board of Surveyors very carefully.

Question put and agreed to.

Bill accordingly read a Second time ; immediately considered in Committee ; reported without Amendment ; read the Third time and passed.

ADJOURNMENT

Motion made and Question proposed, That the Senate do now adjourn—(THE MINISTER OF HEALTH).

Question put and agreed to.

Resolved : That the Senate do now adjourn

Adjourned accordingly at three minutes past eleven o'clock.

SENATE OF THE FEDERAL
REPUBLIC OF NIGERIA

Friday, 25th September, 1964

The Senate met at 9 a.m.

PRAYERS

(The President in the Chair)

NOTICE OF MOTION

DIVISION OF NIGERIA INTO CONSTITUENCIES

The Minister of Health (Senator Chief M. A. Majekodunmi): I rise to move—

That, in accordance with section 51 of the Constitution of the Federation, this House approves the division of Nigeria into three hundred and twelve constituencies bounded as prescribed by the Electoral Commission of the Federation.

This is a very important Motion and, I am sure, many Senators will have much to say about the work of the Electoral Commission. But I would like to explain beforehand that the Electoral Commission had had to work under very great pressure indeed because they had very little time in which to complete their work.

There was before now a Delimitation Commission which took six months to delimit the constituencies into which Nigeria is at present divided. But this Electoral Commission had to take a much shorter period in which to delimit the constituencies because of circumstances surrounding the census of this country. The census figures have now been accepted and the constituencies in Nigeria have been divided into three hundred and twelve constituencies.

As Senators will have noticed from the sections of the Constitution which were quoted by the Commission, it is not necessary that each constituency should have exactly equal number of voters, because the Constitution of Nigeria stipulates, and I quote—

“2. According to section 51 of the same Constitution, in undertaking this delimitation of Nigeria, we are to take into account the following considerations set down in section 51 (2) of the Constitution, which states as follows :—

“No constituency shall form part of more than one territory and the boundaries of each constituency shall be such that the number of inhabitants thereof is as nearly

equal to the population quota as is reasonably practicable.

“Provided that the number of inhabitants of a constituency may be greater or less than the population quota in order to take account of means of communication, geographical features, the distribution of different communities and the boundaries of the territories.”

The population quota is obtained by dividing the present population of Nigeria by three hundred and twelve, which is the number of seats in the House of Representatives, and this works out to approximately one hundred and seventy-eight thousand *per* constituency.

It will be observed in this Report that there are some constituencies which are as high as over 240,000 and there are some which are as low as 131,000. This is inevitable in the light of the section of the Constitution which I have just quoted, because the Delimitation Commission had to take into account the geographical features, communications, *et cetera*, in delimiting the areas of Nigeria into 312 constituencies, and the Constitution certainly has made provision for this; so that it is not necessary that each constituency should have exactly the same population quota, and this can be seen in this Report.

Before I conclude, there is a small error which I would like to point out arising from a misprint in the Census Board Report. The Preliminary Census List included the Emirate of Lapai in Niger Province of Northern Nigeria with a population of 49,784. This Emirate—Lapai—was completely omitted from the final census figures. As the Report of the Delimitation Commission was based on these latter figures, it means that about 50,000 people in the Lapai Emirate will have no votes in the coming elections. This, I am sure, is not the desire of the Senate.

After discussions with the Census Board and also with the Chairman of the Electoral Commission, it was found that the District of Lapai could be conveniently merged with Abuja whose population had dropped from 95,970 to 91,340. This would enable the people of Abuja and Lapai to return one Member to the House out of their combined population of 141,124.

I would like to express regret for this omission, and to say that the amendment proposed

[MINISTER OF HEALTH]
is necessary if we are not to deny about 50,000 people in the Lapai Emirate of their civic rights. I have no doubt that the Senate will agree to this.

The Commission has done a very good work. The members have had to travel extensively throughout the country to be able to ascertain for themselves the conditions prevailing in each locality. As I have already pointed out, they have had to produce their Report against time because it is necessary that we should have an election before the end of this year and the life of the present Parliament is running to an end, and, therefore, they have to produce this report to enable Parliament to approve it in time for the voters list to be produced. Accordingly, the report has been laid before Parliament since yesterday.

I hope that Senators have had time to study the Report, and I commend the Motion to the Senate.

Senator Chief A. O. Fagbenro-Beyioku : I beg to second.

Senator Chief J. I. G. Onyia : I rise, in the first place, to pay tribute to the Delimitation Commission. Indeed, the Delimitation Commission has worked under three different circumstances which cannot be said to be favourable. These three difficulties under which the Delimitation Commission worked are :

- (1) the defect in the terms of reference ;
- (2) the short period at its disposal and,
- (3) the controversial census population figures.

I said number one difficulty is in the terms of reference. If one looks into the terms of reference here, one will find that it is defective in that if the Commission had wanted to work strictly to the terms of reference, without being guided by precedent of the last delimitation by Lord Merthyr, it could have done a lot of harm. The terms of reference made no mention whatsoever of respect for administrative units, which is very essential, hence the Commission reported here that :

We have tried as far as possible to allocate seats on the basis of Administrative Divisions. This is purely arbitrary as our Terms of Reference do not specifically show that this should be the case.

That is the point. It is defective for nothing like this was stated. In the terms of reference to Lord Merthyr, this was stipulated clearly.

Again, there was nothing whatsoever said in their terms of reference about contiguity of the areas that should embrace one constituency. So that if the Commission was not guided by precedent and by experience and by the report of Lord Merthyr, they could have taken up one territory—so long as that territory could be reached by means of communication, that is, transport facilities—inhabited by one clan without consideration of the distance within the constituency, and even without considering that one has to pass one clan before getting to the other, and add it to another, since there was no stipulation whatsoever about the contiguity. Such two territories may have the same geographical features. If one looks into the terms of reference, one will find that if the Commission wanted to abide strictly by the terms of reference, it could have made a lot of mistakes. This is difficulty number two.

All I am doing is to pay encomium to the Delimitation Commission for having taken cognisance of all these facts that were not embodied in the terms of reference. I say all these things because I was one of those who represented the N.C.N.C. ; I led two other people to represent the N.C.N.C. in the whole of Western Region during the time Lord Merthyr was delimiting the Western Region, and I know what I am saying. Chief Rotimi Williams, Chief Anthony Enahoro and Chief Akinloye were on the other side. With me were Chief Mariere and Chief Gbadamosi. I know that if all these circumstances were not taken into consideration and if the terms of reference did not embody all these facts, we could have gone amiss.

Now, I come to the third difficulty which confronted the Delimitation Commission and that is the question of time. It has been written here by the Delimitation Commission that it took Lord Merthyr Commission six months to delimit the constituencies of Nigeria and compile its own report. Yet, this present Delimitation Commission was expected to do the same job within six weeks, and it was done within six weeks—six months to six weeks ! In fact, I repeat that the present Delimitation Commission had had to be guided by the precedent of the last report and it is all credit to them.

I come to the question of another difficulty which is not their own fault. Many people

may complain about this because of the controversial census figures. Anybody who looks into what are embodied here will find that some figures are fantastic, absolutely fantastic. Anybody who reads about the census of the world will know that some figures here were unduly inflated.

The President : That point is irrelevant.

Senator Chief Onyia : I am talking about the difficulties which confronted the Delimitation Commission. I know that certain people in this House as well as in the House of Representatives will have something to say about the population. Without these population figures you could not have delimited Nigeria and you could not have robbed some constituencies of their seats. How, therefore, can you say it is out of order to discuss it? (*Interruptions*).

The President : Will the Senator please proceed.

Senator Chief Onyia : Thank you very much. Mr President, imagine how the population of a place could increase from 327,000 within ten years—

The President : I would like the Senator to be relevant. Do not go into figures again.

Senator Chief Onyia : I will go into constituencies. I think constituencies matter in this delimitation, Mr President. I cannot imagine how a divisional unit—

Senator Zanna Medalla Sheriff : On a point of order, may we know if the Senator speaking is supporting or opposing the work of the Delimitation Commission?

The President : That is no point of order.

Senator Chief Onyia : If Senator Zanna Sheriff had followed me from the beginning he would have realised that I was debating on three main difficulties which confronted the Commission. I spoke about the defective terms of reference; I spoke about the limited time at the Commission's disposal; and I have spoken about the difficulties it faced in connection with the census population figures. Even when the Minister of Health was making his own statement he could not help mentioning these census figures. Does it mean then that he was out of order to have mentioned the census figures at all? I am just following the trail of the statement made here by the Minister of Health and also the facts embodied in the Delimitation Report.

I know that those people who have lost their seats will have something to say in this House. And what will prompt it? If somebody has lost his seat and another person has gained a seat, what is responsible? According to the Report before us, you find that a Divisional unit which before had four seats has gone down to three seats, whereas another which had three has gone up to eight. A unit which had three seats during Lord Merthyr's Delimitation is now to have eight seats. How the population has increased so fantastically within such a period is hard to believe, whereas there has been no equivalent industrial progress in such a place.

The President : I would like Senator Chief Onyia to understand what is involved in this debate. What you are supposed to debate here is about how the Commission divided the constituencies; they did not count the constituencies. Therefore we are not going to talk about how the population rose; we are to talk of how to divide the constituencies. Senator Chief Onyia should please stick to that. This is my final warning on this matter.

Senator Chief Onyia : That is exactly the point I was trying to make. I was trying to say that the Delimitation Commission was guided by the census figures in dividing the constituencies the way it has done, and that has made certain constituencies to lose their seats and others to gain. It is the point I want to make. Whatever happens, as I have said before, my point was to pay tribute to the work done by the Commission. I am not opposed at all to the production of the Report; I said so at the beginning—

Senator Chief J. S. Olayeye : Where does the Senator stand then?

Senator Chief Onyia : I have said it that I am not at all opposed—

Senator Chief O. A. Fagbenro-Beyioku : On a point of order, the Senator speaking should address the Chair and not Senator Chief Olayeye.

Senator Chief Onyia : Mr President, Senator Chief Olayeye wants to know where I am. I would say I am in Okitipupa! (*Laughter.*)

I did not at all in all my speeches oppose the production of this Delimitation Report; I was only saying that the Commission was

[SENATOR CHIEF ONYIA]
confronted with three different kinds of difficulties and I have elaborated on them.

I beg to support.

Senator A. E. Ukattah : There is very much to be said about this Report, but it is not here that we are to say it. For the moment, I wish to say that whatever may be the imperfections in this Report, they are not the imperfections of the Commissioners, but the imperfections of our Constitution. I say this because the Commission was asked to delimit into single-member constituencies and in doing that they were asked to note that altogether there were to be 312 seats ; they were also given a population figure. Now in trying to achieve an equitable distribution of seats the number of seats was divided into the number of people in the country, and the result was called the population quota—and this was to guide the Commission. This population quota is known to be 178,270. One would have expected, therefore, that each constituency should have at least 178,270 people to qualify for a seat. But is that so ? When we look at the Report of the Delimitation Commission the answer is no.

For instance, you have a constituency (page 65, serial number 131 of the Report) called Gwoza with 69,580 people and it qualifies for one seat. And if you look into that, whatever may be the terms guiding the Commissioners, you find that that number is less than half of the population quota. If you go over to page 67, serial number 306, you find Urhobo West with 319,621 people having one seat. That is about one and a half times the population quota. I know that this has been possible because of what the Constitution stipulates, but if we are to delimit strictly on the basis of the population quota, no constituency should have had fewer than 178,270 people to qualify for a seat. You can see then that the whole exercise, to my mind, was a waste of time. The proper thing to have been done was to have allowed the number of seats at present allocated to the Regions to remain, and you could divide up the number allocated to each Region into the population of that Region.

So, this exercise is a sheer waste of time and money, and because the whole thing is not actually guided by our population census, it does not help us at all.

The imperfections of this Report should be a lesson to our leaders. In fact, they suggest an

assignment, and this assignment is that the Constitution of this country ought to be looked into and a decision should be based on what obtains now in the Senate where all the Regions are equally represented. The same should be the case in the Federal House of Representatives, and this will eliminate the headache that we now get in trying to delimit.

I do not like to waste much time on this point. I only want to mention, in conclusion, that the Government has to be a little more careful. If anything is to be done, all the processes involved must be followed in their logical sequence.

For instance, two weeks ago the various Regions were asked to display the Voters' List when what ought to have come first had not been done. Teachers were drafted to do the work of receiving objections when, in fact, the right process was to lay the Report before Parliament and obtain Parliamentary approval before the Voters' List could be displayed. Any Government that works in such a very shabby way naturally gives a very poor impression, and such display of inefficiency, either as a result of ignorance or oversight, on the part of any Government does not reflect any credit at all.

I am therefore saying that anything that could subject the Government to ridicule should be avoided in future. If the Voters' List is to be displayed, the proper thing is, first of all, for the people to know their constituencies.

For instance, four seats were formerly allocated to Aba Division. But the number has now been reduced to three. If the Voters' List had at that time been displayed, people in some of the places involved would have been confused. That kind of thing is ridiculous, and it is a waste of time and money to do such a thing. The Government should be very careful and note what to do. The Government must do the first thing first.

I am therefore supporting this Motion with a warning that in future, we should, for the sake of equity, have the same number of people representing each Region in the Federal House of Representatives just as we now have in the Senate.

I beg to support the Motion.

Senator Chief F. Oputa-Otutu : The division of this country into 312 Constituencies was based on the population of this country as

produced from the last 1963 Census result. The division of the country into various constituencies is one of the numerous assignments of the Federal Electoral Commission.

I think that this is not the proper time to discuss the Census, or to criticise it. The Census controversy has been settled by the Supreme Court, but I would like to draw the attention of this Senate to the fact that the majority of the well-informed people of this country are not satisfied with the last Census result.

I have very little to say about the work of the Commission itself. I think the Commission has done its best judging from the time limit and its terms of reference.

As I mentioned, the Commission has some other duties apart from the delimitation of this country into constituencies, and I crave the indulgence of Senators to be allowed just a few minutes to draw the attention of the Commission to the sacredness and the importance of its office.

I would like to say that the Commission should be asked to do its duty of conducting the forthcoming elections without any fear or favour. This in fact, is one of the most important assignment of the Commission.

The Commission has done its duty on the question of delimiting this country into constituencies, and, as I have said, it has done its best in accordance with its terms of reference, but the most important assignment is that of conducting the forthcoming federal elections.

This is the first General Election which this country is going to hold after Independence. Before Independence we had the colonial Governors and others who assisted us in conducting the elections, but the work is now going to be carried out by our own people and the world is looking forward to what would happen. It is on our success, the success of the performances of the Commission, that we would be judged on our ability to rule ourselves. I do not want to waste the time of the Senate, and would therefore end by asking the Prime Minister of this country through the leader of this Senate to ensure that the forthcoming federal elections will be conducted without any fear or favour.

We all know the Prime Minister to be a laudable person upon whom we have great confidence for his impartiality. I have my

reasons for saying this, one of which is that some evil methods had been adopted in the past by some Governments of this Federation in conducting elections.

These are the few comments I have to make in contributing to this debate.

Thank you very much.

Senator E. A. Lagunju : I rise to associate myself with my fellow Senators who have spoken about the able manner in which the Delimitation Commission has done its work. Within so short a time, I think it has done a splendid work for which it deserves our praise.

While it may be true that in some places the population figures range from 6,000 to 8,000 and are as high as 200,000 in other places, I think that the Commission had taken into account the question of administrative units, contiguity and other geographical factors in arriving at a decision. Personally, I have no quarrel with their findings because, they had worked on the facts available to them in their work of delimitation. We must commend their efforts, because they have done very well during so short a time.

Going through the list, as I did with some other friends, it appears to me that in some places the names of villages have been left out. I sincerely hope that note will be taken of this because it is very important.

Every citizen of this country owes it as a civic duty to vote. Every citizen has the right to vote and no one should be deprived of this important privilege when once he is willing to exercise that right.

I would like, to call attention to page 53, constituency No. 279—Iwo East. In Iwo District Council Area (Rural) there are towns like Oluponna, Ologun, Ile-igbo, *et cetera*, but I have been told that Ogbaga and some other places have been left out. All these places have been registered.

I therefore sincerely hope that every effort will be made to make sure that all the people who were registered during the last census will be given the opportunity to vote. This is a very important matter.

Similarly, at page 55, Constituency No. 293—Oyo North-West—I understand that some villages have also been left out. I am sure that hon. Members in the Lower House will

[SENATOR LAGUNJU]

press these points home. In two constituencies, in particular, in Western Region, some villages have been left out. No matter how small a village may be, let the population be 20 or 30, its members deserve the right to vote.

These are just the few observations I want to bring to the notice of the Senate. In any case, I think all these things have occurred because the Delimitation Commission was pressed for time. Nevertheless, its work is worth taking note of. Besides these few observations and the fact that every voter should be allowed to vote, I have no further comments on the splendid work done by the Commission.

I support the work of the Delimitation Commission.

Senator J. K. Nzerem : I would like to join those who have already spoken in praise of the work of the Delimitation Commission. When it was announced that a Commission has been set up and headed by a man of the calibre of Mr Esua, everybody was convinced, particularly those who know Mr Esua, that he was going to produce a very good piece of work.

The result of his work which is now before us, shows that the people who chose Mr Esua to head this important Commission did not make any mistake at all. I am satisfied that under the circumstances in which the Commission worked, it could not have done better but that does not mean that there are no inconsistencies.

An example is that in certain urban areas with a population less than the population quota, a seat has been allowed and I thought that this would apply generally to every big urban County Area which has a seat.

But I have noticed that that is not always the case because Aba Urban Area, for instance, has been merged with Southern Ngwa and Eastern Ngwa County Councils. Aba is an urban area which is growing every day. It is expanding North, East, South and West and in the course of the next two or three years the population is going to exceed even the present population quota.

As everybody knows, particularly those from the East, Aba is an important commercial centre. It is the meeting place of all the roads in the Eastern Region and to deprive it of its seats because its population happens to be

lower than the population quota, appears to me to be a serious mistake.

I have read this Report most carefully and would like to say something in the case of Ikom. I do not know how many Senators know Ikom, but I usually call Ikom, Nigeria's land-end. This is so because after Ikom the other areas are in the Cameroons.

The geographical factor of Ikom makes it impossible for any other place to be added to it. But there it is. The Delimitation Commission has nothing to do but to give Ikom which is a division by itself, one seat. The population of Ikom is 8,000 but in its case, the Delimitation Commission is simply powerless. There are cases like that here and there but that should not be the case with an urban area like Aba, which is growing daily.

However, one has got to allow for the fact that the Constitution permits this, and so there is nothing one can do about it.

I therefore, really feel that any tribute paid to the work done by Mr Esua's team is very deserving. Though, like every human work, there must be inconsistencies here and there, the work is still well done indeed. I think we have nothing but praise for those who did this splendid work considering the circumstances under which the work was done.

I beg to support.

Senator H. O. Abaagu : Before I say something about the Delimitation Commission, I must first of all sing my praises to the Government, the source from which the Delimitation Commission drew its counsel and inspiration. I am praising the Government for the able way it averted the 1963 Census figure rumpus. By accepting the figures, the Government had averted a very grave danger which threatened the unity of the Republic.

It was very good that the Government decided that the number of voters for one seat should exceed that of 1959.

In the 1959 Federal Elections, we had 100,000 voters for one seat ; that was a compromise to avert crisis. The Government was then killing two birds with one stone.

There is no use bringing about six hundred people to Parliament when some of them would hardly say a word throughout the life of the Parliament. At present, there are some hon. Members who have not said a word since they were elected to the House of Repre-

sentatives not because they have nothing to say, but because at times, there is no chance for them to speak. It is quality that Nigeria needs and not quantity. I praise the Government for allowing the number of seats to remain as before.

One Senator has quarrelled with a constituency in Northern Nigeria known as Gwoza, which has only 69,000 people. If we compare that figure with the other figures, it seems that it is correct. The Senator has forgotten that the Commission itself took into consideration the administrative convenience of the Constituency, in that Gwoza is a Native Authority area by itself.

In fact, Gwoza and Mubi are in one division, but they have two Native Authorities. It is not possible, therefore, to merge Gwoza with Mubi at all. We should remember the administrative convenience as well as the geographical contiguity. If we merge them together, it will just be like adding water to oil.

The Commission has done a very good piece of job. We should remember that the Commission itself worked under very difficult circumstances. It commenced its work without having first got the actual population figures. The Commission had already completed half of its work before it got the actual population figures. The Commission should not be blamed for giving small number of voters to one Constituency and more to another.

I now come to the actual thing—

Senator P. A. Ogunidipe rose on a point of order.

The President : I am not recognising Senator Ogunidipe. Senator Abaagu should proceed.

Senator Abaagu : This is just a preliminary work. The actual thing is the conduct of the election and not the delimitation of constituencies.

I would like to warn the Government that the people of Tiv Division in Northern Nigeria will not vote if the Government does not take time because of the disturbances in the division. Some people have deserted their homes because of these disturbances.

If the Government erects polling booths in rural areas for the supporters of one political party to vote, the supporters of the other

political parties will not go there to vote for fear of their lives. I need not tell Senators what is happening in Tiv Division as everything is published in the newspapers.

For this reason, I am strongly advising that polling booths in Tiv Division should be built in places that are accessible to vehicles. If this is done, we shall be able to have policemen in these places to protect the lives of the people.

In the 1959 election, polling booths were erected in places where even bicycles could not reach. If this is repeated during the forthcoming election, only the supporters of one political party will vote and the supporters of the other political parties will not vote.

Several Senators : Mention the political party.

Senator Abaagu : You know the political parties in the Tiv Division.

The President : We must concentrate on the subject of this debate. I would not like Senator Abaagu to go into political issues.

Senator Abaagu : Thank you very much, Mr President. Some Senators have been pulling my leg and they made me to digress.

These are my observations and I welcome the Report.

Senator Chief J. A. O. Akande : I rise to pay tribute to the Commission for the wonderful way it has done its job. As some Senators have said, it had six weeks to do the work which took its predecessors six months.

When it was announced that Mr Esua had been appointed the Chairman of the Electoral Commission for the whole of Nigeria we were all happy about the appointment. Mr Esua, as Senators know, was the General Secretary of the Nigeria Union of Teachers and teachers in Nigeria will ever remember his services. I think it is fitting and proper for the Government to have nominated him to serve as the Chairman of the Electoral Commission.

A Senator expressed fears about the forthcoming election. I do not think he needs have any fear now. The constituencies have been delimited and what remains is for the voters to go to the pools and cast their votes. I do not think that any Government in the Federation

[SENATOR CHIEF AKANDE]

will attempt to do anything that is outside the Constitution. Some people have their fears but I think those fears should have disappeared by now.

On the delimitation of constituencies, may I invite your attention, Mr President, to certain constituencies in Egba Division. Page 46, Constituency No. 239, Egba Central Constituency. In the past, the whole of the urban area was one federal constituency, but now some other district council areas have been added to it. I agree that the Report cannot be perfect, but there are cases where there are 59,000 people to one seat, but in Egba Central we have 217,726 people to one seat. We know that 312 seats have been allocated to the whole country, but this is not the reason why one area should have 59,000 people to a seat and another area 217,000 to one seat. In Egba Division we have Egba South, 209,291 and Egba East 197,089. The difficulty which the Government will have to face in the preparation of the Voters' Lists to bring them into line with the old federal seats is not a simple one.

I join the other Senators who have spoken before me in praising the Electoral Commission. What remains now is for the Electoral Commission to face the difficult task of preparing all the necessary grounds for the smooth running of the elections. At times we speak of perfection, but in a case like this where we have good work done under peculiar circumstances and under certain difficulties placed in their way, we must, in fairness to the people who have worked, praise them for the work they have done. Human beings are not angels; they are bound to make mistakes, but they must be mistakes made in good faith.

In conclusion, some Senators have said that the census figures were not acceptable to a particular majority which they had in mind. But I say that the present figures that we have are acceptable to the greatest majority of the people of Nigeria.

The President: I have ruled that this discussion is irrelevant.

Senator Chief Akande: Your point is well taken, Mr. President, but I think it is proper that certain things must be corrected.

I support the Motion.

Senator Zanna Medalla Sheriff: I associate myself with the fine tributes paid to the

Delimitation Commission by Senators. I happen to be a member of an organisation that appeared before the Commission and I had the opportunity of seeing the Commission at work. The work they have done is highly commendable because the way they received the various groups representing various interests and the sort of constructive questions they put to us were very impressive. As far as I saw, they were impartial. Therefore, there is no question of doubting their efficiency. It has already been conveyed to us by the Minister of Health that right from the onset the considerations which guided the Commission in its work were administrative convenience, geographical features, ethnic groupings and other interests. All these facts were taken into consideration before delimiting the different areas. This is a very wide group to choose from and I wonder why any person should think that preference was given to some areas or that justice was not done to some areas. This should not arise at all.

The next point I would like to speak on is the delimiting of Sardauna North—Page 27 of the Delimitation Commission Report. A Senator commenting on the delimitation of Sardauna North, spotlighted Gwoza. I am very glad that a fellow Senator explained to the Senate that Gwoza is a separate entity and that it is an administrative unit by itself. I need not add anything to what the Senator said, except to say that the geographical position of Gwoza makes it inaccessible from the three sister constituencies. Therefore, there is every justification that Gwoza should have a seat by itself.

There is no preferential treatment extended to that area. If you look at the two other sister towns, that is Madagali (No. 130) and Mubi (No. 132). The first one is over 270,000 and the second is over 200,000, the area was delimited for three constituencies. Mr President, if you examine these figures quite closely, you will agree with me that the area is most fairly delimited. I should have asked for more, considering the figures. So I do not think that the Senator was quite correct in his spot-lighting Gwoza, saying that it should not have been a constituency.

The other point is that—I do not want to take much of your time, Mr President, and that of Senators—the work of the Commission is highly commendable, as I said earlier on,

and I hope that the forthcoming Federal elections will be in peace, harmony and freedom in all the various communities.

With these few remarks, I beg to support.

Senator M. B. Chukwubike : Mr President, I must say that the members of the Delimitation Commission did exactly what was required of them. They were sent out in a hurry and they did a hurried job.

It is clear that one cannot debate this Motion fairly well without reference to the controversial census of 1963 and the forthcoming Federal elections. It is on these points that I would like to make some observations. The 1962 nation-wide census was rejected because it did not favour certain regions—

The President : How many times will I appeal to Senators to desist from this line of discussion? I would like Senators to confine themselves to the work of the Delimitation Commission and not Census. The thing is confused in your minds and that is why I have consistently corrected it because I know it is a confusing matter. Some people think that we are discussing Census when we are in fact discussing Delimitation. Confine yourselves to the Motion before us because it is part of parliamentary procedure to be relevant.

Senator Chukwubike : Mr President, I will abide by your ruling. However, I thought that since this concerns census, it is good we say something about it here. I am saying that the forthcoming Federal elections will be a disgrace to the nation if it is not conducted in an atmosphere of peace and tranquillity. To-day, one hears that one political party has made a truce with another political party for fair and peaceful campaigns. But from experience we know that many things are less successful in practice than they are in theory. It is on this score that I want to appeal to the Members of this House as the fathers and mothers of this nation to appeal to and advise our political parties on the forthcoming Federal elections.

With your permission, Sir, I would like to sum up my words of advice in this way. All party supporters should desist from character assassination. The preaching of tribalism should be avoided. Provocative statements

in the Press and Radio should be stopped. The use of thugs should be condemned by this House as this has led to the loss of many lives. Nigeria or Local Government Police should not be misused. In short, let there be clear, clean and free campaigns, for, political rivals to-day may be political friends tomorrow. In addition, I appeal to the Government to provide more Police and more vans to go to the various areas during the campaigns.

Senator Salahu Fulani : Mr President, I wish to associate myself with the previous speakers in congratulating Mr Esua for this very noble work he has done within a very short time. I knew Mr Esua when we were together at the King's College and when I was a Member of the Board, and I knew how hard-working he was. I was very, very glad indeed when he was given such a worthy job, which he has done efficiently well.

Now, coming to this year's delimitation, there are one or two omissions as far as my constituency is concerned. I draw your attention to page 16, paragraph 33, and I quote :

It was suggested to us that Share should be put in Ilorin North Constituency, but after a careful consideration of the facts we came to the conclusion that Share, being made up of the Igbominas should be left in Ilorin East....."

I think that is more or less wrong because I happen to come from that area and I know the people. Share town itself is composed of many natives. It is partly composed of Igbominas, Nupes and Yorubas who came from Oke Ode, so it is wrong to say that Share consists mainly of Igbominas. That is one mistake which is very glaring.

Another one is at Constituency No. 51—The Native Authority Districts of Afon, (which is my own area), Akanbi, Owode and Onire, which constitute one constituency. But if you look at Constituency No. 54, you will see the last name but one—Idofia. Idofia has been merged with Constituency No. 51 although that does not appear so here. Apart from that, Constituency No. 53, after Paiye, there is one important town which is left out and that is Loma. This town is composed mainly of Nupes and Yorubas and people who come from Lokoja.

SENATO SALAHU FULANI]

These are some of the observations which are very glaring, from my point of view. I would welcome an explanation from the Leader of the Senate as to why during the last general election there were, with a lesser population, 312 seats and yet with a much increased population we are still going to have the same 312 seats for the forthcoming election. Is the Government afraid of enlarging the House of Representatives? I would like a statement from the Leader of the Senate why that figure has not been increased *pari passu* with the new census figures.

Senator P. A. Ogundipe : I want to add my own tribute to those of the other Senators for the very good work which the Electoral Commission has done under trying conditions. The time at its disposal was very short, and it did not have the voters' list, which the public ought to have examined in the first instance, to complete its work.

But all the same the Commissioners have done their work as efficiently as possible, and it is very heartening and pleasing to note that this has been made possible, probably, because most of them are teachers.

For example, going through the preamble to the Report, I find that the man at the head of the Commission is Mr E. E. Esua who was a teacher of very great repute, and who has been for many years the Secretary of the Nigerian Union of Teachers, of which he is one of the founders.

Another member of the Commission is the Rev. Canon Adelaja, who is the Principal of a Lagos Grammar School; and yet another member is Dr Adegbite who is also the Principal of a secondary school. It is probable that one or two of the other members from the Regions are even teachers.

This is an eye opener to what the teachers can do and, perhaps, it would enable the governments of the Federation to respect teachers and improve their conditions of service.

I do not want to be irrelevant, therefore, I am not going to speak about that any further; perhaps an occasion would come for me to say more of what our governments and particularly the Federal Government, should do for teachers.

The President : Senator Ogundipe has a very clever way of bringing in teachers into this debate.

Senator Ogundipe : I wish the conditions of service for teachers should be improved because I am a teacher myself.

Leaving that for the moment, I have to strike a note of warning which some Senators have already struck about the conduct of the forthcoming elections.

The Electoral Commission has done its work to the best of its ability but we can make a mess of it if the governments of the Federation refuse to heed our warning. The Electoral Commission should be allowed a free hand to carry on its work for the elections.

It is well known to us all that there are rumours—and some of the rumours may be founded—that evil forces are at work planning to thwart and defeat the beautiful work of the Commission. This is not a question of suggestibility because we do read in the newspapers of the plan of some political parties to interfere with the ballot papers; to use acid to destroy the ballot papers; and to interfere with or influence the polling officers.

Unless all the governments and, particularly the Federal Government do everything in their power to help the Electoral Commission by ensuring that the polling officers are not agents of political parties; that they are civil servants; that they must be people of honest inclinations like Mr Esua, Rev. Canon Adelaja, *et cetera*, we will find out that after the elections, apart from exposing ourselves to ridicule, there would be a spate of petitions and litigations.

Therefore we should not trifle with this matter of elections and the Federal Government should do all in its power to see that the over one million pounds provided for the elections does not turn out to be money thrown down the drains.

Any political party which knows that it has little or no chances of survival at the polls should back out and should not put up candidates, only to use foul methods to win the elections. All of us, including the Prime Minister and the President of the Senate, should co-operate to make a success of the elections.

We have been asked not to speak on the census figures. I am not going to say anything in that regard, but one would have thought that the delimited figures should agree with the census population figures. Why do we have a census figure that almost doubles the old one, while the number of seats remains extant? What a contradiction? Any way having paid tribute to the work done by the Commission we accept the report as published.

Senator Chief (Mrs) Wuraola A. Esan : I just want to join with the other Senators in praising the work of the Delimitation Commission. They have really done a very good work considering all the troublesome things they had to battle with before they could do their duties well. They still have some duties to perform, and I hope they are going to do them well as they had done this delimitation side of it.

There is a slight mistake on page 49, Ibadan North-West Constituency No. 255 and Ibadan West Constituency No. 258. Ward NW. 4-6 is added to Ibadan North-West whilst Ward NW. 3 is added to Ibadan West. The position now is just like asking the people at Ikoyi to go and vote at Ebute-Metta. I think that that slight mistake will be corrected.

However, we have pointed this out to an hon. Member who will, no doubt speak about it in the Lower House. I am only pointing it out here in support of what Senator Lagunju said about some villages which have been left out in Iwo and Oyo.

The Senator said specifically that all people must be allowed to vote, and I know some people may not wish to walk or take a bus from Ikoyi to Ebute Metta on election day because there will be an atmosphere of fear somehow.

This mistake must be corrected immediately or later on for administrative purposes. What has been done now is like taking one ward from one constituency and adding it to another constituency, and by so doing the two constituencies are mixed with each other.

This situation will not be helpful to women at all, bearing in mind that women in the Western Region are in the majority of voters. Inasmuch as women do not like to walk all day

in order to go and vote, some thing must be done about this. It must be borne in mind as well that most of these women cannot read their names, and as a result when they go and vote and discover that their names are not in the list they return home without doing anything further.

This mistake must be corrected before the Federal Elections, though if it is not corrected before then it will not do much harm. If it is corrected it will give everybody a fair chance of voting.

Some people spoke about fairness in an election. I think if everything is left to women, elections would be peaceful and fair enough. This is a man's world. A man never allows a woman to use her sense of judgement which is very peaceful and effective. Seriously speaking if we all allow our sense of judgement to guide us that Nigeria belongs to everybody things will go well with us. We should all allow the best man to win.

If we had been using the right sense that God has given to us in Nigeria, because we are very humorous and we are not quarrelsome, we would have gone on much better, but because the other man wants something and he wants it at all cost, and I want the same thing at all cost, this fear is being engendered in us.

I would like to raise my voice in support of those who have given signs of warning in the Senate that we must help those who are helping us to make this election free and fair. At any rate, I have made my point, and I do not want to waste the time of the Senate.

I beg to support.

Senator Chief Z. C. Obi : In expressing my support for this Motion I want to associate myself with all the Senators who have expressed satisfaction with the work of the Delimitation Commission.

This Motion merely seeks the approval of the Senate for the division of Nigeria into 312 Constituencies and does not bring in anything about the accuracy of the last census. For this reason I regard the Motion as a non-controversial one.

[SENATOR CHIEF OBI]

I would like to add to some of the comments which some of the Senators have made especially those comments concerning the omission of certain towns in the list of constituencies. I would like to point out that in Onitsha Central, Constituency No. 216, at page 42, the village or the town Oraifite (Anaedo) has been completely omitted.

I also want to point out that it is a pity that the Commission did not find it possible to allot more than one seat to Degema West with a population of 292,000, a single constituency with the highest population in the country.

I would also like to point out that Enugu has not been given the same decoration as other Regional Capitals or Headquarters. Enugu is the Regional Capital of the Eastern Region, but as it happens it has to be merged with the Division of that area. It is not my intention to make further comments.

I, therefore, express my support for the Motion.

Senator A. Nwoke : I rise to associate myself with other Senators who have already showered praises in the Commission led by that educationist and a man of international reputation, Mr Esua.

The President : I must remind the Senator that to-day is Friday and he should make his speech brief.

Senator Nwoke : I will get through quickly and I am just a little bit surprised why I have not caught the President's eye before now.

I would like to refer the Senate to page 17, paragraph 37 of the Report and with your permission Mr President, I beg to read :—

The Kaduna Capital Territory, which in the 1958 delimitation had the least population for a seat, now retains that seat. Unlike Enugu (to which we refer in paragraph 104) Kaduna Capital Territory stands completely alone, the nearest town or village being in Zaria Division, and it would violate our principle, if we crossed Divisional boundaries.

Mr President, Sir, with your permission again I will read paragraph 103 on page 44 :—

Although the population of Port Harcourt is not up to the population quota, it is a Division by itself and therefore we have accorded it one seat.

Paragraph 104 also reads thus :—

Udi Division, which had four seats in Parliament, is now entitled to three seats by reason of its present population of 549,543. The township of Enugu, which is the seat of Government of Eastern Nigeria, and from that point of view, the capital of the Region, is within, and forms part of, Udi Division. Enugu, unlike Port Harcourt, is not a Division by itself.

Paragraph 106 says :—

It was seriously suggested that Enugu Urban, with its population of 138,457, by reason of its prestige and importance and its continued growth in population, should, like Port Harcourt and Kaduna Capital Territory, remain a separate constituency without the villages next to it and adjoining it being added to it. On the other hand, this suggestion was vigorously opposed by the leaders and the people of Udi Division. They contended that these villages adjoining Enugu should be added to it as they are so close to it that they virtually form part of it, and as Enugu is growing and expanding into them. These villages are part of the Abaja and Ngwo areas. It is accepted by all that Abaja and Ngwo County Council Area should be merged with the Ezeagu County Council Area, in order to bring about the reduction of the seats for the Division from four to three as aforementioned. The only issue being the position of those villages adjoining Enugu.

Again, Mr President, with your permission I will quote page 45 paragraph 108 :—

We have, when comparing Enugu with Kaduna Capital Territory and Port Harcourt, taken note of the fact that Kaduna Capital Territory stands completely alone, the nearest town or village being in Zaria Division, and that Port Harcourt is a Division of its own, the villages of Diobu, which adjoin it, being in Ahoada Division.

Mr President, Sir, these citations are the only reasons given by the Commission for omitting to make Enugu a separate entity and to accord it the dignity, respect and decorum that is due to it by virtue of its being the capital of Eastern Nigeria and the seat of the Government. In these four citations I have

made, Enugu was virtually "hydrogen bombed" while Kaduna has retained its seats in spite of the fact that its population is much below the population quota.

I am not necessarily arguing against the terms of reference because the Commission is just like a horse tethered to a post with a short rope with the result that it cannot move round the post.

In other words, the authorities that have mandated the Commission have set the cart before the horse, in that there ought to have been previous arrangements to adjust divisional boundaries before setting up this Commission to delimit the constituencies for the Federal Elections.

If these previous arrangements were made, there would have been no doubt that Enugu could have been expanded divisionally to include Abaja and Ngwo areas. As things stand however, the Commission could have used its good sense to do the adjustments according to the handouts of the Governments of the country and the party in power in that area. Quite honestly, Enugu should have been left alone in order to accord its dignity and decorum.

We all know very well that the two areas are the native areas of the Udi people. Some of them are living in the township of Enugu. It would be very difficult for a non-native of Udi, resident in the township of Enugu, to win an election against a native who is contesting, bearing in mind that come what may, we are still prone to clanishness and it would take a number of years before we can get away from the stronghold of clanishness.

I do not know how far it would be advisable to make this alteration. Suffice it to say that only Enugu and Benin City, the capital cities of Eastern and Mid-Western respectively, have suffered by their annexation to areas outside the boundaries of the capital city. You know too well, Mr President, that a condition like this will evoke a lot of confusion from people who are not natives of a particular area but who are vying for something with the natives of the area as is the position now by virtue of this delimitation.

A serious note should be taken of these remarks so that as far as possible, the nation

would once more look into this situation when a new Government is formed. That in essence may even, if necessary, recall another Commission of Enquiry to adjust the constituencies.

The same thing applies to Enugu. In the first place, people have been engaged to conduct registration in the various constituencies. Let me call them imaginary constituencies because a lot of them have since been changed. Senators can therefore imagine the state of an election candidate in a place where he feels he has a handful of people to depend upon when he is told the next day that another area has been annexed to his constituency. This will cause a very big confusion.

The Government by so doing has in a way set up a trigger against the contestants. The Government could have got everything done by first settling the question of constituencies. Now that everyone has registered, the contestants, on reading about the vastness of an area, may not contest at all.

Now, a word of advice in respect of the work to be carried out during the forthcoming Federal Election. I would like to suggest that the Inspector-General of Police be given a free hand to carry out his duties all over the Federation. The Inspector-General of Police should take charge of the Native Authority Police where they exist; whether they are court messengers or by whatever name they are called, he should take charge of them to see that a fair election is the order of the day.

Mr President, an election which makes it possible for A to know how B and C have voted cannot be a fair election. The way and manner our polling booths are built has caused more trouble than otherwise in some areas. If I am a candidate or the agent of a candidate, I will be able, from the arrangement of the polling booths, to decipher how people vote for me or against me. The polling booths are not built to touch the ground and, as a result, if a candidate or his agent is observant, he will be able to peep through the underneath to see how a man or woman votes because the boxes are not separated from the polling booths by any convenient distance. It will be possible for that person to watch the movement of the feet and to see in which box the voter has cast his vote. In other words, I am warning that

[SENATOR NWOKE]

every precaution should be taken to ensure free and fair voting so that nobody knows how the other person votes. The polling booths and the screens should be made very secure.

With these few remarks, Mr President, I support the Motion.

Senator Malachias Bawa : I rise to congratulate the Delimitation Commission on its work. In doing so, I would like to say that the Plateau Province has suffered greatly from the hands of this Delimitation Commission. Formerly, we had nine seats, but now we are dropped to seven.

As will be seen in page 24 of this Report, Constituency 116 has a population of 110,815. According to this figure, this Constituency should be split into two, but we are given only one seat. (*Senator Bawa scans through the Report*).

Senator Salahu Fulani : On a point of order, Senator Bawa is not ready yet and therefore, I would like the President to give the chance to other Senators who want to speak.

The President : He is in difficulty, help him out ; he is your brother.

Senator Bawa : Mr President, I was trying to make it clear that after the forthcoming Federal election, the work of the Delimitation Commission should be re-examined in view of the fact that some areas that should be allocated more seats were given fewer seats. The Plateau Province has suffered greatly and we would like the work of this Commission to be reviewed.

With these few remarks, I beg to support the Motion.

Senator M. G. Ejaiife : Mr President, a lot of grounds has been covered, but I will not be doing justice without paying tribute to the Commission for the effective work they have carried out on behalf of the Federation.

First of all, we are all anxious that the forthcoming election should be free and fair. I think the terms of the Motion are clear enough and we are concerned here mainly or perhaps exclusively, with approving the work of the Delimitation Commission. After all

said and done, it appears that we are left with the sense that a case for reconsidering the delimitation of constituencies has been made.

I want to emphasise once more that the Commission has done its work very well within the terms of its reference. As some Senators have got up and cited pages from the Report, I can only say that there is some evidence of inequity arising not from the work of the Commission, but arising from the materials given to it to work on. I think, perhaps, the greatest victim of that inequity is Urhobo West from where I come. I do not blame the Commission for that.

The work of the Commission is commendable and one is not surprised because it is chaired by an ex-teacher, and I am very proud of that. In fact, one Senator has mentioned that two-thirds of the Senators are probably ex-teachers. I am very happy that a member of our profession has done this job creditably well.

With these remarks, I support the Report.

Senator T. Olamijulo : I rise to give my wholehearted approval to the work of this Delimitation Commission.

Although some Senators have been complaining about their areas, but as far as my area is concerned, we have no cause to complain because we have been very well treated. Mr E. E. Esua was given the chairmanship of this Commission because of his past performances and that is a lesson to all of us. People see us but we do not see ourselves. The delimitation of the constituencies before the last federal elections took six months but only six weeks were given for the delimitation of the constituencies now. The Commissioners have worked with speed and accuracy and they should be congratulated.

My appeal to Senators is that we should try to assist the Electoral Commission in our divisions. Senators should try to bring all irregularities and complaints they get from their divisions to the notice of the Electoral Commission now and not wait until after the Federal elections. We are part and parcel of the Government and we must do our best to see that the forthcoming federal election is successful.

With these few remarks, I give the work of Electoral Commission my wholehearted support.

Senator Abdul Salami Yusifu : I must say that the Delimitation Commission deserves our congratulations. In my opinion, there is nothing to quarrel with at the moment in the work of the Commission. I agree with the Senators who have complained about some aspects of the work of the Commission. This, of course, is inevitable in view of the speed with which the work was carried out.

Senators have expressed their concern over the conduct of the forthcoming Federal elections. I think this is a duty we all owe to the nation. Some Senators say they fear whether the election is going to be free and fair and others say that every precaution should be taken against certain groups of people or individuals. What happens is that party A accuses party B and party B accuses party A. If this is the case, whatever happens is our own handwork, and if we know something is wrong, we must do something to prevent it, not necessarily by asking the Police to be on the spot. If anybody does not like to be ill-treated or for his life to be in danger, he should make sure that he does not ill-treat or endanger the life of another person. I am appealing to all the Governments of the Federation to take strict measures to avoid any confusion or partiality during the coming Federal elections. It is abundantly clear that we are now in a republican state and we should do our best to portray the present status of our nation to our former colonial masters. We should not let them say that the first election after their departure was a failure.

A Senator, when he was speaking, said there was an exodus of people from a certain place due to a political disturbance. This is a matter of great concern to the nation and I think politicians are responsible for this unfortunate incident which is detrimental to our progress. We all believe that in a society where people have failed to reconcile themselves in order to live in an amicable state, that area is always in commotion. There is no reason why we cannot live together irrespective of our political or religious belief.

I support the Motion.

Senator A. O. Airewele : I rise to associate myself with the sentiments expressed by the Senators who have spoken on the good work done by the Federal Delimitation Commission. The Commission has finished the work of

demilitating federal constituencies in a record time and we hope they will do their best also to see that the federal election is free and fair.

The whole Federal Republic has been broken into 312 federal constituencies as was the case in 1959. I must say that it is the retention of the 312 seats for the whole of the Federation that has helped to preserve the unity of this country. This is the basis of the harmony we have in this country to-day. For example, the number of seats for Benin has now been reduced from three to two, and there are cases where a seat is allocated to a population of under 100,000 and a seat is also allocated to a population of over 200,000.

The coming Federal election is going to be a difficult one and it is our duty as Senators to see that we advise our people to behave well. Now our own Mid-Western Region shall be one of the Principal Regions during this Federal election. I would like every Region to emulate the Mid-Western Region because, although we are at present being referred to as a young Region, some of us are old, as well as being leaders of our own people, and I think our advice will be educative. It is of no use carrying about dangerous weapons during election time because whatever happens, when we leave here this time, we will meet again tomorrow. I think it is our duty as Senators to advise our people. As one of the lady Senators has said, this is not really a troublesome country. If we give ourselves enough advice I feel it will go a long way to satisfy our people and make them realise the importance of peaceful co-existence.

I beg to support.

Senator S. Eytayo : Much as it is not always my policy to stand up to speak when the points that I want to make had been made by other speakers, I must deviate from that policy on this occasion.

I rise to join all the other Senators who have spoken in praise of the excellent work done by the Delimitation Commission within the very short time at their disposal. I also like to join members of the teaching profession who have paid glowing tributes to Mr Esua and the other members of the teaching profession who have worked with him. As a teacher, also, I rise to shower encomium upon their work.

[SENATOR EYITAYO]

Sir, I come from Oyo Division and Oyo Division as a whole will have no quarrel but praise for the excellent work done by the Commissioners because they have done everything to our satisfaction.

I beg to support.

Senator Chief R. A. Umoh : Mr President, I rise to collaborate with my colleagues in singing the praises of the Delimitation Commission. As a matter of fact, if one looks through the Report of the Commission, one will find that seats are allocated to some constituencies with less than 100,000 people and some seats are allocated to constituencies with more than 200,000 people.

My friend, Senator Nzerem made mention of Aba Central which is at page 32, Constituency No. 168 with a population of 274,872. This is composed of Aba Urban County Council and the County Council areas of the Eastern and Southern Ngwa. If one looks into this thoroughly it will appear as if one will find some loopholes for criticism. But it is not so. One cannot criticise the Commission for doing this because in certain places, what has been done is dependent on the will of the community they were dealing with. For example, different communities came out to give their complaints. Some of them had lawyers who spoke for more than three hours and members of the Commission became judges at the same time, while listening to both sides and trying to draw final conclusions. That was the case at Aba because I was there.

What happened at Aba may have happened in other places because people like to be merged with any community of their interest. Also, ethnic grouping had something to do with the work of the Commission. Mr President, I really feel that these people did some splendid work. The time factor was very, very limited and had it not been that they put their full efforts into the work, they could not have finished their work within such a short space of time. Considering their difficulties in doing their work, had they not been sensible people, they would not have been able to do so much as we have seen now. I think they were very tactful too.

I also wish to congratulate the Federal Government for having made such wise

appointments. The people did a lot of work. One has to be there to see how they treated the people to conclude that they were very, very wise.

There is one thing, however, which I would like to bring to the notice of the Government and that is the conduct of the forthcoming elections. There are a great deal of unfounded rumours and speculations which I believe fathers as mature as we are in this House should not entertain. We read about these things in the newspapers that this Region or political party says it will do this or that. I am appealing to the people not to listen to these rumours and get confused about what is actually happening in the country. That is my own belief. I do not believe what people say. After all, the Premiers of the various Regions are mature and wise people who are capable of holding their Regions. We would not like this country to go into confusion or to disintegrate. I believe that the elections will be something really splendid.

My concluding word now is to congratulate those who did this fine piece of job and the Government who appointed these wise men who were able to hurry over this job and at the same time did it to our satisfaction.

Senator E. I. Onwokae : I rise to associate myself with my Colleagues who have paid glowing tributes to this wonderful work of the Commission. First of all, I know that it is difficult to avoid mentioning the population figures, but I am not going to mention any of them.

There are two assignments which we should have faced and one is the fragmentation of the old constituencies. The second is the ready-made number of seats given to the Commission to work upon. I think these things were responsible for the addition and subtraction of some seats in some constituencies. Take a place like Kano where you have Sabon Gari on the one part and Kano City on the other. We find that part of Sabon Gari has been merged with Kano City district purposely to make sure that a certain political party wins the elections.

Senator E. A. Lagunju : On a point of order, may I point out that we are not here to impute motives.

The President : I have already given a warning on that; but I would like to know what page the Senator is referring to.

Senator Onewokae : Look at page 19, against Constituency number 76—Kano East. It is here you will notice the irregularity that made it impossible for some of these constituencies to retain their normal number of seats. It will be alarming when you look at that of Ekiti Division which has a population of—

The President : Will the Senator speaking please make sure of what point he is making.

Senator Onewokae : Look at page 7 of the Report where details of divisional population figures are given and you will find that Ekiti Division which had three seats at the last federal elections is now to have eight seats because of the fragmentation of the constituencies.

Senator P. A. Ogunipe : On a point of order, the Senator speaking is going too far because he is trying to impute motives in the delimitation of the constituencies. I think the Commissioners worked on the population which is a very delicate issue.

The President : Senator Onewokae should please go ahead.

Senator Onewokae : We are not restricted from making comments on the irregularities, one of which is that a division which had three seats in 1959 is now to have eight seats.

The President : Is the Senator discussing the work of the Delimitation Commission or is he discussing the work of the Census Board ?

Senator Onewokae : I am discussing the work of the Commission.

The President : Which Commission ?

Senator Onewokae : The Census Commission.

The President : That is irrelevant.

Senator Onewokae : Well, I come back to the Delimitation Commission. I am still on my point in saying that the fragmentation of the constituencies was responsible for the addition and subtraction of seats in some areas,

and I have given, for my example, Kano and Ekiti. I am not therefore imputing motives.

Senator Zanna Medalla Sherriff : For the information of the Senator speaking, the number of seats for Kano has been decreased by three.

Senator Onewokae : If only the Senator who has just raised a point of information will understand the point I am making, which is that to make it possible for a certain political party to win the elections some divisions have been fragmented.

Senator Abdul Salami Yusufu : On a point of order, I think the Chair has warned that the debate on the Report before us has nothing to do with any political party. The main task in hand is the Delimitation Commission Report and not that of political parties.

The President : The Delimitation Commission is not a political party and their action should never imply to mean the action of any political party; and I have warned about that before.

Senator Onewokae : I am only concerned with the fact that the Commission was asked to delimit the North into 167 constituencies; the East 70; the West 57; the Mid-West 14 and Lagos 4; and I am saying that the ready-made figures given to them to work upon lead to some of the irregularities we are having to point out.

I know how arduous their task was, particularly when it had to do with figures, and I am not for a moment suggesting that they have failed to perform their duty properly. They have done their best, no one says otherwise, but we would not have been here if we are not to criticise at all. The Delimitation Commission deserves congratulation for the job they have done.

Senator Chief P. C. Ndu : I rise to associate myself with the previous Senators who have spoken earlier. At the same time I would like to congratulate the Federal Government on their effort in appointing a wiseman and by so doing putting a square peg in a square hole. Mr Esua has led the Delimitation Commission. He has started his job very successfully, and I hope he will continue to do it wisely and finish it wisely as well.

[SENATOR CHIEF NDU]

The job undertaken was so large, but he had to finish it within a very short space of time. He was not given enough time to do the job, because I can remember that in days gone by some people did it in about six months. But he has been able to do it in about six weeks. So I have no quarrel whatsoever with what the Delimitation Commission has been able to do.

There is one aspect, of course, which some Senators have made mention of earlier on, and that is about the election. Nigeria is one country, and the people of Nigeria are supposed to belong to one stock. There is no reason why we should not have a fair and free election. I do not entertain any fear as some people are entertaining that in some areas people may not be free to vote. What is Government doing? The Government has a good foresight, and, in fact, it would be able to handle whatever delicate situation a constituency may be in. What about the Police? They are there to guard the people. And in this respect I would advise the Police to ensure that people coming to cast their votes are searched. Let them be searched in order to ensure that nobody carries any dangerous weapon with which to harm somebody else. I believe that if that is done, and the election is free and fair, we shall have a good result.

There is no need for me to waste the time of Senators, because we have been hammering on the same thing, and nothing new has been said so far.

With these few remarks, I support the Motion.

Senator P. O. Okoro : I must congratulate the Delimitation Commission, because time is a part of good work. They were given so short a time, yet they were able to bring this work to this standard.

However, I must not fail to mention a few things. Firstly, if one turns to page 65 one will find that Constituency 131, Gwoza, Sardauna North Division, with a population of 69,580 was given a seat. In Ikom Division, at page 66, a division with a population of 80,139 was again given a seat. If this goes to favour the people in Gwoza Constituency because they are on the border line between

Nigeria and another country, I wonder why such a favour does not go to the people of Calabar. In Calabar Division, at page 66, where we have a population of 267,014 the people there are given only one seat. If one compares these two constituencies one will discover that things are not regular there. Although the Commission expressed its inability to do anything more despite the fact that it had the desire to assist, I do not know why the very power by which it assisted Gwoza Constituency could not have been used for Calabar Constituency. I am not happy about it, and the people of Calabar may feel the same way, because if one goes by the Gwoza figure one will conclude that Calabar really deserves to have two seats.

Another thing that I should like to mention is the political situation in Nigeria. One would discover that the present political parties which have formed the present Government have now taken to different ways to achieve their various ambitions. It is therefore necessary that they should give the nation an undertaking that this election must be free and fair. If the two political parties had departed in the same spirit as they had joined themselves together, it would have been a different matter. They are departing from each other now by leaving a big noise behind. That is why some people have said that "politics is a dirty game."

I do not like to praise these political parties now until the forthcoming Federal elections have been conducted in a free and fair atmosphere. Although there is a plan to safeguard people and to stop thuggery, I believe it is necessary for them to present their manifestoes in a calm atmosphere, and I am sure the people of this country will give them their full consideration. This is a better method than resorting to indiscriminate abuses. This is my only warning to the politicians who will soon be going out to campaign.

I beg to support.

Question put and agreed to.

Resolved : That, in accordance with Section 51 of the Constitution of the Federation, this House approves the division of Nigeria into three hundred and twelve constituencies bounded as prescribed by the Electoral Commission of the Federation.

ADJOURNMENT

Motion made and Question proposed, That this House do now adjourn—(THE MINISTER OF HEALTH)

SITTINGS OF THE HOUSE

Senator J. K. Nzerem : Mr President, Sir, again we have been brought to Lagos to stay from to-day Friday to Wednesday doing nothing. I want to put it on record that the Government is wasting money by so doing.

PRIVATE MEMBERS' DAY

Senator Chief J. I. G. Onyia : It appears that there is a political manoeuvre by the Government to avoid debates on Private Members' Motions on Tuesdays. There are many Bills before us to-day some of which have been passed by the House of Representatives. These Bills could be debated tomorrow or on Monday or Tuesday or even Wednesday. But the Government has cleverly skipped Tuesday.

If the Government had allowed us to continue and finish the Bills which are now outstanding, then on Tuesday, Private Members' Motions could have been heard. But the Government has cleverly avoided Tuesday. As it is now, we shall come back on Wednesday—after Tuesday which is Private Members Day, has gone.

The Minister of Health (Senator Chief Majekodunmi) : I want to explain the point which Senator Chief Onyia has made. I do

not think that anybody can accuse the Government, in the Senate at any rate, of running away from Private Members' Day. We have never at any time avoided the debates on Private Members' Motions here. In fact, there have been so few Private Members' Motions since we started the Senate that we have always deplored the fact that Senators have not been doing their homework.

Senator Nzerem : I have two or three Motions.

Senator Chief Majekodunmi : Well, we shall welcome them. Senators have complained that on several occasions they have been brought to Lagos whenever there is a joint sitting of the Parliament without having something to do. In any case, it was not my intention that the Senate should be convened on this occasion concurrently with the sitting of the House of Representatives. But unfortunately, we have this Motion to delimit the Regions of Nigeria into constituencies, and this has to be approved by Parliament before the Voters' Lists are displayed. This is why we are here at all.

I can assure the Senate that I certainly shall not have any hand in any under-trick of trying to avoid a debate on Private Members' Motions.

Question put and agreed to.

Resolved : That this House do now adjourn.

Adjourned accordingly at fifteen minutes to 12 noon.

SENATE OF THE FEDERAL
REPUBLIC OF NIGERIA

Wednesday, 30th September, 1964

The Senate met at 10 a.m.

PRAYERS

(The President in the Chair)

ORAL ANSWERS TO QUESTIONS

FINANCE

Internal Development Loans

O.65. Senator Alhaji Abubakar Garba asked the Minister of Finance, whether public response to the Central Bank's Internal Development loan of £20,000,000 was satisfactory; and whether in view of this response he will consider the desirability of floating more of such loans in future.

The Minister of Finance (Chief F. S. Okotie-Eboh): Public response to the Federal Republic of Nigeria first development loan of £20,000,000 which was floated in January by the Central Bank on behalf of the Federal Government was not as high as had been hoped. The Central Bank took up the amount which was not subscribed by the public. However, the Bank has been able to dispose of

O.67. Senator Alhaji Abubakar Garba asked the Minister of Commerce and Industry, in how many industries the Federal Government has shares in the Federation; and how much has the Federal Government and each Company invested in each industry.

Alhaji Usuman Maitamari: The Answer to this Question is a long one and, with the permission of the President, it will be circulated in the *Hansard*.

The answer is as follows:—

As the Minister said in the House of Representatives a short while ago, the Federal Government and the Companies listed below have investments in industries as follows:

Company	Federal Government	Regional Governments	Private Sector
	£	£	£
1. Nigerian Paper Mill Ltd.	900,000	—	100,000
2. Nigerian Cement Co.	1,100,000	100,000	625,000
3. Nigerian Sugar Co.	50,000	585,000	625,000
4. Dunlop Nigeria Industries	50,000	—	200,000/ 250,000
5. Flour Mills of Nigeria Ltd.	60,000	—	2,000,000
6. Nigerian Fermentation Industries	50,000	20,000	105,000
7. Nigerian Petroleum Refining Company Ltd.	1,032,200	—	1,032,200
8. Michelin Nigeria Ltd.	—	200,000	—

part of it wholly through the stock exchange and it is expected the process will continue.

As regards the second part of the question, I would confirm that it is the policy of the Federal Government to raise within Nigeria as much as possible the capital funds required for the Development Programme. Further internal loans will accordingly be raised locally from time to time. It is our hope that the public will subscribe more and more to the Government loans which will be used for the development of the country.

COMMERCE AND INDUSTRY

Industries

O.66. Senator Alhaji Abubakar Garba asked the Minister of Commerce and Industry, what steps are the Federal Government taking to encourage the establishment of new industries and the expansion of existing ones.

Minister of State (Alhaji Usuman Maitamari): The Federal Government is doing all it can to encourage the establishment of new industries and the expansion of existing ones by a wide range of fiscal incentives and the training of more Nigerians to handle industrial promotion and projects evaluation.

ECONOMIC DEVELOPMENT

The Minister of Economic Development (Alhaji Waziri Ibrahim): Last Wednesday, the 23rd of September, three Questions would have been answered here, but as the Answers were not then ready the procedure is to have had the Answers printed in the *Hansard*. This has not been done and I therefore ask the permission of the President to present the Answers now so that they may be printed in the *Hansard*. The three Questions were asked by Senator Alhaji Abubakar Garba.

Following are the Questions and their Answers :—

Unemployment situation in Nigeria

O.38. Senator Alhaji Abubakar Garba asked the Minister of Economic Development, what are the findings of the panel of experts appointed by the National Economic Council to report on unemployment situation in Nigeria and to make recommendations for combating this problem.

Alhaji Waziri Ibrahim : The panel of experts on the unemployment situation in Nigeria has submitted recommendations for combating the problem and these are being reconciled and integrated with the Six-Year National Development Plan. The implementation of the Six-Year Development Plan will itself alleviate the unemployment situation.

Fertilizers

O.39. Senator Alhaji Abubakar Garba asked the Minister of Economic Development, in view of the importance of farming in this country and the government's desire to mechanise farming, whether he will consider manufacturing fertilizers locally.

Alhaji Waziri Ibrahim : Yes, sir. The Federal Government is considering the feasibility of manufacturing fertilizers locally.

Agricultural Research Centres

O.40. Senator Alhaji Abubakar Garba asked the Minister of Economic Development, whether he will consider the establishment by the Federal Government of Technical and Agricultural Research Centres in the Regions; and whether he will invoke the aid of the United Nations through its agencies.

Alhaji Waziri Ibrahim : The Federal Department of Agricultural Research, Moor Plantation, Ibadan conducts research for the whole of the Federation. The results of its work are made available to the Regional Ministries of Agriculture for use in their extension services. Sub-stations of the Department are located at the Rice Research Station at Badeggi in Northern Nigeria and the Root Crops Research Station at Umudike in Eastern Nigeria. The Federal Government will establish more sub-stations in the Regions as necessary with or without financial assistance from the specialised agencies of the United Nations.

ORDERS OF THE DAY

Senator Chief J. I. G. Onyia : On a point of order, in conformity with Standing Order 40 the Minister of Health made an announcement on the business of the Senate as it is printed in the *Hansard* of the 23rd of September as follows :—

Friday, 25th September, 1964, the Senate will take Division of Nigeria into Constituencies—Resolution, and will then adjourn and re-convene on Wednesday the 30th of September, 1964. The business for that day will be Supplementary Appropriation Bill—Second Reading and other stages; Supreme Court (Amendment) Bill—Second Reading and other stages; Casino Licensing Bill—Second Reading and other stages; Export of Nigerian Produce (Amendment) Bill—Second Reading and other stages, and Gulf Oil Company Training Fund (Administration) Bill—Second Reading and other stages.

On Friday the 2nd of October, 1964, the Senate will take the Civil Aviation Bill—Second Reading and other stages; the Nigerian Research Institutes Bill—Second Reading and other stages, and the Pharmacists Bill—Second Reading and other stages.

What I am raising is that Orders of the Day as embodied in this Order Paper here include all matters that are listed for debate on Friday. I am not questioning the issue of the Newspapers Bill and the other Bill that were not originally included. I think the Government

[SENATOR CHIEF ONYIA]

has the right of bringing any bill at any odd time. But the question is, why the Government considers that all these twelve Bills will be debated to-day or that the Senate is a rubber stamp not to deliberate on an issue? Actions speak louder than words.

The Minister of Health (Chief M. A. Majekodunmi): I wish to explain that an announcement or a programme of the business of the Senate is not a law and is not binding on the Senate. The programme can be altered and varied according to the wishes of the President himself.

The Order Paper to-day gives a list of the legislative programme which we are to face to-day, but it does not mean that we must conclude it to-day. In fact, I did indicate that the Senate will sit on Friday and, if possible, also on Saturday. It has been our experience in this House that whenever we expect a long debate on a measure the debate is usually very short, and sometimes we expect a short debate and the debate is long.

We are in your hand, Mr President, and if we do not conclude our business to-day we shall certainly continue until Fiday, Saturday or even Monday, as the Senators wish. We are quite prepared to stay. There is no question of Government rushing any measure through the Senate, and this is not a rubber stamp Senate. (*Cheers.*)

NEWSPAPERS (AMENDMENT) BILL

Order for Second Reading read.

The Minister of Information (Chief T. O. S. Benson): I beg to move, That a Bill for an Act to amend the Newspapers Act, be read a Second time.

The Newspapers (Amendment) Bill, as it is now presented to the Senate, is not as controversial as it was when it went before the House of Representatives. The Bill as it is at present is just to make sure that editors sign newspapers for which they are responsible in order to make sure who is the editor in charge of any particular paper. It is also to make sure that all the newspapers that are published in Lagos or anywhere else, but are circulated here, do have a registered office in Lagos in order to facilitate service of court process. If there is a criminal

or civil case against any editor or proprietor of any paper and they have no registered office here in Lagos, it will be quite difficult to serve court process on the particular proprietor or editor concerned.

The purpose of Clause 4 of this Bill is to ensure that the newspaper editors have responsibility for whatever is published in the paper and also to ensure that rumours which cannot be substantiated are not published. It does not stop any newspaper from publishing any fact or news that might come to their news desk, but the purpose is to ensure that fabricated, concocted and manufactured rumours are not published on the pages of the newspapers just to embarrass any citizen of Nigeria or our friends from other parts of the world who are doing their business in Nigeria. If anybody has anything which he can substantiate, by all means he can publish it. That is the purpose of Clause 4 of this Bill.

All the other clauses of the Bill are just formal, quite straightforward and non-controversial.

I beg to move.

Minister of State (Alhaji Nuhu Bamali): I beg to second.

Senator A. E. Ukattah: I am happy that the Minister of Health has said earlier on that this Senate is not a rubber stamp, so I am going to speak my mind on this matter. Before coming to the Bill itself, I have two observations to make.

Firstly, it is true that certain sections of the Nigerian Press are irresponsible, reckless, rash and sometimes damaging in their publications. But this fact does not justify a wholesale condemnation of the Nigerian Press.

Secondly, I know of no press offence that has gone unchallenged in a law court, except where the party affected is silent and does not seek legal redress. This fact shows that at present there are sufficient legal provisions to achieve the aims and objectives of this Bill.

Now, coming to the Bill itself, I would like to observe also that already so much controversy has been evoked within and outside Nigeria. But in spite of that, since we are no rubber stamp—we are men specially selected from all over the Federation—it is our duty to look at this issue in a dispassionate and thorough manner.

Here, we should act as an umpire between this Bill and the nation, and to play that role of an umpire effectively, we have to search our minds and consciences thoroughly.

This Bill, therefore, calls for very close examination in the light of the volume of the controversy it has already drawn up. We are a democracy and any departure from the principles of that democracy is a shame. Since we are a democracy, let us see whether this Bill satisfies the true factors that should guide us in considering it.

At this juncture, a few important questions arise for which we must find honest answers. First of all, is this Bill necessary? If it is, what are its merits that should warrant our considering it? Secondly, if this Bill is thrown out to the whole country in a referendum, will the majority of the people support it?

Taking these questions one by one, I say, as I have said earlier on, that there is no Press offence in this country which is known to have gone unchallenged, except where the affected parties do not wish to challenge it in the courts. That means that we have adequate provisions to make this Bill unnecessary. Therefore this Bill is not necessary at this stage.

I go a little further to show that it is unnecessary by saying that our Constitution is quite clear on the rights and privileges and freedoms of the people of this country, and what this Bill seeks to achieve has already been taken care of by the Criminal Code now operating in this country. Wherever there occurs a libellous or seditious offence, the Criminal Code takes care of it. We have also a Defamation Act, which takes care of any defamatory offence. There is also the Official Secrets Act which has just been passed to take care of any offence involving the leakage of official secrets.

I contend therefore, that the Bill has not passed the first test, and so I say again that it is unnecessary and I have given reasons for this.

If you throw this Bill to the country in the form of a referendum, will it win a "yes" vote from the majority of the people? This is the point. From the wide range of controversy it has evoked, we do not require

anything more to show and prove that it is highly objectionable and will be roundly rejected.

Therefore, I humbly submit that this Bill be laid aside in deference to public opinion and to satisfy our own consciences. There is nothing at all that the Government will lose by allowing this Bill to be laid aside and we will not be obstructing by deferring it.

The Minister referred to certain Amendments which have been made in the Bill. As a matter of fact, if these Amendments had not been made, I would have supported this Bill. But the fact that these Amendments have been thought worthwhile, further shows why this Bill should be shelved forever.

This is the sitting of this Senate immediately before the dissolution of Parliament. I think we have all along done very good work for this nation in this House, and it will be very, very unwise of us to end up with a most unpopular piece of legislation. I think we should end up well as we are all going away very soon. If a new House comes in and our successors think that the Bill should be re-introduced, and they do so, then let them take credit for that. But for us, we started well, let us end well because there is nothing as good as a good finish, except perhaps a good start, which we have been blessed with.

So, I am invoking Standing Order 19 (b) to say that in view of the fact that this Bill has been proved unnecessary and superfluous, and in view of the fact that if it is thrown open to the country by way of a referendum it cannot pass the test of public support because it will be roundly rejected, I beg to move, That debate on this Bill be adjourned indefinitely.

With that, I end my speech.

Senator Alhaji Abubakar Garba : I rise to support the Second Reading of the Newspapers (Amendment) Bill which is before the Senate, for the following reasons.

Firstly, the most objectionable portion of the Bill has been deleted and a new and acceptable clause substituted.

Secondly, the Press in any country should indeed be the watch-dog of the nation. But if the watch-dog would purposely cry wolf where there is not even a cat, then it is the duty of any responsible government to train that watch-dog in such a way that it would render unalloyed,

[SENATOR ALHAJI GARBA]

unbiased and unselfish service to the nation. In return, the dog, although an animal of the lower species, should not show its ingratitude to the teacher, but should be grateful for the training it has received. After all, what is the use of an informant, whom one wholeheartedly relies upon, if he will feed one on false information?

It is the practice of the Press to speculate and write sensational headlines in block letters. The worst of it all is that the Press often invent and manufacture news that do not exist. This type of news or publications is sometimes detrimental to the security of the State.

This Bill seeks to do nothing but to guide and direct the Press so that only the best raw materials obtained from reliable sources will be used.

My third reason for supporting the Bill is that liberal democracy is not, and should not be a one way traffic. I agree that the Press should have its way but this should be in the same way as any individual or any group of persons should be entitled to be protected by the law.

Senator Chief F. Oputa-Otutu : That is all right. Then the Senator is wrong.

Senator Chief O. A. Fagbenro-Beyioku : On a point of order, I thought that Senator Alhaji Abubakar Garba is addressing the President, but we seem to be having many "Presidents" now since some people are interrupting the Senator's speech.

Senator Alhaji Abubakar Garba : I am very grateful to Senator Chief Fagbenro-Beyioku.

As I was saying, it was during the last sitting of the Senate that we passed the Presidential Amendment Bill into law. This shows that in Nigeria, unlike many other countries, nobody is above the law. Even the President of the Republic of Nigeria is constitutionally under the arm-pit of the law. Then I ask: will the Press be an exception?

The main duties of the Press are to educate, to advertise, to enlighten, to inform and to criticize constructively. As soon as the Press deviate from these duties knowingly, then they have completely failed to answer the call of their honourable profession.

Finally, I would like to warn the London *Times* to desist forthwith from interfering with our internal affairs. Let it be quite clear to that newspaper and the people of its school of thought that with effect from the 1st of October, 1960, Nigeria has become equal, politically speaking, to any European country. We shall not take dictation from anywhere in the world.

I wholeheartedly support the Bill.

Senator Chief O. A. Fagbenro-Beyioku : The integrity of the Senate and the determination of the Senators to show themselves as men of mature experience leading this country are now being put to test.

This Newspaper (Amendment) Bill as far as the ordinary man in the street sees it, is something which is welcome. But people with axe to grind and people with vested interest are the only people who see red in the Bill, if we are to be true to ourselves and to our conscience.

Senator Chief F. Oputa-Otutu : of course, the Bill is—

Senator Chief Fagbenro-Beyioku : We have a tradition in the Senate. This is not the Lower House. Perhaps Senator Oputa-Otutu thinks he is still in the Lower House. We are not used to interruptions here.

The President : Will Senator Chief Fagbenro-Beyioku address the President.

Senator Chief Fagbenro-Beyioku : This Bill is something that the Senate must support. The name of this country is being marred through irresponsible publications. Any editor or newspaper proprietor who publishes nothing but the truth, which is one of the cardinal principles of journalism, has nothing to be afraid of.

It is only these people who have been fabricating news, causing divisions in this country, destroying the unity of this country, and making it impossible for our people to come together through their imaginary publications, who are now afraid of this Bill.

Now, when we talk of public opinion, I want Senators to know that those who constitute themselves into "public opinion" and are opposed to the Bill, are the very people who are responsible for all these

irresponsible publications in these Press. The newspapermen have started to project this Bill as a sword on the neck of the nation, and since they started their destructive criticisms against the Bill through their own forum I have taken keen interest in the reading of their publications. I have seen that the number of people who have joined them in the condemnation of this Act is so negligible that it does not in any way represent public opinion.

We have started well in the Senate and we end well. One of the best ways of ending well is to ensure that public opinion in this country is directed towards nothing but responsibility and truth, and if we as Senators give this Bill our blessing and present it to the nation as our last present, we shall have discharged our duties.

We talk of democracy. One of the principal points in the pursuit of democracy is the protection of the individual. Is the individual protected when the newspapers publish anything against anybody and against our society, knowing such publication to be false? Are we then living within the principles of democracy? Why do we want to deceive ourselves?

A Senator : You can go to court.

Senator Chief Beyioku : I hear one Senator say that one can go to court. Yes, the court is there. Do not let us deceive ourselves, how many people in this country are rich enough to face the expenses of litigation?

Newspapers in this country are free to publish anything that they know to be the truth. There is nothing in this Bill which says that before any matter is published, it has to be censored. If we have to censor matters before they are published, then we shall be gagging the Press and obstructing the freedom and the democracy of the newspapers. There is nothing here which provides for that.

Can we say that because thieves are afraid, therefore we should not pass a law to forbid people from stealing? In this Nigeria, we must do everything to ensure our independence and to safeguard our democracy.

It is my view that this Newspaper (Amendment) Bill is one of the most welcome Bill and as far as this Senate is concerned, we Senators are going to demonstrate our maturity by voting in favour of this Bill.

Mr President, I support.

Senator H. O. Abaagu : I originally intended to oppose this Bill, but I have had a second thought consequent upon certain events which occurred some years ago.

My reasons for changing my mind are as follows. Early in 1960, somebody, on the Floor of this House, made some wild allegations against certain Ministers for buying certain properties on behalf of the Government in a way not deserving of them. The newspapers made headlines of these allegations.

The Auditor's Report and the Report of the Public Accounts Committee proved the allegations false. This is the first reason.

The second reason is that some time ago, the newspapers began to blacken the names of our Ministers, by saying that the Ministers had embezzled and carried public funds to other countries. That is very bad.

Senator M. B. Chukwubike : On a point of order, Senator Abaagu is suggesting that this Bill is made to protect the interest of the Ministers.

Senator Abaagu : Senator Chukwubike can be a Minister tomorrow. When the allegations were made, the Report of the Auditor as well as that of the Public Accounts Committee proved them to be untrue. There was nothing to substantiate the allegations.

My other reason for supporting this Bill is that when the Government was contemplating certain measures as regards the introduction of austerity measures to ensure the financial stability of this young Republic, the newspapers were publishing things that were not true.

They went as far as publishing allowances and salaries that the Members of Parliament were not drawing. They purposely did that to mislead the public. They accused the senior civil servants of claiming allowances which were very fictitious.

Again, early this year, somebody made an allegation that a plane belonging to the United Arab Republic landed in Kano with weapons for a political party. That allegation was investigated and the Ministry of Aviation had to clear the air by telling the nation the circumstances under which that plane landed at Kano. This allegation about weapons was also untrue.

[SENATOR ABAAGU]

Very recently, a leader of a political party in the North made wild allegations to the effect that another political party in the North was importing dangerous weapons preparatory to election day. The matter was investigated by the Inspector-General of Police himself when he went to Gboko. He instituted an inquiry and these allegations were found false.

The inquiry proved that the man who made the allegations was the man who went and bought over a clerk in the office of a political party for the purpose of forging the letter. The man admitted in the court of law that he forged it and he was convicted for it. We have had enough of this rubbish from our Press.

The intention of the Government is not to gag the press. In fact, I will be the first Senator to oppose any measure aimed at gagging the Press. The Press should understand that it represents the light of the day and should publish things that are true. After all in Ghana the Press is controlled.

Some people say that Ghana is good. I can hear some Senators asking whether I like what is happening in Ghana. I will reply that I do not like the trend of events in Ghana.

The Press began to seek public opinion in order to shout down this Bill. The Press must have forgotten that we have some neighbouring countries that are doing worse things than we do.

In Ghana, the Press is judiciously controlled even by the Government party. In communist countries, the Communist Party used to censor the Press, even before the Government would censor it.

There are very many people in Nigeria who would like us to go the communist way. But we have not listened to them, we have not gone the communist way.

As a Senator mentioned earlier, some people would like to cry "wolf" where there is not even a "rat". For that reason, the Bill, as it exists, is one of the most acceptable Bills ever presented on the Floor of this House.

I give the Bill 100 per cent support.

Senator E. I. Onewokae : The Bill which is before us is the Newspaper (Amendment) Bill. Now, let us search our hearts. As a

matter of fact, if I ask—"Why are some Senators opposed to this Bill?" As an individual, nobody will have anything to say. Those who are against the Bill, do so in order to support a particular person or a particular organisation that is out to obstruct the unity and solidarity of this nation.

I am going to give you a practical example of what the Press can do to threaten our solidarity. Here in my hand is a copy of the *Sunday Post*, a newspaper which is supported by the Government.

Only last Sunday this newspaper published in bold print, "Press Bill Becomes Law." In actual fact, has the Newspaper (Amendment) Bill become law? The Bill had not even passed through the Committee Stage in the Lower House when that publication was made. After all, the Bill has to pass through the Senate before it becomes law.

It is agreed that Fundamental Human Rights are entrenched in our Constitution. We have several of them—freedom of speech, freedom of movement, freedom of assembly, freedom of expression, freedom of worship and freedom of the Press. But we should not misuse our freedom. The freedom of the Press has been misused.

I cannot say because I am given freedom of movement, therefore I must go into another person's house without his permission, nor can I say that because I am given freedom of worship, I should sacrifice human beings to serve my god. We have to search our hearts.

The Newspaper (Amendment) Bill is a welcome one, which the Senate should support whole-heartedly. Senators will recall that barely six months ago, this country would have been plunged into war as a result of the prominence given by the Press to some tribal and political sentiments. Total war was prevented because the leaders of this country felt that such publications and insinuations in the Press were false, and therefore, calmed down tribal and political passions.

Senators would agree with me that this Bill, to an individual, is non-controversial. But to the Press, which would like to enjoy unlimited freedom of amassing wealth by publishing unnecessary publications, false rumours and divulging Government secrets, it is abominable. We have to pass the Bill.

We should be living in a fool's paradise if we allowed ourselves to be made scape goats by the Press. We are mature people, we are respected gentlemen, we are the fathers of the nation. We should not oppose this Bill, because the Bill is not one that can injure an individual's reputation, rather it protects that reputation.

It is a Bill which protects everyone. Some people have been saying that only the Ministers are protected. I would say that not only the Government and the Ministers are protected, but every individual, every citizen of this country. The Bill protects a citizen in the sense that no citizen would be happy if anyone published false rumours about him or her.

The Press, as one Senator remarked, is like the thief who would not like any legislation passed to curb his depredations. If the press solicits the public to go against this Bill, it is left to us, we the Members of the Senate to support the Bill.

I beg to support.

Senator P. A. Ogundipe : All Senators and all right-thinking people would find in this Newspaper (Amendment) Bill which is being introduced at the eleventh hour of the day, some dangerous intentions. The timing is bad. It is the duty of all of us in this Upper House to reject this Amendment Bill.

Why should it be necessary, even at this stage, the last meeting of this Parliament to introduce this obnoxious Bill ?

Some Senators have argued that the Press may be accused by people for publishing false rumours and libellous information. There is a law of libel in our constitution, which protects any individual or corporation. That is quite enough.

People, at one time or the other, who feel that they have been badly represented or that their good names have been dragged into the mud, have made use of the necessary provision of law, to bring offenders to book.

If we in this Upper House should pass this Amendment Bill to-day, it means that we are making ourselves just stooges of some people who are highly placed and who are afraid that the Press might bring their career in the Government probably at some future time into book, or that the Press might spread their

crimes and offences before the country, or bring to book all the evils they have done in the name of the Government of this country.

Senators will see that even the penalty which is expected to be imposed is very vindictive. One can see this in one of the clauses of the Bill. If Senators turn to Clause 4 (1) (d) where the punishment that will be meted out to the would-be offenders is given, they will see that there is a complete lack of fairness in it.

In the first part, it is said that a corporation may be fined up to the tune of £500, but when it comes to an individual offender, it is said that any other person can only be imprisoned—for a minimum of twelve months and a maximum of three years. No option of fine is made.

That clause in itself seems to point to the fact that the originators of this Bill are people who want to be really vindictive. There is something fishy and they have some dangerous intentions.

I hear Senator Fagbenro-Beyioku shouting 'finally'. I know the Senator is an *Ifa* priest and he can preach his final sermon.

I think we ought to have ended these five years which ushered us both into our independence and into our Republican status with paying glowing tribute to the Press for the great part which it has played, rather than making them a scape-goat by more or less banning them. If this Bill is passed, it amounts to banning the Press because by it, if it is passed, we will not allow the Press to know what they are doing at all.

A Senator was saying a few minutes ago that simply because one of the newspapers commented on the Press (Amendment) Bill, to him the publishers of the paper ought to be punished under this very Act. We cannot do this. It will not be possible for anybody to comment on any matter and it will not be possible for the Press, as they will be aware of certain measures which the Government are intending to take, to make any comments and probably try to curb the excesses of the Government.

All of us know that but for the very virile Press we have, the Preventive Detention Act would have become law to-day. We all know

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that, and unless we want to think that our Ministers and the members of our Governments are an infallible set of people—people who can never make any mistakes—then we can say that whenever the Government brings up any legislation it will unfailingly pass through the Parliament.

This honourable House has served the country in several ways, although we know our difficulties. We know how people have been coming round in order to influence us. We should do our last duty by rejecting this Bill and throwing it out of this House.

I strongly oppose the Bill.

Senator Chief J. I. G. Onyia : It is a rule for elders never to participate in any quarrel amongst children. As this is the House of elders—the Upper House of Parliament—it must go on with its usual dignity. We should not import into this Upper House the controversies and rowdiness which featured in the Lower House.

Ours is to examine any issue dispassionately, listen to this and that, and then strike a balance.

We know there is a quarrel between the Government and the Press and as a result of the quarrel the Government intends to protect all the citizens, including the pressmen themselves. The Press also claims that it is protecting the public. But we elders can see between and strike the balance; we must, certainly. One who strikes the balance and who settles issues must be impartial himself. He must not look upon one who makes the greatest noise or the one who does not. We must find the truth. Of course, we elders are nearer to God and we must be very responsible in our utterances.

Senator A. E. Ukattah : On a point of order, Senator Chief Onyia is introducing another controversial issue by saying that the elderly men are nearer to God.

Senator Chief Onyia : We have read and seen enough of this controversy, and we have looked into the Bill itself. The Government saw what was really controversial and what was really iniquitous and has listened to public opinion by making an Amendment to the original Bill. This Amendment protects the Press half-way if not more. What else does the Press want to be done here? We elderly

men have no axe to grind against the Press. We should not be led by the nose by those who make the greatest noise in this country. Will the Press tell us or dictate to us what to do? Should we hearken to the dictation of people who call themselves intellectuals and the intelligentsia? Certainly, we must read this Bill without any bias.

The Bill, as it stands, is absolutely innocuous. What is the use of our staying here to precipitate a crisis and quarrel as our children have done in the Lower House? Let us be practical. There is nothing harmful in this Bill as it now stands, and as such we should pass the Bill.

I beg to support.

Senator T. Olamijulo : At first, I was not pleased with this Bill, but now, following the speeches of the Senators who have spoken before me, my displeasure has been turned into pleasure. I have gathered a lot from the Senators who spoke before me. We have no axe to grind with this Bill. We are elderly men and as such it is our duty to give the verdict. It is said in the Yoruba proverb that the head of the family eats last. Now that the Bill has been considerably amended and certain things that were intended to be there have been removed, we should support it wholeheartedly.

It is true that many people are in the habit of seeing red in white; it is also true that many people are in the habit of thinking about the evil side of a case. But then, when we begin to think of evil things, evil things come our way. When we were created by God, we were asked not to do certain things, but we did them and, as a result, we often meet with trouble. God created good things, but still we continue to think of evil instead of good. We should think of the good things. In this case, people are not thinking about the good side of this Bill. This Bill will prevent lots of litigations.

The Press should not think that the best way to make their newspapers sell is by spoiling the good names of certain individuals. The fact that they should think properly before they publish is very good indeed.

I support this Bill wholeheartedly.

Senator J. M. Egbuson : Before coming to this House this morning, I was wondering in my mind why this Bill was being referred to as

a controversial one. But now, one of the Senators has just given the reason. The people in the controversy are none other than the Newspaper men themselves.

I have listened to some of the earlier speakers on this matter. Their arguments seem to rest on the fact that other provisions have been made in our Constitution to safeguard the individual. We have such laws as the law of defamation, the law of libel, *et cetera*, but those Senators have not given any reason why these different laws in different volumes should not be collated and put into the Newspaper Bill—which is the essence of this Bill. Are they complaining of duplicity? What are they exactly complaining about? I cannot understand.

Some people say that an attempt was being made to gag the Press and that such an attempt might drive away foreign investors. In my opinion, foreign investors who would like to come and be fed with lies, or who would like to come to feed us with lies, should better stay out of the country.

Personally, I see nothing obnoxious in this Bill. I think the complaint rests on Clause 4 of the Bill which, with your permission, Mr President, I would like to read.

Clause 4 (1)—Any person who authorises for publication, publishes, reproduces or circulates for sale in a newspaper any statement, rumour or report knowing or having reason to believe that such statement, rumour or report is false shall be guilty of an offence.—

Why should anybody complain about this Bill which seeks to get the newspaper men to publish the truth?

I am very happy with Clause 6. In the past, the editors of the newspapers which were sort of controlled by the Government thought that they were above the law. They published things that would bring trouble between one Region and another. To-day we have in Clause 6 what, with your permission, Mr President, I would like to quote:

In any Act other than the principal Act or this Act affixing the responsibility of, or conferring immunity on editors, the fact that a newspaper is published in the Federal territory by or under the authority of the Government of

the Federation or of a Region, as the case may be, shall be immaterial, and the definition of "newspaper" in section two of the principal Act shall be amended to the extent necessary to give effect to this section.

Newspapers are not widely read in my constituency. But I would like to say that the few people who read newspapers there believe in them more than they believe in the Bible. Whatever false news they read in the newspapers they keep on hammering on it saying, "We saw it in the newspapers"—as if it is the gospel truth. It is not. They have not the means of checking the facts. And even when those affected point out the falsehood contained in the reports, what do the newspapers do? They go and write the correction probably in the back page and in such small letters as the eye cannot see, as against the falsehood which had been published in the headlines on the front page, and probably in the editorial column. That is all they do in correcting the wrong they have done. They put something in small letters which cannot be seen or read.

I have heard newspaper men say that this Bill is a two-edged sword. They say that it is not hard on the newspapers or the editors only but also on the politicians whose reports, when they start with their electioneering campaigns, cannot all be reported for fear that there may be some falsehood. Well, that is exactly the purport of this Bill—to minimise flagrant rumours, unprintable matters which are printed simply because that newspaper wants to boost up a particular speaker. They say that when the campaigns start our politicians will be the sufferers. Judging from what I hear from them, I think that that is exactly what we want. When they begin to behave in that fear of reporting false news, they will be contributing to the unity of this country rather than tearing it into pieces as they have hitherto done.

Mr President, I have no hesitation in supporting this Bill.

Senator M. B. Chukwubike: I notice this morning that many things can happen in this country.

Senator Chief Onyia made one interesting point when he said that we are old enough and

[SENATOR CHUKWUBIKE]
will not be allowed to be led by the nose. I notice this morning that many Senators are led by the nose.

Senator Chief Fagbenro-Beyioku : On a point of order, I would, with your permission, Mr President, ask the Senator speaking to withdraw that statement because it is unparliamentary.

The President : Will the Senator withdraw that statement.

Senator Chukwubike : I withdraw it.

What I am saying is that many Senators came here very early this morning with heavy hearts prepared to oppose this Bill. Mr President, you can also remember that we entered this Chamber five minutes late because of lobbying outside. I myself oppose this Bill. As elder statesmen and women of this country, we owe it as a duty to the nation to think always of the coming generation.

I am saying that this Bill, according to the Senator who first spoke on it, is unnecessary. In our Constitution we have a law which prevents abuse of the freedom of the press. I must say that this is sufficient. If a newspaper editor or any journalist for that matter abuses this freedom, the provisions of the law should be applied.

Senator Chief Fagbenro-Beyioku : Why does the Senator then quarrel with this Bill?

Senator Chukwubike : It is a duplication of the whole thing. This country is democratic and freedom of speech is entrenched in our Constitution. It will be a rape of democracy, therefore, when the Nigerian press is reduced to a servant who sings his master's voice. Immediately this Bill becomes law, the public will be less informed, with the Government plans to legislate against the principles of democracy.

The small but important amendment made by the Minister was made because of the pressure from all sides of the country.

The President : The Senator should not impute motives, I have told Senators that before.

Senator Chukwubike : The sum total of what I am saying is that I oppose this Bill.

Senator Chief J. A. O. Akande : I rise to support the Newspaper (Amendment) Bill. In doing so, I would like to make some observations. Elder statesmen here—I refer particularly to Senator Chief Onyia and others—have given the lead on what Senators should do in this respect.

It is true that we have fundamental human rights entrenched in our Constitution but the protection of the individual is another thing. Some people have argued that people who are affected should go to court but how many people can afford to go to court? As a matter of fact, they are not many.

If this Bill is passed into law, it will protect the individual; the masses are waiting to see what Senators will do but what is going to be their reward? Do Senators think the newspapers should continue to publish false stories about people who have no means of going to court?

Going to court always entails payment of heavy bills and not many people can pay these bills. The argument as to the old law cannot stand in this House.

People know the press by the power they have in Nigeria to-day. This Bill is simple, it is to put an end to false stories and rumours and the attempt of some Editors of newspapers to damage certain people.

I do not think that Senators would agree that our newspapers should publish false stories. If the Bill is to allow Nigerian newspapers to publish the truth where is the quarrel with this Bill. The Bill is simple; what the Senators want is that the Nigerian press should publish true stories.

If that is the purpose of this Bill I do not think anybody needs to quarrel about it. It would be a waste of time for some Senators who may see red in this Bill to continue to oppose it.

I think it is proper for the Senate at its last sitting to pass this Bill into law.

Senator S. Eytayo : I rise to support the Newspaper (Amendment) Bill. As expressed by the Minister of Information (*Chief Benson*) and other Senators who have spoken, the Bill is not at all controversial although the newspaper men and some interested people have made it a controversial matter and they have given it so many colours which to my mind do not exist at all.

As a teacher, I hate pupils who tell lies and I think that everyone of us will not be pleased with anybody who tells lies. We are fathers of the nation and as fathers I do not think we shall be happy if any of our children gives us rumours or tells lies at any time.

If we want to maintain a happy family, I do not think that as fathers, we will be happy if we allow such a thing to happen. Therefore, as fathers of the nation, I think it is but right for us that we should accept this Bill and pass it into law.

Mr President, may I refer to Clause 4 and with your permission I will quote the relevant portion :—

“4. (1) Where any statement, rumour or report is published or reproduced in a newspaper by a person to whom this section applies and the statement, rumour or report is one which such person knows is, or suspects to be, false or such person publishes or reproduces it without regard being had as to its truth or falsity, and the statement, rumour or report—”

It goes on and then (d) (i) and (ii)—

“(d) (i) a corporation, by a fine of not less than five hundred pounds, or

(ii) any other person, by imprisonment for a term of not less than twelve months or more than three years.”

I think it is for this reason that this Bill is welcome. All that this Bill seeks to do is to protect individuals and our Governments from false news and I do not care about the amount of punishment that will be meted out to anybody who knowingly goes out to give false news about the Government or any individual.

What the Bill also seeks to do is to see that editors of newspapers or anybody who is going to disseminate any information finds out that that information is the real truth and nothing but the truth.

Anybody who rushes to the press in order to mar other people's character or discredit the Government of a country should be dealt with seriously.

The Bill is non-contentious and I support it.

Chief Benson : On a point of information, I quite agree with the last Senator who spoke that this is the House of Elders but I want to

say that his last quotation was from the old Bill. A new Clause 4 has been substituted for the old one.

Senator A. Nwoke : If Senators refer to the explanatory note given by the Minister of Information who presented this Bill they will realise that the Minister presented the Bill to bring it in line with the newspaper law existing somewhere in Nigeria and that is in Eastern Nigeria.

I have all along been feeling that those who have spoken either in the Lower House or in the Upper House would get up to shower some encomium on the Government of Eastern Nigeria for thinking of this Newspaper Bill nine years ago.

I do not see anything that can be quarrelled with in this Bill if the old Clause 4 has been replaced by the new amendment we have just received this morning. The newspaper men are in a profession and if journalism is a profession, it must be protected by Act of Parliament.

If Senators look through the Order Paper, the Pharmacists Bill is the second Bill on the Order Paper. I am a Pharmacist and we are not quarrelling that the Bill should not be passed. So, all professions must be protected and the gentlemen of the press must have to co-operate.

The only headache is that the very politicians now quarrelling with pressmen have in a great way been misleading the pressmen. Some of them have been dictating what to write to the pressmen.

In this Senate, we cannot now admit that we have been fairly treated by the press because of some sinister politicians. They say that Senator this and that spoke, and even the radio will repeat all that in detail. Why not say that several other Senators also spoke ?

If one listens to the radio or reads articles in the Press one will find that this is just a little bit out of the way. Now that both sections of the society have quarrelled, the result of the quarrel must be to the best interest of the country.

Now, a lot of people have misunderstood the real essence of this Bill, particularly as amended. The Bill does not go to suppress the press in any

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shape of form. Rather, it upholds the tenets of the Press. I am not thinking of the Bill as was first presented, but as presented to this House this morning in its amended form.

I would like to say that if the pressmen have been given day-to-day handouts from the Ministry of Information, this controversy could have died a natural death. But they just left people to be thinking from the beginning that the original thing has been promulgated.

A Bill that forbids somebody from violating the rights of human beings in this Federation, from exposing us in a rude manner to foreign countries, from working against the security of this nation, must be a popular Bill. Are we going to knock off this portion of the Bill so as to give licence to people to destroy the essence of this country? My answer is "No."

There was a headache immediately the Lower House finished with this Bill. There was a demand by one of the hon. Members that a certain portion of the Eastern Nigeria Law should further be incorporated into this Bill as was done in the case of another portion.

The answer which was purported to have been given by the Attorney-General was that that portion was unconstitutional, and a rider came up. If that portion is unconstitutional, what about the previous Section 14? There was no answer to that question. If the Minister could, during his explanation which is sure to come later, say exactly why a section of the Eastern Nigeria Law was constitutional and another section became unconstitutional, I shall be very happy.

The Minister of Finance (Chief F. S. Okotie-Eboh): That is so because the Constitution has been amended.

Senator Nwoke: "Because the Constitution has been amended," says the Minister of Finance. I am happy that he has given me that reply.

Senator P. A. Ogundipe: While the Senator is addressing the President, he is receiving some information from somewhere else. We want to know if the Minister was speaking to the whole House.

Senator Nwoke: The law has started to operate, after passing through the House of

Chiefs, in Eastern Nigeria although that process was hurried through due to certain forces. The law must, therefore, operate in the Federal Capital of this country.

The only headache about this Bill is the timing. It has come at a time when every politician is focusing his attention on the election, and people do not quite understand why this law should be rushed.

The question which is being asked, therefore, is, are we in a state of emergency to warrant the rushing of this Bill? The very nature of the rush makes it suspicious. We ought to have had a Session of this Parliament between the Budget Session and now. Why was it that there was no Session of Parliament even though there were incidents like the last general strike and the Tiv Division trouble?

If we had had a Session of Parliament at that time, we would have been able to deal with this Bill, assuming it was presented, and this could have given us more time for deliberation on it and this would have served to allay the fears of many people.

Therefore, I would like to suggest that when the next Parliament is constituted, there should be no surprise Bills. Members of Parliament should be given the chance to dilate on the Bills, after studying them carefully before disposing of them. In addition to that we will be in a position to have more Sections of Parliament instead of just omitting a whole lengthy period between the Budget Session and the closing day.

I would like to suggest to the Minister presenting this Bill that, in the Cabinet, they should not fail to read more into the fears of people when making any further necessary amendments so as to provide a wider scope of protection.

I hear a Senator saying that I am opposing the Bill. I am not opposing the Bill because there is a law like this in my Region. The Eastern Nigeria Government has been given praises for it.

I have nothing against this Bill and, therefore, I support it.

Senator Chief (Mrs) Wuraola Esan: Mr President, I am sorry that I have no cause to oppose men to-day. I am very fond, as you all

know, of opposing them because at times they just want us, women, to be compelled to do something for them. Similarly, I wish to say that I see no reason why I should oppose this Bill.

I am sorry that the Press which has fought a good fight so far does not accept defeat. Much as one likes a good fighter, a good loser is another person one would like to praise. We must learn to be good losers.

The Press has been giving the public education about this Bill according to their own view points. The only axe I have to grind with the Government is that all the education given to ordinary people like myself about this Bill came from the Press itself and not from the Government.

I see no reason why, when a Bill is so controversial as this one, the Government or the Ministry of Information should keep quiet. We keep reading in the Press day in day out that we are being molested and that we are going to be suppressed; that nobody will be able to say a word otherwise the Government will cut such a person's head or sue him.

Well, it is true that the Press is there to educate the public, but when one is pleading for oneself, one is likely to over do it. The Press has been pleading so that this law may not come into being, it has been telling people what it thinks is correct; but the people who can themselves read between the lines know that the Press has been exaggerating.

The pressmen should understand that the fact that they have established a Press council means that this Bill, if it is passed, will not affect them the way they think it would. The Press council should advise and caution its members when the government wants to enforce any provision of the Newspaper (Amendment) Bill.

The pressmen should console themselves with the fact that they have on their own agreed to establish a Press council. This council should be able to call its members to order and to discuss any matter arising from the Newspaper (Amendment) Bill with the Minister concerned.

The Press council is their own weapon for fighting back the government and they should not attempt to coax the Senators into not speaking up their minds.

If we come to this House and support the throwing out of this Bill, are we doing any service to those who do not know how to read and write? I do not think so. The government has been silent in putting forward its own case to counter what the newspapers have been dishing out to the public; but because it has failed to do so does not mean that we, as Senators, should fail to tell the public the correct purport of the Bill. Those of us who know the full implications of the Bill will not quarrel with this Bill.

We, who have passed through elections in the past know what happens during elections. Your opponents say all sorts of things about you and you cannot protect yourself from such attacks. What is worse is that the evil things said about you stick so fast in the minds of the reading public that you will find it difficult to convince them to the contrary. Such evil attacks have ruined the lives of some politicians because some sections of the Press chose to publish them.

I therefore think that it is good for this country to have the Press publish the truth and not falsehood, and we have the assurance that we will never wake up any morning to find any news about Nigeria completely distorted in a foreign-owned newspaper.

There is no doubt that some overseas countries would like to see us go the Congo way, and as soon as they happens this will come to us under the cover that they are our friends. But whether we are friendly with any foreign nation or not, we have a duty to make our country great. When we have made this country great then shall we know who our friends are and who are our enemies.

We have to make the Nigerian Press understand that in the days of Moses our Lord made the Commandments because He knew at the time that the people were not as enlightened as we are to-day.

Without adding any other word our Lord said "Thou shalt not steal." He did not mention what punishment awaited anyone who disobeyed that order because He knew

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that they feared Him then. Nowadays, if you instruct your child not to go out from home without threatening him with a severe punishment, that child is sure to disobey your order.

The government must be firm at times on certain matters so that the people will know that they have to do certain things and no more. So I am supporting this Bill and at the same time asking the pressmen not to go away with the spirit of defeatism. They have not been defeated at all. With their Press Council, as a weapon, they should be able to call their erring members to order and discuss any matter with the government.

I hear a Senator saying that no Press Council has been established yet. If that is so, I will advise the pressmen that as soon as this Bill is passed, they should form a sort of advisory council for the purpose of advising the government in the enforcement of the Newspaper (Amendment) Bill.

Chief T. O. S. Benson : I just want to clear one point. When the agitation against the Bill started I was away at Enugu, and immediately I arrived in Lagos I issued a statement stating the government's view point, and stressing exactly what the government had intended to do by introducing the Bill.

After meeting the Press, I issued two other statements clarifying the stand of the government, and stressing again that it was not the intention of the government to gag the Press, and that it was not a party matter as some people have suggested, but a government Bill.

I said that the purpose was to make sure that some of the excesses of the Press were curbed. It should be noted that the members of the Press themselves are concerned with this matter and the only government newspaper—the *Morning Post*—which tried to explain the government's point of view was subjected to heavy criticism by all the other newspapers and even by some government newspapers.

The point is that we did try to explain the government's stand with releases to the Press and Radio, but some sections of the Press which thought that the Bill was intended to control them refused to publish the government's releases. Some of them were published and some were not. It was only the government's newspaper that published the releases in full.

That is the point I want to make. I will not accept the comment that we never explained the government's view point on the matter.

I hear a Senator asking me to comment on the establishment of a press council. The establishment of a press council was suggested by one of my Regional colleagues, the Northern Nigeria Minister of Information. He suggested that we should have a press council, not connected with this Bill, and we are looking into that suggestion. The Northern Government also submitted a *paper* on the pattern they think such a press council should take, which we are as well considering.

Senator Chief (Mrs) Esan : I am happy to hear the Minister of Information say that the matter of the establishment of a press council is being considered. I had thought that a press council had been established, but at any rate this is an opportunity to form such a council. I say this because when somebody wants to fight you, you should devise a means of fighting him back; and one of such means, as far as this Bill is concerned, is the formation of a Press Council to ensure that the government does not apply the law arbitrarily.

I know that in Nigeria these days whenever a Bill of this nature is introduced and someone opposes it, that person is termed to be progressive; and if anyone supports it he becomes a retrogressive person. To-day I stand up to support this Bill, not because I am a supporter of one political party or another but because I am only speaking up my mind.

Whether the Press likes it or not, or the government likes it or not, I do not care; all I have done is to say my own opinion. I know that the Press will bear me out that if I felt that the Bill should be thrown out, I would readily say so.

Senator Chief Z. C. Obi : Before I oppose or support this Newspaper (Amendment) Bill, I would like to say that the people's quarrel against the Bill sprang from different directions. I happened to be present at a meeting (call it a shadow meeting if you like) where this matter came up, and the people at that meeting opposed this Amendment to the Newspaper Bill particularly on two grounds. I was one of those who opposed this Newspapers (Amendment) Bill then: firstly, on the ground that it

was ill-timed; secondly, on the ground that, as was the case with some other Bills in this House, it was sprung so suddenly on the Legislature; and, thirdly, because it was brought on the eve of an important election like the one that is coming and it might prejudice the election one way or the other. I then asked a question: since this Parliament has been in office for all these five years why should it be called upon at this stage, only at the last sitting of this Parliament, to consider such a Bill? It looks suspicious. Probably what we regard to-day as a contentious Bill might not have been contentious even with the Press of this country if it had been introduced earlier or later.

I remember that in those days of nationalism one of the charges that we used to levy against the imperialists Government was that they used to spring Bill upon our representatives. They used then to give only two weeks' notice of any Bill. But here is our own Government, and those of us who have had the experience in this House know that this is not the first time that a Bill has been sprung upon the Legislature.

I must say that, personally, the stand of the Government on the issue of the activities of the Press in this country is defensible. But why should it be rushed as if people have an axe to grind in the whole issue? That is the only one ground of my quarrel with the Bill.

I must really confess that if we all think of the happenings in the country, the section from where I come has also suffered most through the misrepresentation given it by some sections of the Nigerian Press. That is quite plain. So, I must warn that if we should not continue in future to have cases of this nature, due notice must be given for all Bills of importance such as this before they come to Parliament.

This is politics, and Government must always have its way. I think in order not to waste the time of the Government unnecessarily, I would advise anybody who sets his mind on opposing the Bill to think twice before doing so.

I am, therefore, supporting the Bill.

Question put and agreed to.

Bill accordingly read a Second time and immediately considered in Committee.

NEWSPAPERS (AMENDMENT) BILL :
CONSIDERED IN COMMITTEE

Clauses 1-3 ordered to stand part of the Bill.

Clause 4—(PUBLICATION OF CERTAIN STATEMENTS, ETC., AN OFFENCE).

Senator Chief F. Oputa-Otutu : May I, first of all, appeal to you, Mr Chairman, Sir, to pray Chief Festus Okotie-Eboh, *Omimi Ejoh*, not to fight me outside this House as he has indicated! I cannot fight him back. He is a very powerful fighter.

The Minister of Finance (Chief F. S. Okotie-Eboh) : On a point of order, I have never told Senator Chief Oputa-Otutu that I would fight him outside this House.

Senator Chief Oputa-Otutu : I am appealing to the Chairman to protect me both inside and outside this House

The Chairman : You are protected. As Chief Okotie-Eboh is the Minister of Finance he will finance you to your home.

Senator Chief Oputa-Otutu : I would like to say that a large number of Senators in this House have expressed the desire to go on a division on this Newspapers (Amendment) Bill. I hope the Chairman will take note of this and please give those of us who are interested the opportunity to carry out our wishes.

The Amendment which I am presenting to this House is a very simple one. As a matter of fact the Attorney-General has already given this Amendment his blessing in the Lower House with one exception. The exception he wanted is that the word "judge" should actually not to be in the Amendment suggested. We appreciate the anxiety about that, and we also appreciate the reasons he has given why a judge should not be brought in in anything connected with this matter. But the Amendment which I now want to put forward to this House to consider has made provision for that. We have replaced the word "judge" with another body to be known as "Press Tribunal", and, with your permission, I would like to read my Amendment :

"No criminal prosecution shall be commenced against any proprietor, publisher, editor, or any person responsible for the

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publication of a newspaper for any libel published therein or any offence under the provisions of section 4 without the order of the Press Tribunal in Chambers being first heard and obtained. Such application shall be made on notice—”

I hear a Senator saying that they are going to oppose my Amendment. It does not matter really whether they oppose it or not. That is not the point. It is unfortunate that that Senator has made up his mind that way, but my point is that discretion is the better part of valour. What we are saying, and what I believe—

Senator Chief O. A. Fagbenro-Beyioku : On a point of order, the Senator was reading his Amendment, but then he has not made things clear to us on it.

Senator Chief Oputa-Otutu : What we are saying is that nobody is quarrelling with the Bill as it stands now, except that it has not gone far enough. It has got to make provisions both for the protection of the individual—that is the public generally—and protection for the pressmen themselves.

What we want is that truth should be published however bitter it is. That is what the country wants and that is all we are asking for. Therefore, there should be sufficient provision to protect those who publish these facts to the world and those who read them. It must be a two way traffic. What we are trying to do by bringing in this Amendment is to ensure that there are no arbitrary or indiscriminate prosecutions as will happen, I am sure, in some parts of this Federation. It is possible that this might not happen in Lagos, but already a part of this Federation has taken undue advantage of this Bill which will recently be passed and will soon begin to implement it in the way it wants.

With your permission, Mr Chairman, I would like to put two questions to the Attorney-General and Minister of Justice. Will the Attorney-General tell this Senate where in the British Commonwealth of Nations there is a law like this in the Statute Book of that country ?

Senator Chief Fagbenro-Beyioku : It does not matter. This is an independent country.

Senator Chief Oputa-Otutu : India became independent in 1947—thirteen years before this country became independent—but India which became independent since 1947 has no law like this in its Statute Book. Certainly India wants a free Press to criticise and to be criticised. This is my first question.

My next question is, may I ask the Minister of Justice (I prefer at the moment to call him Minister of Justice alone) what could have been his reaction if this Bill had been brought in by the British people who ruled us up to 1960 ? If this law had been made in 1949 what could he have done ? I am sure, may I say without any fear of contradiction, Sir, that he could have been one of those who would have carried placards.

Mr Chairman, can the Attorney-General answer these two questions ?

Senator Chief Fagbenro-Beyioku : The Senator has asked and answered this questions.

The Attorney-General and Minister of Justice : I do not really know whether I should confine myself only to the two questions asked by the Senator or the other attempts which he has made to interpret what I said in the Lower House, because he has already misconstrued that also.

The first question is whether there is any similar law in the rest of the Commonwealth, Surely, up to now we have been branded as possessing the freest Press in the world. If we have had that, why is the Press in other countries less free ? Is it not because there is in existence legislation setting standards for their Press ? Every known country to-day has some legislation designed to curb the excesses of the Press in its own community according to the circumstances prevailing. There cannot be one single law governing all countries ; some must depend upon circumstances, and the circumstances obtaining to-day in this country have led the Government to feel that now is the time that there should be some measure of regulation, and this regulation we contend is consistent with the Constitution of

the Federation. It has not in any way diminished the freedom of the Press. A responsible Press is all that we are anxious to achieve in this country.

The second question of the Senator is purely hypothetical. He has asked me to suppose what I might have done in 1949. The short answer is that in 1949 I was in England, so that I could not have had any chance to join in any demonstration.

It has been said that the British (*Interruption*)

The Chairman : Thank you, hon. Minister. Senator Oputa-Otutu only asked two questions, and they have been answered.

Senator Chief Oputa-Otutu : I have said that all that this Amendment is seeking is that in this country we should ensure freedom of the Press to publish truth. We should ensure the right and privilege of the Press to publish truth however bitter it might sound or it might be. This is all we are asking for.

Furthermore, editors are not generally rich people and cannot stand the abuses which this law will subject them to in a particular part of this country. Mr Chairman, I would like you to take note of this point that I am making. We will like to ensure that the Press is not suppressed.

If this Government is anxious to maintain freedom of expression, all it could do is to accept this Amendment which is a part of the law which this Government has extracted from the Eastern Region Law. The Eastern Region Law made provision for the prosecution of editors who would publish false rumour and false news, but it did also make provision that before such editors are prosecuted, efforts will have been made to ensure that they deliberately published such news. That is the point. It is not sending the editors round the courts that is the thing, because by doing so, the Government is merely frightening them from telling the country the truth. Apart from merely being protected, the man in the street will like to know the truth.

As have been mentioned by Senators who have spoken before me, I think the law of libel has made sufficient provision whereby aggrieved persons could obtain redress in the

law courts. If, as mentioned by a Senator, litigation in this country is a very expensive business, then of course it is left to the Government to simplify hearing of cases by our judges.

Mr Chairman, I am appealing to Senators in this House to reason with me and support my Amendment which I believe will not only preserve our fundamental human rights as entrenched in our Constitution—freedom of expression—but will also restrain those who might like to use this law to suppress facts, from doing so.

Some Senators have spoken about publications in the Press in the past on certain matters. I completely agree that there is need to curb the excesses of the Press. But my Amendment is that whilst we are trying to ensure that our Press gives us facts, at the same time we should not through the backdoor make provision in our Statute Book by which it will be difficult and impracticable for news editors to publish facts. That is the point I am making.

In fact the Amendment I am suggesting is very simple and I do not think that any freedom loving person in this House would reject this. This part of the Bill is already in the Eastern Region Law which the Federal Government has imported. It would be unfair if this Government would cleverly extract a part of the Law which they like and leave out that part which protects the editors.

If this Government had wanted to be fair enough and to protect the Press and the public, it should have made provision of this kind in the present Amendment. But it has carefully removed this part of it which protects the editors. This part is simply procedural and only requires that before an editor is taken to court, he must be given the opportunity to defend himself before a Judge in Chambers.

Senator M. B. Chukwubike : On a point of order, the Senator, I believe, is wasting the time of this House.

The Chairman : He is not entirely wasting the time of the Senate, but the Senator has only five minutes more to wind up.

Senator Chief Oputa-Otutu : All I am saying in conclusion, is that it is our duty as fathers of this nation to ensure that our Statute

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Book does not contain discriminatory laws. Our laws should be shaped in such a way that those who carry them out should be able to do their work without fear or favour.

I beg to move.

Senator Chief J. A. O. Akande : The Amendment sought by Senator Chief Oputa-Otutu is no Amendment at all, and this House should not encourage people who want cheap popularity by such Amendments to—

The Chairman : Order. The Senator speaking should not impute such motives. It is not cheap popularity. Senator Chief Oputa-Otutu may have been defending his rights.

Senator Chief Akande : Section 104 (b) of the Constitution of the Federation gives right to the Attorneys-General of all the Governments of the Federation to initiate prosecutions *et cetera*, and I do not think this Amendment, sought in this House to be put into the law is something to be welcomed at all. The right to do these things has been vested under the Constitution on the Attorneys-General and there is no departing from it.

Senator Chief J. I. G. Onyia : This Amendment is redundant and reflects lack of competence and confidence on our judiciary. As I said before, conscientiously and without looking anybody in the face, this Clause is absolutely innocuous and is identical to various laws we have in this country, even by-laws in some local councils.

I do not think that there is any responsible person in this country who would agree that anybody should publish what is false or a rumour or anything like that, which will taint the character of another person.

If Senators read the two clauses they will see that all the safeguards have been provided for the pressmen. I am referring to Sub-section (2) of Clause 4 in particular. This is clear enough—

It shall be no defence to a charge under this section that he did not know or did not have reason to believe that the statement, rumour or report was false unless he proves that, prior to publication, he took reasonable measures to verify the accuracy of such statement, rumour or report.

This will be argued in a court of law, and there all these facts must be examined before the accused can be found guilty of the offence.

What is the use of going another way in order to determine the issue prior to coming to court? This Amendment is redundant and I oppose it very vehemently. Let us be more responsible. As I said before, we should approach these things as elderly men. If we see the Government is wrong we should say so, but if we see the Press or the public is wrong or may be labouring under misapprehension or under perhaps some youthful impetuosity, we also reserve the right to say so. It is our duty to tell whoever is wrong what is good for this country.

Senator J. K. Nzerem : We have heard quite a lot on this Newspapers Amendment Bill. I wanted to speak on the Second Reading of the Bill but you, Mr Chairman, did not allow me. If I say some of the things I wanted to say then you will rule me out of order. I will therefore confine myself to this Amendment.

I want to ask why the Government is insisting on passing this Bill on the eve of the dissolution of Parliament. As a matter of fact, I have examined the Bill and I have seen nothing very bad in it. But why is the Government rushing the Bill? Why do they not leave the Bill for the Government which is going to succeed them in a matter of weeks to bring in?

Chief Okotie-Eboh : That is not the point.

Senator Nzerem : The Minister may say that that is not the point, but I am warning the Government against passing the Bill. Those who now think that they will benefit by the Bill may find that the Bill is against them in future. We have to be very careful.

The Chairman : Will Senator Nzerem speak on the Amendment.

Senator Nzerem : That was why you did not allow me to speak all the time.

I would like to see the Amendment suggested by Senator Chief Oputa-Otutu incorporated in the Bill. We are told that there is going to be a Press Council. Why did the Government not incorporate this Press Council in the Bill? I am all out in support of those who say that false news should not be published, but why

are we rushing this Bill on the eve of an election? Why should the Government call on us to pass this Bill now? I suspect Government's intention and I want to make that clear.

I do not agree that the whole Bill is obnoxious. There are some aspects of it which are good. We would like the Press of this country to be responsible. It is truth and nothing but truth which can make us free. But I would like the Government to give serious consideration to the Amendment of Senator Chief Oputa-Otutu because I see nothing wrong in it. The Amendment protects the editors, it protects the Government and it protects the public. Why not accept it?

I do not support those who say that editors should be allowed to publish false news. I am not for that. The excesses of the Press should be checked, but let us accept the Amendment of Senator Chief Oputa-Otutu. The Amendment is innocuous, to borrow the word of Senator Chief Onyia, our patriarchal figure.

I support the Bill.

Senator Chief S. T. Hunponu-Wusu : It is a sheer waste of time to put in any Amendment at this moment. This Bill has been fully debated. As a matter of fact, I would like to say that the question of an Amendment should not arise at this stage of the Bill. Why should people say that the Government is rushing the Bill?

Let us thank God for what we have been able to do within the past five years. If there is anything which could project Nigeria to the outside world as an untruthful, unfaithful and unreliable nation, and, if there is any law which the Government can bring to safeguard the country from being given these bad names, let them bring it even if it means bringing it at the ninety-ninth hour. This law, I am sure, will also safeguard Senators coming behind.

We all know that Rome was not built in a day. We cannot go through our Constitution in a day and see all the defects in it. We are all the fathers and mothers of the nation fully matured in age. The time has come when we should face the facts. Let us call a spade a spade. Truth is what Nigeria wants at the moment.

If there is any Bill that will make Nigeria to be 100 *per cent* safer than it was in yester-years,

let them bring it and we shall support it. There is no need for the Amendment of Senator Chief Oputa-Otutu and I will therefore not support it.

Chief Okotie-Eboh : I only want to clear one misgiving, and that is that this Bill is being rushed. What is the thermometer by which Senator Nzerem measures the rushing of a Bill? In fact, this Bill was properly presented in accordance with our practice. If a Bill is going to be presented it must first be published in the *Government Gazette* and this Bill was first published in the *Official Gazette* No. 70, Volume 51 of the 5th of September 1964, and that complies with the requirement of the law. We did not bring the Bill on a certificate of urgency. If we had brought it on a certificate of urgency, then Senators may ask what is the need for the rush.

Now, Senators might as well ask for the use of passing the eleven other Bills on the Order Paper for to-day. We have eleven other Bills on the Order Paper for to-day. Are we rushing them too? Alright, let them not be passed and let us see if Senators will get their salaries before they go back to their respective homes.

Senator O. A. Fagbenro-Beyioku : Is the Minister threatening us?

Chief Okotie-Eboh : I am not. I am merely calling attention to the Supplementary Appropriation Bill which is also to be passed. Are we rushing that too? Are the Senators trying to say that if this country is going to the dogs the Government should leave it to go to the dogs because we are facing an election? We cannot do that. We cannot shirk responsibility. After all, we are the people going for the election, we are the people to be afraid. Senators are not going to face any election.

Senator Chief Fagbenro-Beyioku : How does the Minister know that Senators are not going for election?

Chief Okotie-Eboh : I therefore want to assure the Senate that the Bill is not being rushed at all, and, that like any other Bill that Senators are called upon to pass, this Bill has come at the right time, and if we find that it agrees with the circumstances prevailing in our society now, I think the Government should be congratulated for its boldness in

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bringing such a Bill. If anybody or some group of people feel they can smear the character of the Ministers either individually or collectively, let them go to our respective constituencies and fight us with their newspapers and they will see that we shall be returned to this Parliament again.

Question, That the words proposed to be added be there added, put and the Senate divided.

Ayes 8;

Noes 36

AYES

Name of Senator

Senator Chukwubuike
Senator Nzerem
Senator Okoro
Senator Ukattah
Senator Ogundipe
Senator Umoh
Senator Alhaji Abudu
Senator Chief Oputa-Otutu

NOES

Name of Senator

Senator M. A. Green
Senator Chief A. Nwoke
Senator Chief Fagbenro-Beyioku
Senator Bawa
Senator Abaagu
Senator Chief Ugwuocha
Senator Chief Ojon
Senator Chief J. A. Akande
Senator Chief Ndu
Senator Mrs Esan
Senator Muhammadu Sani Dingyadi
Senator Chief Hunponu-Wusu
Senator Acholonu
Senator Alhaji Abubakar Garba
Senator Chief Obi
Senator Olamijulo
Senator Chief J. M. Ajayi-Obe
Senator Chief Esangbedo
Senator Hassan Rafin Dadi
Senator Idirisu-Tafidan Adamawa
Senator Eytayo
Senator Yesufu
Senator Zanna Sheriff
Senator Ungogo
Senator Chief Ojehomon
Senator Mrs Kerry
Senator Chief Asena
Senator Chief Onyia
Senator Idehen
Senator Airewale

Name of Senator

Senator Ohewakar
Senator Chief Boyo
Senator Egbuson
Senator Lamai
Minister of Health, Senator Dr Majekodunmi
Minister of State, Senator Alhaji Nuhu Bamalli

Question put and negatived.

Clause 4—(PUBLICATION OF CERTAIN STATEMENTS, ETC., AN OFFENCE)—ordered to stand part of the Bill.

Clauses 5-7, ordered to stand part of the Bill.

Bill reported, without Amendment; read the Third time and passed.

PHARMACISTS BILL

Order for Second Reading read.

The Minister of Health (Senator Chief M. A. Majekodunmi): I rise to move—

That a Bill for an Act to make better provision for the regulation of Pharmaceutical Chemists and for purposes connected therewith and to amend consequentially the Pharmacy Act, be now read a Second time.

The purpose of this Bill, which is non-controversial, is to bring up to date the basis of education, qualification, registration and discipline of Pharmacists. This is, in fact, one of those exercises which the Federal Government has undertaken to bring the practice and discipline of the various professions connected with the Ministry of Health into line with the status of an independent and sovereign State.

The Bill seeks to remove the menace of quackery from our society because at present it is possible to obtain dangerous drugs even in the open market. The Bill also prescribes punishment for anybody who is not a qualified Pharmacist, but who holds himself out as such.

As I said earlier, this Bill is in keeping with an independent status. Hitherto, the standards we have laid down for the admission of qualified Pharmacists to the Pharmaceutical Register is based on the standard which obtains in the United Kingdom. Now condition have changed and it is necessary for us to create our own standard which must be fulfilled by anybody whether a Nigerian or a foreigner before he is allowed to practise as a Pharmacist in Nigeria.

The Bill seeks to put the discipline of Pharmacists into the hands of Pharmacists themselves as will be seen in Clause 1 of the Bill, which sets out the composition of the Pharmacists Board.

As I have pointed out, the Bill is non-controversial. It is a progressive Bill and I commend it to the Senate.

I beg to move.

The Minister of Finance (Chief F. S. Okotie-Eboh) : I beg to second.

Senator A. Nwoke : I rise to support this Bill. The Bill is non-controversial as the Mover has said, but it is late in coming.

We all know, and I say we all know with emphasis, that abuse of the practice of Pharmacy has been going on in this country for a long time, not necessarily by the Pharmacists themselves, but by quacks. During the last Budget Session I was able to set out sources of poisons coming into the country, particularly from outside the Federal territory. It has not in any way diminished. We still have a lot of drugs coming into this country, particularly through the French territory, where you have contraband goods like alcohol, tobacco and cigarette. A lot of people have died as a result of these drugs because almost in all cases, the language inscribed at the back of the drugs is either French or Spanish. The sellers and the users do not understand this language, with the result that injudicious use of the drugs must send them to the grave.

The question of illegal practices by drug pedlars must be looked into. Instead of pharmacists controlling the market or moving around the hinterland to sell drugs, we have traders who have no idea of drugs selling them and in most cases, they dance to loudspeakers and drums in pursuit of this bad business. Some of them go as far as prescribing drugs to cure diseases which under the Therapeutic Substances Act, should not be advertised. They mislead the masses by giving them the wrong prescription. Many people die through this illegal act.

Under this Bill, a Pharmacists Disciplinary Committee is to be set up to handle the discipline of pharmacists. I would have liked the Pharmaceutical Society to take over this

question of discipline. Therefore, I would like the Minister of Health to bring an Amendment to this effect in future.

Mr President, I refer you to page C293, Clause 1 (1), (b) (i) and (ii) of this Bill which reads as follows :—

Clause 1 (1) (b) : Securing in accordance with the provisions of this Act the establishment and maintenance of—

(i) a register of pharmacists, and

(ii) a register to be known as "the provisional register" of such other persons as the board may recognise for the purposes of this Act.

I quarrel with this double keeping of register. There should by all means be one register since the other category of people must belong to an allied profession. It does not matter how you qualified, once a certificate or diploma has been given to you. It does not matter whether or not you practise.

I would draw the attention of the President once more to page C.296 of this Bill ; that is registration under Clause 7 (1) (b) which reads as follows—

If the board so requires, that he has had sufficient practical experience as a pharmacist I do not know what the Minister of Health means by a man who has had sufficient practical experience as a pharmacist. How did he acquire this experience ? Is he not one of these quacks we are talking about ? If not, why was he allowed to be practising to the point that he has to be registered ?

I would like to refer the Minister to the Medical Practitioners' Ordinance where there is no such class of practitioners, otherwise you will not be apprehending people for giving illegal injections. If you allow them to practise and they know to give injections, you can make a provision for them in the Medical Practitioners' Ordinance to be registered as doctors under a particular category. I am saying this, because the Minister of Health is a medical practitioner and therefore, he has to answer as such.

It will just be a little bit funny to consider somebody fit for the register of practitioners because he has had sufficient practical experience, unless the intention is just to lay off all practitioners. I do not think we have anybody

[SENATOR NWOKE]

who is duly qualified at the moment. If you make a chance for the future, I doubt if such category of persons will exist unless we want to encourage the quacks.

This Bill is not just the Pharmacy Bill, but the Pharmacists Bill; in other words, it caters for the welfare of pharmacists. If this is the case, a lot of the functions which the Pharmacists Board is going to perform should be delegated to the Pharmaceutical Society of Nigeria which has been in existence for a long time. This society has done its best to protect this profession. Drugs which are dangerous will not be allowed to be sold to the public if the Pharmaceutical Society can be empowered to exercise this function. People go to the extent of advertising dangerous drugs over the radio and they sell them to the suffering masses.

The President : Order, order ! The time is one o'clock. Sitting is suspended till three o'clock this afternoon.

Sitting suspended : 1 p.m.

Sitting resumed : 3 p.m.

Senator J. K. Nzerem : The Bill before the Senate is one which I welcome very much indeed. As a matter of fact, this Bill ought to have been introduced in this Parliament before now because some of the so-called pharmacists who are really quacks have done a lot of harm in this country. They have taken plenty of lives from many innocent people.

This Bill is necessary also because at present we have a shortage of hospitals and a shortage of qualified medical practitioners. A number of people go about hawking medicines, administering illicit injections, and so on. Therefore, I think that this Bill, which is intended to regulate the practice of pharmacy in this country, is a very welcome one.

It is unfortunate that in a country where there is a preponderating number of illiterate people there is no law forbidding people from selling medicines indiscriminately. Not only do quacks sell medicines, but they also administer injections, and how these injections and forbidden medicines come into the possession of these people no one knows. I think that the Poisons Ordinance, which I think is a part of the Pharmacy Ordinance, is not

being well applied. I do not know whose fault it is that so many poisons and forbidden medicines get into the hands of quacks. How do they come by the injection tubes they are using? This is a matter which the Police should thoroughly investigate.

I do not think that anybody who has the interest and the health of the people in this country at heart will oppose this Bill because I know that if it is passed into law and proper steps are taken to see that the law is enforced, the lives of the people of this country will be saved. I think that there is nothing in the Bill that anybody should quarrel with and, therefore, I support it wholeheartedly.

Senator Chief S. T. Hunponu-Wusu : This Bill affects my profession as a pharmacist, and in supporting it I would like to make a few comments and suggest some amendments which the Minister might do well to make in it.

There is no duplicate for life. One can duplicate things like hats, shoes, *et cetera*, which we can purchase in the market. If one of any of these commodities does not fit a person, the person can buy another. I want this honourable House to realise that the profession of pharmacy is of paramount importance as far as life is concerned.

With all due reverence to the Minister of Health, I think he knows very well that it is the pharmacists who discover the kind of roots, herbs and leaves that can be used in making drugs and they compound these things in a way that could be useful in curing diseases. It is after this that a test can be made to determine the efficacy of such medicines and then the doctors will use it in curing, say, headache, rheumatism, and so on. It is the duty of the pharmacists and chemists to know the origin and the history of all herbs; that is what we study.

In the olden days, no one could be a herbalist without knowing the origin of roots and herbs. Herbalists underwent a long period of training before they were qualified to be consulted. Even in the olden days, men of great honour who were reputable herbalists feared to hand over to their relatives or children some kind of medicine which they knew if it were wrongly applied would eventually end life.

It should be the same with the pharmacists and that is why I implore the hon. Minister of Health to recognise that the duty of the pharmacists is of equal importance to that of the doctors.

A doctor has to prescribe what medicine should be given to patients, and very few doctors know what are the compositions of the drugs they prescribe. It is the chemists who know what these drugs are made of and their origins.

Coming back to the Bill, I say with all due reverence to the Minister of Health that the Pharmaceutical Society of Nigeria view this Bill with all seriousness and they feel that consideration should be given to human life as much as it lies in our power to protect the life of every individual in this country. We implore the Government to look into the possibility of giving more power to the Pharmaceutical Society of Nigeria as it is being done in countries like Britain.

If a man qualifies as a lawyer, for instance, and has to come and practise in Nigeria, if he has not enrolled to practise in any of our courts here, he cannot be allowed to practise. I am imploring the Minister of Health to see that the composition of the Pharmacy Board should be made in such a way that the pharmacists should be in control of their profession. No one can expect a carpenter to go into the court of law and be a judge or work as a goldsmith. A man who is ignorant of any profession cannot be the supervisor or inspector of that profession. We pharmacists implore the Government to look into this. This is how we have all sorts of illicit practices in Nigeria and this happens because the Pharmaceutical Society of Nigeria is not controlled by the people in the profession.

People who have qualified as pharmacists always refuse to register in the Pharmaceutical Society of Nigeria and nothing is done about it. If we have a body, as is being done in the case of law, that sees that once a person is qualified as a lawyer, the person must be enrolled, if anything goes wrong in the profession, it should be the duty of that body to look into it. Senator Wuraola Esan suggested the same thing this morning in the case of

the Press that is, that the Press should have their own Council.

The Pharmaceutical Society is a registered body in Nigeria and I implore the Minister of Health to help us, to institute a law which will regulate the practice of pharmacy in this country. Now that we have the faculty of Pharmacy in most of our universities, a law should be made so that anybody who qualifies as a pharmacist, unless such a person registers in the Society, the person would not be allowed to practise as a pharmacist.

There are very many people to-day who are free to import anything into the country. We cannot stop them, nor can we report them or hold them responsible for anything. This is why we are having illicit practices going on in the country. People cannot be challenged because they will maintain that they are not under anybody. They will say they are not bound to take any order from any Society; they will say they are qualified since the Government has given them certificates to practise, dispense, compound both drugs and poisons. In many cases, quacks, even though they know that what they are doing is a dangerous risk, because of money, they openly commit crimes because there is no council, no power to check them.

I know that Nigeria is very big and that there are very few Government inspectors even in Lagos. There are a great number of local medicine stores and chemists' shops in Lagos and elsewhere. People with big vans and loudspeakers go round hawking dangerous drugs and poisons. Very many quack chemists are in the habit of compounding drugs and selling them to the public. They sell them in almost all the streets of Lagos and other townships in this country. People rush to buy them at their own risk and detriment.

These malpractices have been going on because of lack of Government control. The Government does not want to control it and at the same time does not want to empower the Pharmaceutical Society of Nigeria to control the sale of illegal drugs. The Government should ban quack chemists. They should be brought to book when caught practising.

[SENATOR CHIEF HUNPONU-WUSU]

As I was travelling to Ibadan some time ago, I came across a market place where so many people were gathered and were buying medicine from a quack doctor. I stopped there to find out the type of medicine he was selling, but to my greatest surprise, I discovered that the man had put menthol inside empty penicillin bottles. He claimed that it was capable of curing so many diseases, and that his customers should put the medicine inside hot water and give them to their wives and children.

On these bottles, one would find typed labels pasted on them without any name and address of the manufacturer. As a result, one cannot know from where the medicine originated.

Senators know full well what menthol is, and what it is capable of doing to people when tasted. What I did in this case, was to pass on a bottle of it to the Government inspector. Through this means, thousands of lives have been lost in this country.

The Ministry of Commerce and Industry merely gives licence to people because they are told that they want to import mentholatum. As a result these people, who have plenty of money, would go on importing drugs and poisonous drugs from Japan, Germany, Sweden, *et cetera*. With these drugs, they open medicine stores everywhere in the Federation.

I am, therefore, appealing to the Minister of Health to see to it that any qualified chemist, be he from the University of Nigeria Nsukka, Ife, Ibadan or Zaria, should first of all be registered with the Pharmaceutical Society of Nigeria before he is allowed to practise. This is what obtains in Great Britain. No pharmacist can practise in Great Britain unless he is registered with the Pharmaceutical Society of Great Britain. Most of us have been there and have seen it, and as such, that practice should be brought down here. When this is done, it will be easy to detect offenders.

Senator Chief Majekodunmi : On a point of order, I am afraid the Senator speaking, is not speaking on the Bill. This Bill is designed to regulate the practice of pharmacy in Nigeria. The Bill does not deal with the drugs in this country. I would like the Senator, to please, speak on the Bill,

The President : Will the Senator, please be relevant.

Senator Chief Hunponu-Wusu : Thank you, Mr President. If the Minister of Health wants to regulate the practice of pharmacy, he should know the vices of such a practice. I know that some Senators here are not conversant with what is going on. It is one thing to pass a Bill and another thing for the people who are concerned with the Bill to carry it out. This is my forty-second year in this profession, and as such, I am appealing to the Minister to regulate it in such a way that many lives would be saved.

I beg to support.

Senator Chief Majekodunmi : I think all the pharmacists who are members of this House have contributed to this debate. It is quite a straightforward and non-controversial Bill. All the defects in our society to which Senator Chief Hunponu-Wusu has drawn our attention are the very things which this Bill seeks to remedy. Instead of pointing these defects out to us, he should congratulate us for having taken measures to remedy these defects. We are already quite aware of the very many evil things which are going on and that is why we have introduced this Bill.

If Senators will have a look at this Bill, they will find that the question of the control of dangerous drugs does not rest solely with the Federal Government. It is a residual subject. But the registration of pharmacists in this country is the responsibility of the Federal Government and the pharmacy Act under which we have been operating so far deals not only with the pharmacists, but also with dangerous drugs and allied subjects. We hope to bring before you, perhaps in the next Parliament, a Bill which is going to be the Food and Drugs Bill and which will regulate the handling of dangerous drugs. What we are asking Senators to do, is to bring up to date, the Bill which governs and controls the registration of pharmacists in this country.

Senator Hunponu-Wusu has been at great pains to convince us that the Parliament should give some special recognition to the Pharmaceutical Society of Nigeria. I do not think that it is the responsibility of this Government

to do so. All professions have their societies to which they subscribe. We cannot say that a doctor should not practise as a medical practitioner unless he is a member of the Nigerian Medical Association. What we are concerned with is that there should be a pharmacy Board which will consist of pharmacists.

Senators will see that there is not a single member of the Board as proposed in Clause 1 of this Bill, who is not a qualified pharmacist. In fact, the President of the Pharmaceutical Society of Nigeria is *ipso facto* a member of the Pharmacists Board which this Bill seeks to set up. The suggestion that we should make it obligatory on all pharmacists who practise in this country to belong to the Society is inimical to our Constitution and to our practice in this country. Anybody should be free to join any society which one likes. That Society will protect the interest of that person.

The question of discipline with regard to pharmacists is quite a different thing from being a member of the Pharmaceutical Society of Nigeria. This Board which is going to be created will determine the disciplinary measures to be taken whenever any pharmacist fouls the law. All the provisions in this law really safeguard it, so that anybody who is unqualified and who holds himself out to be a qualified pharmacist, will find that he or she is running foul of Clause 12 of the Bill, which makes adequate provision for punishment of such offences.

The only very important point which I would like to raise is that which was made by Senator Nwoke in relation to the question of the provisional register. This is contained in Clause 1 of this Bill.

It is necessary to have a provisional register because of the uneven development of our society. Some parts of Nigeria are so very well developed that we have fully qualified Pharmacists available all the time. But unfortunately in the rural areas this is not always the case. And there are some small hospitals, Mission hospitals, rural health centres, which require the services of Pharmacists and these Pharmacists are engaged by Local Authorities, Governments, Missionary bodies, and they have been working under supervision for many years. We want to make

it possible for the Pharmacy Board to enable such people to continue their work. Therefore, we have made provision for the establishment of a provisional register where such people can be registered.

This also links with Clause 7 of this Bill to which attention has also been drawn. That deals with the question of registration of Pharmaceutical Chemists.

The Pharmacy Board is also empowered, under this Clause 7, subsection 1(b), to register, if the Board are satisfied that the individual to be registered has had sufficient practical experience as a Pharmacist. All these are measures which we have been able to put in the law to enable it to be sufficiently elastic to take account of the uneven development of our society, and to take account of the shortage of very highly trained personnel. In time we shall have highly qualified Pharmacists all over the country and the Pharmacy Board will be the judge of these things. They are the watch dog of the country in this matter and we have given them the responsibility of ensuring that nobody who is not fully qualified is allowed to practise as a pharmacist in this country.

I think that Senators will agree that this is not only a progressive Bill but that it also takes cognizance of the realities of our present situation. That is why we have this Clause put in there.

Question put and agreed to.

Bill accordingly read a Second time ; immediately considered in Committee ; reported without Amendment ; read the Third time and passed.

SUPPLEMENTARY APPROPRIATION (1964-65)
BILL

Order for Second Reading read.

The Minister of Finance (Chief F. S. Okotie-Eboh) : I have it in command from His Excellency the President to move—

That a Bill entitled a Bill for an Act to authorise the issue out of the Consolidated Revenue Fund of eight hundred and forty-seven thousand, five hundred pounds for the purpose of replacing advances from the Contingencies Fund and of making further provision for the service of the year ending on the thirty-first day of March, one thousand

[SENATOR UKATTAH]

mentioning it, I would like to endorse the attitude of the Nigerian delegation.

The Organisation for African Unity decided that Mr Tshombe should be kept out of the Conference hall. Personally, I feel that was not right because whatever is the internal affairs of the Congolese people, it is their own affairs and not the affairs of the Organisation for African Unity. We all know of the allegation that Tshombe was Lumumba's murderer and while agreeing that perhaps it was so, we all know also that Tshombe should not have returned—

Senator H. O. Abaagu : On a point of order, there is no supplementary provision for the Ministry of External Affairs in the Estimates. The Heads of Estimates that we have here are for Police, Ministry of Education, Ministry of Finance, Ministry of Health and Prisons.

Senator Ukattah : I am sorry that the Senator does not know that this is the time to speak generally on the economic policies of the Government.

Chief Okotie-Eboh : On a point of information, the fact of it is that Senator Abaagu did not know that Senator Ukattah is Tshombe's friend.

Senator Ukattah : I agree that I am Tshombe's friend and *Omimi Ejo* is his father.

I was saying that much as we would not as individuals like Tshombe, this is something that affects the policy of a nation. The man who was regarded as Lumumba's assassin was later brought back into the Congo and is now regarded as the most capable man to deal with what is now most urgent in that country and that is national reconciliation.

But if the people themselves chose a man, a man at whom they once shouted "crucify him, crucify him," and for whom they are to-day saying "hosanna hosanna Tshombe, you are going to rule, you are going to reconcile the people," it is nobody's business in Nigeria or in any other section of Africa outside the Congo to challenge that choice. Any such challenge would amount to a very serious breach of one of the most important principles of the Charter of the O.A.U.

I mention it here because when our Prime Minister arrived at the airport, he made it clear that in his own opinion it was unwise to keep Tshombe away from the Conference Hall. But the Heads of States insisted that Tshombe must be kept away.

In some quarters the opinion was that, keeping away Tshombe from the Conference Hall was a victory for the O.A.U. If there was any victory in that at all, it was no victory for the O.A.U. over Tshombe. Rather, I should say it was a victory of interference and insult over the sovereignty of the Congo.

I would like to mention also the important decision taken by the O.A.U., and that is the establishment of its Headquarters in Addis Ababa and the appointment of a permanent Secretary-General. These steps are positive indication of the fact that the O.A.U. has come to stay and that it has now set in motion an administrative machinery whereby the laudable aims of that Organisation, amongst which are freedom for all Africa and progress for all the free nations of Africa and peace for the whole world, can be achieved.

The next point is on the Kainji Dam. The Minister of Finance is here to tell us about it but the newspapers have told us that out of the £72 million required for this gigantic project, the World Bank has guaranteed £29.3 million; the Government of the United Kingdom, £5 million; the United States Government, £5 million and the Italian Government, £9 million.

Minister of State (Senator Dr E. A. Esin) : For what?

Senator Ukattah : Mr President, the Minister must have been sleeping otherwise he would not be asking me that question. I wish to inform him that it is for the Kainji Dam.

Now, I would want to know really whether the sums mentioned have, in actual fact, been guaranteed. If that is so, I think that the balance must be found in this country and should be raised internally. From where are we going to find the money?

I think it is the duty of every individual as well as that of the Government to ensure that this money comes in because since these other

bodies, the World Bank and other Governments, have been able to guarantee such a big sum, it is indeed a challenge to our own ability here to raise this money. The Government must do every thing possible to see that the remaining amount is raised.

One of the most recent events which annoyed nearly everybody here in this country and was regarded as a wasteful exercise, was the appointment of two new Federal Ministers. I do not think that there was any wisdom in doing that, but yet, the Government is now trying to make such exercise a regular feature of its performance.

In 1958, on the eve of the dissolution of the House, two Federal Ministers were appointed and again, last month, two new Ministers were appointed. It is a waste of money. If we are to have money for the—

Senator Abdul Salami Yusifu : On a point of order, I think Senator Ukattah is going beyond the general debate.

Several Senators : He is not.

Senator Ukattah : Senator Yusifu is a junior parliamentarian here and I can tell him what to do. What I am saying is that there is no economic sense in appointing two new Ministers on the eve of the dissolution of Parliament.

I am mentioning it here so that it will be on record that I personally do not like it. I only take it to be political party ruse.

I have to conclude by referring to what some of my friends, perhaps, might not have taken notice of. Recently, there was a publication showing that the University Teaching Hospital regulations have been revised. The Minister of Health is here to prove me wrong.

I was going through that publication when I discovered that the 1961 publication which was published under legal Notice No. 112 of 1961 made some provisions for Members of Parliament. It says something to the effect that if we are here on national duty and there is any need to go to the hospital, we will be charged for accommodation and lodging, but we will have free medical treatment. That provision has been abolished in the new one. I am not saying—neither do I like to give the impression—that I want Members of Parliament to belong to any special class ; but the fact is that

when we come here, on national duty, our families are divided. We are maintaining two families, one at home and one here.

I do not think it will be too much for us to go to the Teaching Hospital, if we have any need for that, to receive free medical treatment while being subjected to charges for accommodation and maintenance.

I would like to mention this point here so that my fellow Senators may take note of it. Perhaps, some of them have not noticed that the provision has now been removed. This, to my mind, is not in the best interest of Members. I mention it here with a view to enlisting the co-operation of the Federal Minister of Health so that he can approach the Board to see that that provision is reintroduced.

I beg to support.

Senator Chief E. E. Boyo : This Bill is a necessity and I support it. But it is the request of the people of Benin River, and Warri Divisions that the moment a project is initiated in that area, such a project should be included in the Estimates of the Federal Government.

A survey of the Benin-River area will reveal that that area requires to be developed, and I implore the government to do something about it. I am glad that the Minister of Finance is here. He is the son of that area and I am sure that he is coming back to the new House of Representatives unopposed. So I want him to take note of the fact that the Benin River area needs to be developed.

Lest I forget, I wish to seize this opportunity to express in this House that, it is a matter for joy and thanksgiving, the miraculous escape of the President of the Senate from a road accident which, but for the grace of God, could have been fatal.

I am sure that all Senators will share my view that the President deserves to be congratulated. And to you, Mr President, I say more luck to you.

I wholeheartedly support the Bill.

Senator H. O. Abaagu : I must first of all thank the Minister of Finance for calling our attention to the fact that part of the money being appropriated is for the purchase of more vehicles for the Police. There is however one

[SENATOR ABAAGU]

suggestion I wish to make concerning the inscription "N.P.F." which appears by the side of all Police vehicles. This inscription stands for the Nigeria Police Force, and I would like it to be written in full.

My reason for this is that there is a political party that goes by the initials "N.P.F." meaning the Northern Progressive Front. Why I feel very strongly about it is that before the riot in Tiv division started, a political party—the U.M.B.C.—an ally of the Northern Progressive Front, went about telling the people that they have now got a police force. Indeed, when the riot started and the Nigeria Police came to the division there was the inscription "N.P.F." on every vehicle that the Police used.

The President : I do not see how this is relevant to the Bill before us. It is not relevant at all.

Chief Okotie-Eboh : It will be interesting to know whether when the Police came the people ran away or escaped ?

Senator Abaagu : In any case I do not have to argue with the President, but we know that part of the money is to be used for providing vehicles for the Police.

Senator A. E. Ukattah : The Northern Progressive Front is Mr Tarka's party, and the Senator speaking fears him.

Senator Abaagu : In fact, I am very sorry to tell you, Mr President, that the Police, during the riot, were more or less taking sides with the political party I have just mentioned.

This observation was supported by the fact that the Police refused to act even when they saw that damage was being done to the other political parties. They refused to move from the main road to the bush, although they had their vehicles by them. In fact, I will say that they were the cause of the riot lasting up to this time. If they had been impartial at the initial stages of the riot, it would not have lasted till now in the Tiv division.

For this reason and in order to remove any doubts in the minds of people as to what "N.P.F." stands for, I would suggest that either the inscription should be spelt out to

read the Nigeria Police Force, or that the political party—the Northern Progressive Front—be asked to change its name.

I beg to support.

Senator Chief J. A. O. Akande : While supporting the Supplementary Appropriation Bill I have the following comments to make. We agree that the Police should be provided with vehicles for the purpose of the forthcoming federal elections in the discharge of their duties. But from experience we have seen that very many members of the Nigeria Police do want to participate in politics, and the sooner these people are removed from the Force, the better.

In one of the Regions one finds that the Police, instead of actually doing their duty, as one Senator has pointed out here, are really taking sides. I do not think that that is the sort of business which the government has entrusted to their care.

I hear somebody asking about the position of the Local Government Police. I will say that in the Nigeria Police, very many people think that the Local Government Police is an inferior set up. This is not so. The people who refer to the Local Government Police know why they refer to it. The Local Government Police has come to stay and there is nothing anyone can do to foil their efforts.

Before we provide money for the Nigeria Police to buy more vehicles they should be told that the money is public money ; it is not a particular person's property, but that of all Nigerians, and that they are expected to discharge their duties without fear or favour.

I now come to comment on the Ministry of Education. We have seen from reports and from *Gazette* publications that the recent scholarship awards do not seem to show that the unity of Nigeria, which we all preach, has actually been practised. The Minister of Education is here—

Chief Okotie-Eboh : On a point of order, the provision is for grants to the Lagos City Council, and not for giving scholarships. Therefore the Senator speaking is out of order.

The Minister of Education (Onyiba Aja Nwachuku): Apart from the fact that the provision there is for defraying the debt or

the amount incurred by the Lagos City Council, the question of scholarship is one which I would like to make clear to Senators.

The members of the Scholarship Board this year comprised, predominantly, Yorubas. We have only one Ibo-speaking member on the Board, and only two Northerners. The rest are either Yorubas or representatives of our different universities; and I have no doubt whatsoever that the university representatives are people whose names inspire confidence, and people who will, in no way, be partial in what they are doing. They had to dispense the awards very dispassionately, basing them solely on the best materials.

Scholarship award is not based on Region or on province or on constituency. If Senator Chief Akande's brothers are twenty and they merit it, it is not the business of anybody; it is what is given them for their academic brilliance and growth. I do not see with him in what he is trying to say that the award of scholarship to those who merit it will not make for the unity of Nigeria. If this does not, I wonder what does. Therefore, I would like him to choose his words and check his facts when he comes here as an elder statesman. If he does not do so, then I am sorry to say that he should not be found here, because where one has in the House of Representatives very responsible people, and here in the Senate one has the elders, it is very unfair for any elder to speak untruths.

Senator Chief Akande : I have listened to the hon. Minister, but his reply is not the answer to this question, and I think this is not the appropriate time for that. There are other facts which I am not going to dwell upon now about this subject. The sooner he gives a definite reply about the important points that have been raised on this matter the better.

I shall go to another question still on Education which we are discussing. We have heard about the zero hour which the Union of Teachers have given, and I hope the Minister will do all that is in his power to see that there is no strike of teachers in Nigeria.

Onyiba Aja Nwachuku : On a point of explanation, it might be of interest to the Senator to note that Education is a decentralised subject. It is a Regional subject, and no one Minister can speak for the other Ministers as

far as Education is concerned. It is not collective in this sense because the Regional Governments have powers to enunciate their Regional policies.

I hear a Senator asking about the teachers in Lagos, I would like to say that the teachers in Lagos, so to say, are satisfied. If they are going on strike, it might be in sympathy for their friends somewhere in the country.

I think we have done our best to see that the strike is not carried out, and that it is averted. But if they have made up their minds to go on strike without listening to our compromising suggestion, I have no *locus standi* to stop them from going on strike if they so wish. But we have done our best to make them be reasonable and to know that it does not help for teachers to go on strike, because it is unlike other industrial disputes. If one is working in a firm and makes up one's mind to go on strike, the employee is doing so because the firm gets profits and denies him his remuneration which he thinks is adequate, and he is doing that to force their hands. But when teachers strike they are striking against their own children, your own children, my own children, and all. It does not help anybody to go on strike in this sense. We have asked them to exercise patience to enable me to consult my Colleagues in the Regions, as it is a Regional subject. Unless we change the Constitution, I am not responsible for Education throughout the Federation. I am only responsible for Lagos and a few institutions outside Lagos.

Senator Chief Akande : I have listened to the hon. Minister, and I wish him luck in the negotiations.

Turning here to the supplementary provision in respect of internal postal and telephone services, although I am not quarreling with this provision, I wish to say this. (I am only sorry that the Minister of Communications is not here.) There has been an approval for an automatic telephone exchange for Abeokuta, and for the past five years a piece of land for it had been acquired, but up till now, which is the end of the five-year period, nothing has been done. I hope that the Minister of Finance will take this matter up and convey what I have said to the Minister of Communications.

[SENATOR CHIEF AKANDE]

I now refer to the Prisons. The supplementary provision now required is £70,000. I have something to say about the staff of the Prisons. In recent months one has heard of rioting prisoners. One has heard about an incident in Ilesha, and about two or three weeks ago when the Police were doing their duties with regard to the eradication of thuggery in Western Nigeria there was also another incident (though it was not publicised) at Abeokuta Prison where over fifty stalwarts of a political party had to beat up about three supporters of another party inside the Prison, and they were all rushed to the hospital. I know the Police will come to the aid of Prison officials, but I am suggesting that senior Prison officials should be armed, because what happened in Ilesha the other day resulted in somebody being killed outright. If senior Prison officials were armed, I think these hardened prisoners would not have taken the law into their own hands. I hope the Government will consider this situation and do something to protect even the senior Prison officials whose lives are at stake when dealing with riotous prisoners.

I support the Supplementary Appropriation Bill.

Senator P. A. Ogundipe : In supporting this Supplementary Appropriation Bill I just want to make two points, and they deal with Education. In fact, we have already known that matters connected with teachers as well as Education are the ones given the least attention in this country by the various Regional Governments as well as the Federal Government.

I have two points to substantiate this my assertion. In this Supplementary Appropriation Bill the Minister of Finance has given credence to that feeling. Referring to his introductory speech one would see that he has shown that there are moneys which should be given as Grants-in-Aid to the Lagos City Council for Primary Education which for three years were not paid. As a result, it was the Council that had to find these moneys for three years. In his sort of apology which he made here, with your permission, Mr President, I quote :—

The Lagos Local Government Act provides that 70 per cent of the total audited expenditure for Primary Education each year in the Federal

Territory will be reimbursable to the Lagos City Council. The provision inserted in the Estimates for Grants-in-Aid for Primary Education is meant to cover these payments. But it came to my Ministry's notice a few weeks ago that the payments have been grossly in arrears for the past three years.

I would just stop there. This shows that even the Minister of Finance realises that the provision for primary education in the Federal Territory has been grossly neglected. If the Lagos City Council had not got sufficient money to pay teachers' salaries for these three years one could imagine what the lot of teachers would have been.

Onyiba Aja Nwachuku : What the Senator is saying is not true. He is trying to mislead the Senate.

The Lagos City Council in a way plays the part of an agent to the Federal Government. We give them money to pay their teachers and when they pay it themselves they always ask us to reimburse them. There has never been an occasion when the teachers in Lagos were not paid their salaries. If there had been any such occasion, it could have been everybody's secret. The Lagos City Council is doing its work and we on our part are doing our work by seeing that this money, no matter how long it may last, is reimbursed. We only do the reimbursement when the Lagos City Council demands it. They can continue to pay for ten years and it might be part of their share on education in Lagos which they have exceeded because they normally pay thirty *per cent* of the total expenditure involved in education and the Federal Government pays seventy *per cent*. If it happens at any time that they pay sixty *per cent*, they ask us to reimburse the extra which they have paid. At no time have teachers in Lagos not been paid. They always get their salaries regularly.

Senator Ogundipe : I have listened to the Minister of Education, but I have not said that the teachers in Lagos do not receive their salaries.

If anybody has misled the Senate, it is the records in the *Hansard* of the speech of the Minister of Finance. In the record I have read the Minister confessed that his Ministry has grossly been in arrears.

Chief Okotie-Eboh : Senator Ogundipe is a bad teacher.

Senator Ogundipe : That is a matter of personal opinion, I have been a teacher for almost thirty years and I have got good records as a teacher from primary school to secondary school.

Chief Okotie-Eboh : Then all the way the Senator has been a bad teacher.

Senator Ogundipe : If I may further substantiate my point on the apparent neglect of education generally. I am going to make another statement which I would expect the Minister of Education to defend too.

It has come to my knowledge that the Ministry of Education is quartered in four different parts of Lagos. Why is it not possible to have all the departments of the Ministry under a single roof ?

I remember when I was trying to find out something about scholarship award for a boy, I had to come to the second floor of this building to see the Permanent Secretary and his Deputy. When I wanted to find out something about scholarship itself, I had to go to branch of the Ministry of Education housed in the Ministry of Works and Surveys. I have been told that the department dealing with Primary Education is at 61 Broad Street and the section for Finance and Establishments is quartered in the Ministry of Communications. Well, I do not know what explanation the Minister concerned will have for this kind of squatterling of offices. What could have been a single Ministry is being situated in four different places. I do not know how far this could be conducive to the efficiency of the officials. This matter requires an explanation from the Minister of Education to show that that is the best kind of arrangement for his own Ministry.

Onyiba Aja Nwachuku : The Senator is wondering whether it could make for efficiency. The answer is, yes. In addition, it will give him health and I am suggesting to him that when next he undertakes this exercise, he should not drive, he should trek it. If he does that, his health will improve.

Anyway, the scattering of offices shows that the Ministry has rapidly grown so big that one house cannot accommodate us and, in any case, we will continue to grow.

Chief Okotie-Eboh : Is Senator Ogundipe satisfied with the explanation ?

Senator Ogundipe : I am not in the least satisfied with the explanation and I know that my fellow senators are experienced people who cannot be easily deceived.

Chief Okotie-Eboh : I want to reply to what Senator Ogundipe said lest we forget all about the matter.

I think it is common-sense, it does not require a B.A. degree, to know that a Ministry cannot be concentrated under one roof, as Senator Ogundipe's school classes cannot be concentrated in one room. This is common-sense.

A Ministry as a matter of fact does not include the department as such. It is like telling me that the Ministry of Finance, which includes Customs, should be housed in one house. If that is so, all the Customs in Sapele, Port Harcourt, Kano and other places must be put in Lagos, and at Mosaic Building for that matter, in order to make for efficiency. Is there any sense in this ?

Talking about the Ministry of Education, there is the department for University Education in one place, the Permanent Secretary and his Deputy in another place and the department responsible for education in Lagos is also in a separate place.

If Senator Ogundipe has no point to make, he should better sit down and go back to his school method.

Senator Ogundipe : I know the Minister of Finance for his sense of humour and the very clever way in which he tries to convince people even when his argument may be unfounded.

The President : The Senator has only three minutes more.

Senator Ogundipe : As a teacher and as an educationist, I do not know if such arrangements for a particular Ministry could help consultation and cohesion among the various sections. I know Senators will not take the analogy by the Minister of Finance, of all classes in a school not being concentrated in one room. No sane person will take that argument as a good analogy for the point I am making.

[SENATOR OGUNDIPE]

In any case, I have made my point and it is a very valuable suggestion which I know the Minister concerned and also the Minister of Finance will take note of and act upon. This suggestion is to help the efficiency, cohesion and consultation among the various sections of the Ministry of Education.

I beg to support.

Question put and agreed to.

Bill accordingly read a Second time.

Motion made and Question proposed, that the Bill be now read the Third time (THE MINISTER OF FINANCE).

Question put and agreed to.

Bill accordingly read the Third time and passed.

SUPREME COURT (AMENDMENT)

BILL

Order for Second Reading read.

The Attorney-General and Minister of Justice (Dr T. O. Elias) : I rise to move,

That a Bill for an Act to amend the Supreme Court Act 1960 by prescribing the precedence of the Justices of the Supreme Court, be read a Second time.

The provision of this Bill is the same as that to be found in all the High Court Laws as well as in the High Court of Lagos Act, 1960. There is an omission in the existing Supreme Court Act in that there is no provision for the settlement of the order of precedence of the Justices of the Supreme Court. This omission is now being filled by this Bill.

I beg to move.

Minister of State (Senator Dr E. A. Esin) : I beg to second.

Senator Chief J. I. G. Onyia : It is a dangerous precedent to pass the Supreme Court (Amendment) Bill 1964 as it stands. The Lower House might not have taken notice of the implications. It is hard to expect justice from Justices so unjustly treated in the dangerous precedent of the precedence of judges.

At the Committee Stage I shall move an Amendment which seeks to prevent our Justices from getting involved in lobbying politicians for grading. It is clear from Section

112, Subsection (4) that the appointment of an acting Chief Justice, or for that matter of filling the post, does not depend on seniority but on merit. Sir Adetokunbo Ademola superseded late Jibowu and Lord Parker also superseded Lord Goddard in the United Kingdom.

The question of precedence therefore is ceremonial. That being the case, I see no reason why we should depart from the usual practice which my Amendment to this Bill seeks to perpetuate. I challenge my respected Attorney-General to quote where it is the case as in this Bill. In the United Kingdom, the Attorney-General has said, it is made by the appointing authorities.

The President : Is the Senator reading his speech ?

Senator Chief Onyia : No, Mr President, I am consulting my notes exhaustively.

I consider this present Bill as proposed by the Government as a dangerous precedent. However, I will leave the Bill now to refer only to Justices appointed the same day. Already we are witnessing involvement of Judges in party politics and party political squabbles, which I deprecate. We should not provide an inducement to draw them nearer to party politics. When we give them the chance of struggling for positions of precedence, then we involve them in politics.

I am happy to hear the appeal of our respected President of the Republic on this issue. But we have to appeal to those concerned to make it easy for us to insulate them from politics. One who decides and settles issues between politicians, some of whom have their cases of political origin before his court, would scarcely blame those who drag his name into party politics.

The President : The Senator is going gradually out of the question. I am not ruling you out yet, but I say you are moving slowly out of the question.

Senator Chief Onyia : Thank you very much, Mr President. What I am saying is that we are bringing these Judges into politics to lobby politicians for positions because it may well be—

Senator Chief J. A. O. Akande : On a point of order, the Senator is out of order. He is

not even speaking strictly on the Bill. There are no politicians involved here and the question of certain people lobbying does not arise. These Judges are not here as a matter of fact and so he should not start attacking them here.

The President : He is not attacking the Judges, he is only connecting why this Bill should not bring Judges nearer to politics. He has given an example of what he means, and that was why I said he was drawing nearer off the point. He has not gone off yet. Perhaps Senator Chief Onyia would be more careful.

Senator Chief Onyia : Thank you, Mr President. I am not off the point. I am still on my track. If we expect politicians to say which Justice should take precedence over which in spite of their dates of appointment, then it means that these Judges will have to lobby politicians in order to get the precedence that is due to them. That is just what I am saying.

It is most surprising that Section 9 of the Supreme Court Act 1960 was not included for amendment to comply with our new Constitution when the Attorney-General planned this amendment to this section of the Law.

Dr Elias : Will the Senator please read out the contents of that Section 9 of the Supreme Court Act, because that will bear me out. I would like him to read it out.

Senator Chief Onyia : If the Attorney-General gives me a copy of the Law, I will read it out.

The Attorney-General is amending this Law, but Section 9 is pertinent to the amendment. The position of the present Supreme Court Judges as well as the fact that the Supreme Court is our last hope of survival democratically, warrants the amendment to compel all the Judges to sit together and five to form a quorum to determine the following matters :—

- (a) matters falling within Sections 114, 115 and 116 of the Constitution of the Federation ;
- (b) election petitions ;
- (c) petitions of right ;
- (d) matters involving a substantial question of law.

If Standing Orders 21 and 23 are pertinent for Amendment, I am bringing an Amendment at the Committee Stage. Without inviting reopening of the cases at stake nor challenging the pronouncement of the Supreme Court, I must say I was very much surprised—

Senator Chief S. T. Hunponu-Wusu : On a point of order, a Senator shall not read his speech, but he may read short extracts from it. It appears that the Senator has been reading as everybody could see.

The President : He was consulting his notes exhaustively.

Senator Chief Onyia : The Senator who drew attention to my speech knows that I can make an impromptu speech for hours anywhere.

As I was saying, I was suprised that such an important issue was adjudicated by a handful of judges. This is because there has been no Amendment to this Act.

The Attorney-General knows what I am saying. The old law, before the Constitution, allowed for three judges to sit in court, and I learn that they are sitting now in division. We have only one Supreme Court. The Judges sit in divisions and we find that in other places where there are judges in court as in the United Kingdom and even in India, all the judges sit together as a "final court" of the country.

But as it is now in our own case and without the Amendment I am referring to, three judges can sit down and determine important issues like the ones I have referred to.

In India judges sit together on important issues, but as it is here to-day, three judges in this country can sit together and adjudicate on important issues as they did in connection with the census issue.

All the judges representing the Regions should sit together. If they are nine, the nine of them should sit together. That is what happens in the United Kingdom and even in the United States.

The Attorney-General knows that, and that is why I am saying that he has not brought up

[SENATOR CHIEF ONYIA]
a pertinent section of the law which will be compatible with our Constitution.

The Minister of Economic Development (Alhaji Waziri Ibrahim) : On a point of order, I do not see any reason why Senator Chief Onyia should be very hot on this subject. We shall enjoy his debate better if he speaks rather coolly.

The President : That is not a point of order and, in any case, that is how Senator Chief Onyia speaks.

Senator Chief Onyia : I thank the Minister of Economic Development (*Alhaji Waziri Ibrahim*) very much. I want to tell him however that that is exactly the way I speak and it is my nature. Anybody who has ever been here and who has heard me speak in this Senate knows that that is my nature.

I know that the Minister has a habit of speaking very softly and I always enjoy him when he speaks. Perhaps I am the opposite of the Minister.

Alhaji Waziri Ibrahim : I am very grateful to Senator Chief Onyia. I accept his explanation. I am sorry, I was in school when he started his oratories and I now understand that that is his nature. So, I gladly accept the way he speaks.

Senator Chief Onyia : I am now coming to the end of my speech and I wish to tell the Attorney-General that we have no other court in this country which is above the Supreme Court and, therefore, on important issues like the ones I mentioned, he should not allow three judges to sit and decide.

Dr Elias : I have been intrigued by the ingenuity of the argument of Senator Chief Onyia, but I am sure that the Senator is really calling upon the Senate to consider an entirely different Bill from the one before it at this moment. It is not, I think, the prerogative of either House to start debating a Bill other than the one before it.

Now, the points raised by the Senator are controversial and, although they fall outside this Bill, I think it is necessary for one to make one or two remarks on them.

The Senator cited the examples of the United Kingdom and India. I do not know

which judges might have been discussing this somewhere, but I assure the Senate that it was never the intention of our Constitution to make that sort of arrangement.

The arrangement that obtains in the United States where all the nine judges sit together on appeal has not commended itself to us here, and strictly, in accordance with Section 112, Sub-section 1 of our Constitution we are constituting our Supreme Court without requiring all the nine judges to sit together.

This is not the law in India and it is not the law even in the United Kingdom. I want Senator Chief Onyia to make a careful note of that, and I shall be glad if he is given the opportunity to go for his books to prove me wrong.

In the United Kingdom a minimum of three judges of the court of appeal can decide any case, and the whole matter is entirely a matter of discretion for the Chief Justice of England to decide how many judges will sit over any particular case. There is no rigid rule.

The Court of Appeal sometimes sit on a Board of five, but normally, a Board of three constitutes the court. In India the rule is the same.

Senator Chief Onyia : Is it on such important issues like those I have raised here ?

Dr Elias : The Senator has raised four important issues here. But does he realise that our Constitution does not give our Supreme Court the power to go into election petitions, for example ?

Senator Chief Onyia : What of petition of right ?

Dr Elias : There is no petition of right for the Supreme Court. All these are handled by the High Courts of the Regions and of Lagos. Therefore, one cannot make those analogies and cite examples from all over the world. The Senator has to look at our Constitutional provision. This is one of the difficulties in the case to which he has referred.

In the Supreme Court of the United States, the court adjudicates only on Constitutional problems that come from the States. Our own Supreme Court has a wider jurisdiction and it deals with a number of cases that would have stopped at the state level in the United States. One can go on to explain this for hours.

Then, the Senator cited the case of Lord Parker succeeding Lord Goddard. Wherever he got that information from, I must tell him definitely that that information is not correct. Lord Parker was appointed as Chief Justice of England. I do not want to cast any aspersion on anybody. But Lord Parker was not one of those we regarded as the most outstanding lawyers of the day at the time of his appointment. He was no doubt a very good lawyer in a quite way, making his living and, of course, he handled an important bank case for the Government and that case brought him to the lime-light.

All the judges of the Supreme Court of England were by-passed and he was picked to succeed Lord Goddard as the Chief Justice of England. Therefore, that example cannot help here.

As for the order of precedence, what this Bill seeks to achieve is merely to say that in any given case when the new Supreme Court is re-constituted we have nine judges being appointed. Some have been on the court before the change in the Constitution. A number of others have been appointed from outside, not necessarily from the rank of the High Court.

Naturally, any appointing authority should have the right to settle the order of precedence and all that this Bill says is that the Chief Justice of the Supreme Court shall take precedence over all the other judges of the Supreme Court.

Secondly, the Bill says that the order of precedence of the other judges shall be in accordance with the indication given by the President of the Republic of Nigeria, acting on the advice of the Prime Minister. The President of the Republic and the Prime Minister are responsible for appointing judges.

In all the countries which the Senator, Chief Onyia, has cited to us this afternoon, it is these appointing authorities that always settle the order of precedence—the President in the case of the United States of America, or the President of India on the advice of the Prime Minister in the case of India.

In America, by the way, as Senator Chief Onyia may know, some judges even stand for

elections, just as Senator Chief Onyia himself could be elected if he stood for election to the Lower House.

What we are asking Parliament to do is merely to allow this to be possible. Our intention in constituting the Supreme Court as we have done is to enable the Chief Justice, by means of the rules of Court, and the power which is already given to him under Section 121 (1) of the Constitution, to determine the sitting of the Court and to decide how many judges shall sit in any given case. There may be a Court of five, or a Court of nine or even a Court of three judges, but the minimum is what is fixed in Section 9 of the Supreme Court Act, to which the Senator has referred.

The number of judges at any one time shall not be below three, but in all other cases, there must be as many judges as the Chief Justice of the Federation in his administrative capacity may decide upon.

The job of the Chief Justice is not just to sit on and decide cases. He also does a lot of administrative work, if organising the work of the Court.

The Chief Justice alone, acting in concert with his judges, would decide this matter. But as for the settlement of the order of precedence, it is necessary that the appointing authorities should be allowed at the time of the appointment to indicate the order of seniority.

One reason for this, but not the whole reason, is this: suppose you appoint a former Attorney-General straight to the Supreme Court. At the same time or about the time of the appointment you also appoint a lawyer with about ten years standing only at the bar, on the same day. Surely you must leave room for the appointing authorities to indicate that the Attorney-General that you first appointed, by virtue of the previous office that he held under the Constitution, is of such sufficient seniority at the bar that he ought to supersede a junior man that is appointed straight to the Bench.

This is the kind of consideration the Bill seeks to provide for. Especially in the newly constituted Supreme Court, there are so many difficulties and matters to be settled in an orderly fashion because of the change over

[DR ELIAS]

from the old Supreme Court as previously constituted and the new Court as now constituted, so that the order of precedence can be settled as between some of the senior members who are there and some of those that are newly taken in.

There is no intention whatsoever to introduce politics into this matter and I shall be very sorry indeed if we see more in this Bill than what is provided there.

Question put and agreed to.

Bill accordingly read a Second time; immediately considered in Committee; reported without Amendment; read the Third time and passed.

NATIONAL LIBRARY BILL

Order for Second Reading read.

The Attorney-General and Minister of Justice (Dr T. O. Elias): I am taking the Second Reading of this Bill for the Minister of Information, who is away deputising for the President of the Republic at the Traditional Dances.

I rise to move, that a Bill for an Act to provide for the establishment and maintenance of a National Library; and for purposes connected therewith, be read a Second time.

Up to now, what may be regarded as the National Library in embryo has been run as a section of the Ministry of Information in an administrative manner, and it is thought that because of the importance of the Library as now constituted and with the amount of technical improvement and development that are taking place, it is essential that the library should be constituted as a statutory body, still of course, subject to the overall supervision of the Minister of Information.

The importance of this library as one of our national institutions cannot be over-emphasised. I would like to draw the particular attention of Senators to the provision of the Bill to be found in the Schedule which sets out the membership of the National Library Board of Nigeria; here Senators will discover that the membership is as wide as the country itself.

I refer to Section 1, subsection (a), (b), (c) and (d) of the Schedule attached to the Bill. The composition will be roughly as follows. I quote:

(a) five persons who shall severally be persons appearing to the Minister to have

wide experience of the functions of libraries in the following fields respectively, that is to say—

(i) newspaper, broadcasting and other media of mass communication;

May I digress, briefly, to show that, in fact, this Bill recognises the importance of the Press and gives it a priority place in the list from among whom the Minister can select persons to serve on this Board. I shall quote the other categories:

(ii) university education and research;

(iii) education other than university education;

(iv) law;

(v) the activities of legislatures;

(b) four persons who shall severally be persons appearing to the Minister, after consultation with such authorities of each Region as he considers appropriate in the case of each of those persons respectively, to have a wide knowledge of the requirements of that Region with respect to libraries;

(c) one person who shall be a person appearing to the Minister to have wide experience in the handling of financial problems connected with the provision of public services; and

(d) one person who shall be a person appearing to the Minister to represent the interests of any body or association of librarians established in Nigeria.

And what are the functions set for the Board as thus constituted? These will be discovered in Clause 3 of the Bill—*Powers of the Board*—and Clause 3 with your permission, Mr President, reads as follows—

3 (1) *Subject to the following provisions of this section, the board shall have power to do anything which in its opinion is calculated to facilitate the carrying on of its activities.*

(2) *Except with the approval of the Minister, the board shall not have power to borrow money or to dispose of any land or minerals.*

(3) *Subject to the provisions of the Schedule to this Act (which I have just read) relating to travelling and subsistence allowances, no remuneration shall be paid by the board to any member of the board other than the director.*

This, you will notice, Mr President, is a departure from our normal way of ordering our affairs in the case of public institutions of this type. We feel that a library serves such a very important social purpose that it is necessary for the members to perform their functions almost without remuneration, apart from payment of their subsistence allowances, sitting fees and passage money. They will be expected to render their services free of charge.

The next point that is important to bear in mind is the provision in Clause 2 for the appointment of a director of the library who will be somebody who has exceptional capacity in the organisation and administration of a library and services comparable to those envisaged in the Act. The director will be appointed by the Library Board itself but the appointment is subject to approval by the Minister of Information, who at the moment is the Minister in charge of the National Library.

In Clause 4 is contained what we call the financial provisions, requiring the Minister to submit an estimate of his expenditure and income during the preceding financial year and seek parliamentary sanction for this from time to time. The Board is expected to keep proper books of account which will be duly published and laid on the Table of both Houses of Parliament, and, of course, the Minister is required in Clause 5 to submit Annual Reports on the work of the library.

When this library is fully set up in conjunction with the Ford Foundation, that is helping us with funds and technical expertise, it will serve very important need of the nation at this time and will be something on a much larger scale than the Enugu Library of which we are also justly proud.

Mr President, with these brief introductory remarks, I commend this Bill to Senators for early acceptance.

I beg to move.

The Minister of Education (Onyiba Aja Nwachuku) : I beg to second.

Senator J. K. Nzerem : This is not a controversial Bill. However, I am just wondering in what way this library, when set up, is going to be of assistance to the libraries in

the Regions ? I know that Lagos is our meeting place ; we come here and go. In what way is this library, when established, going to serve those people who have never come and will never have the opportunity of coming to Lagos ?

If that point is cleared, I do not think anybody can reasonably quarrel with this Bill.

Dr Elias : I think it is possible to say that there are at least three ways in which this library will be of service to the entire nation.

Firstly, in drawing the membership of the Board from all over the Federation and having regard to the geographical distribution. By so doing, we will ensure that all the interests of the various areas will be taken account of.

When you look at the personnel of the board envisaged in the Schedule, you will find that already we have a fairly large staff established here in Lagos, and the intention is that this staff should be made available to all the libraries in all the Regions.

From time to time, there will be opportunity for consultation and comparing of notes so that what is really needed for rapid and balanced development, is a process of cross-fertilisation of ideas. We will have ideas from other libraries in all parts of the world through those who are now helping to build the library up as well as disseminating these ideas among the various library staffs in the Federation. The library is also connected with the various departments of Government and no doubt, branches of the library will be established as and when necessary in all parts of the Federation.

The third aspect is that we envisage at the moment that when the library is really started going, there will be need for us to have some kind of mobile service and opportunities for people in all parts of the Federation to be able to borrow books and come here and use the services of the library without let or hindrance.

Question put and agreed to.

Bill read a Second time; immediately considered in Committee; reported without Amendment; read the Third time and passed.

EXPORT OF NIGERIAN PRODUCE

(MID-WESTERN NIGERIA APPLICATION) BILL

Order for Second Reading read.

Alhaji Waziri Ibrahim : I beg to move—

That a Bill for an Act to amend the Export of Nigerian Produce Act, 1958, so as to make specific provision for Mid-Western Nigeria, be read a Second time.

This Bill is very simple. It only seeks the approval of the Senate to enable the Mid-Western Nigerian Marketing Board to have the same privileges as the existing Marketing Boards in the country. It is very brief and it does not require any lengthy introduction.

I beg to move.

Minister of State (Senator Alhaji Nuhu Bamali) : I beg to second.

Question put and agreed to.

Bill accordingly read a Second time ; immediately considered in Committee ; reported without Amendment ; read the Third time and passed.

CIVIL AVIATION BILL

Order for Second Reading read.

Alhaji Waziri Ibrahim : I beg to move, That a Bill for an Act to make fresh provision as respects civil aviation and for connected purposes, be read a Second time.

This Bill is rather a lengthy one, but it is a very straight-forward Bill. The objects and the reasons for which the Bill is required are all in the Bill itself. As we do not find anything controversial in it and as we do not want to waste the time of the Senate, I commend the Bill to the House and beg to move.

Senator Alhaji Nuhu Bamali : I beg to second.

Senator Chief J. A. O. Akande : While supporting this Bill, I only want to make a few observations. I am only sorry that the Minister of Aviation is not here. He must have seen from his records that between the years 1954 and 1959 there was a move to establish an aerodrome in Abeokuta, but up to the end of 1959 nothing was done. I hope that the Minister will take up this matter again and see that we have an aerodrome in Abeokuta.

The President : That is not relevant to this Bill at all. Let us be relevant.

Senator Akande : I hope that the Minister will have this message conveyed to the Government. I beg to support.

Senator T. Olamijulo : I would like to understand the full implication of this Bill. What I mean is that it should not be allowed to degenerate into party politics by certain sections trying to dominate the others. I support the Bill, but I would like to say that politics should not be brought into it.

Senator Chief J. I. G. Onyia : Before I make my contribution, I wish to say that Senators have not been very fairly treated on this issue because this is one of the Bills that we were told would be debated on Friday. Some of us studied all those Bills that were brought before us to-day and, particularly in connection with this Bill, I was of the opinion that we would have sufficient time to study it in order to be able to make any contribution on Friday, but we have now been taken by surprise.

Anyway, I have read it in a hurry and we will have to make our contributions from our practical knowledge and from what we have heard, although some of us have not travelled away from Nigeria by air.

It is strange that in normal practices Governments sign landing right contracts with other Governments, whereas in Nigeria it will seem it is between the Nigeria Airways and the B.O.A.C. In my opinion, this is denying this Parliament the opportunity of looking into such treaties or agreements. For example, we understand that this Government is unable to enter into reasonable contracts with other Governments and their airlines wishing to extend their landing and passage rights in Nigeria because of the agreements existing between Nigeria and the B.O.A.C.

The President : It is unusual that you read your speeches these days.

Senator Chief Onyia : Of course, the thing is becoming very technical. I would like to consult my notes exhaustively on the points that appear too technical before I speak. These are notes that I hurriedly jotted down with a view to developing them.

The President : You may go ahead. I was only warning you.

Senator Chief Onyia : Thank you, Mr President.

Minister of State (Senator Alhaji Nuhu Bamali) : On a point of explanation, I would like to remind the Senator, who is an old parliamentarian, that the usual practice is that Parliament ratifies all treaties. Therefore, I would like him to rest assured that these treaties and agreements will really come before him and he will see what they look like.

Senator Chief Onyia : The Minister should not cut me short, until I have developed my arguments. Perhaps, the answer of the Minister may be correct in one way or another. I have accepted the assurance made by him.

This means in effect that the Nigeria Airways can and has bound this Government not to do what it likes without reference to this Parliament. Wherefore are we called upon to approve this Act unless the Minister intends that these powers be exercised by the Nigeria Airways Corporation.

Stranger still, all aero companies want to sell their new aeroplanes and indeed go begging for people to buy them. How then does it come that Nigeria, in offering to buy a new design, has been precluded from doing so by a contract that makes it impossible for Nigeria to benefit fully in granting landing and passenger rights to whoever wants it on a fifty-fifty sharing basis provided the traffic is there? Supposing somebody wants to travel to Rome or Russia without using the B.O.A.C., what will happen?

Senator Alhaji Nuhu Bamali : One is free to take any airline.

Senator Chief Onyia : Is it on a fifty-fifty basis, without binding oneself?

Senator Alhaji Nuhu Bamali : On a point of information, I would like to make it very clear to Senators that we are not really bound to B.O.A.C. We can enter into any contract with another Airline if we think that it is in the best interest of Nigeria.

Question put and greed to.

Bill accordingly read a Second time; immediately considered in Committee; reported without Amendment; read the Third time and passed.

CASINO LICENSING BILL

Order for Second Reading read.

The Minister of Internal Affairs (Alhaji Shehu Shagari) : I rise to move that—

A Bill for an Act to make provision for the licensing and control of a Casino in the Federal Territory, and for connected purposes, be read a Second time.

The problem of gambling in this country has been engaging the active attention of the Federal Government for a considerable length of time, and this Bill is one of the steps being taken to bring this evil under control. The second and very important point which has made it necessary for Government to bring this Bill before Parliament is the recognition that we can no longer restrict ourselves to providing facilities which cater only for Nigerians. This country is now the venue of many international meetings and gatherings and the susceptibilities of our visitors must be catered for. What is important is that the Government should get a properly constituted body legalised so that its activities can be controlled. This is a better way of tackling the problem than to allow matters to drift and so cause far more trouble and harm to our economy.

The Bill provides, for the issue of licences to any person approved by the Council of Ministers to establish a Casino in the Federal Territory; the conditions under which the licences may be issued and revoked, and gives me power to require a licensee to provide some security for the performance of the obligations imposed under the licence. I may also require information to be produced concerning the operation of the Casino in order that I may ensure that the requirements of the licence are duly complied with.

The Bill provides for the inspection of the premises in which the Casino is operated and for penalties for anybody who contravenes the provision of the Act.

I wish particularly to draw the attention of Senators to the important provisions contained in the Schedule to the Bill which lays down that the rules of membership of a Club in which a Casino is established must be approved by me. In order to ensure that only those who can afford it go to the Casino, the Schedule

[ALHAJI SHAGARI]

also provides for the fixing of the minimum income of persons who become members of the club so as to prevent persons of the low income group from going into the Casino.

Also in accordance with the normal practice in other parts of the world, paragraph 3 of the Schedule lays down persons who may not become members of the club in which a Casino is operated.

I beg to move.

Senator Alhaji Nuhu Bamali : I beg to second.

Senator Chief S. T. Hunponu-Wusu : I rise to support this Bill. It is a Bill which is indeed overdue.

Many foreigners do come to Nigeria. As is the case in all civilised countries, we see cinema shows almost everywhere in Nigeria to-day. There are entertainment taxes being paid by the owners of the cinemas. These taxes go into the coffers of the Government.

The Casino is in a similar position. Casino all over the world brings money to the coffers of the Government.

As Nigeria is growing very rapidly, I appreciate the efforts of the Minister in bringing the question of licensing casinos. It is very good. The provision of the Bill is very good and I am sure that Nigeria will use the opportunity it gives.

We can all view it from this point. We can see to-day the amount of pools business that is going on here and there in this country. It is evident that some years ago we knew nothing about pools. But Senators will agree with me that there are some people who have been benefited by pools. Pool houses have been licensed. Similarly, casino, by this Bill, is going to be licensed.

Besides the financial benefit, casino has its own educational value. It can bring people together. Moreover, it can portray Nigeria as one of the civilised countries in the world.

I beg to support.

Question put and agreed to.

Bill accordingly read a Second time ; immediately considered in Committee ; reported without Amendment ; read the Third time and passed.

NIGERIAN CIVIL AVIATION TRAINING
CENTRE BILL

Order for Second Reading read.

The Minister of Health (Senator Chief M. A. Majekodunmi) : I beg to move—

That a Bill for an Act to make provision for a Nigerian Civil Aviation Training Centre to provide for its organisation, control and operation, and for connected purposes, be read a Second time.

By this Bill, it is intended to establish in Zaria a Nigerian Civil Aviation Training Centre in conjunction with the United Nations Special Fund and the International Civil Aviation Organisation. The Training Centre which will be a corporate body with its own common seal and board of governors will train Nigerians as well as other African nationals in several technical aspects of civil aviation.

This is one of those developments which every Nigerian should welcome because it is not very long ago, in fact it was only in the 1920s, that we first heard of aeroplane in this country and little did we know that there would come a day when Africans would be able to fly these aeroplanes. But as we have developed very rapidly in so many other fields, we have developed also in the field of aviation. To-day we have Nigerian Pilots who are able to fly this very complicated and modern apparatus.

It is proposed that we should establish in this country a training centre which will give training facilities in Zaria. Here, Nigerians and other African nationals will be trained in all the sciences connected with civil aviation.

This is a very progressive measure and I commend it to the Senate.

The Minister of Mines and Power (Alhaji Yusuff Maitama Sule) : I beg to second.

Question put and agreed to.

Bill accordingly read a Second time ; immediately considered in Committee ; reported without Amendment ; read the Third time and passed.

GULF OIL COMPANY TRAINING
FUND (ADMINISTRATION) BILL

Order for Second Reading read.

The Minister of Mines and Power (Alhaji Yusuff Maitama Sule): I beg to move, that a Bill for an Act to establish and administer a fund to be known as the Gulf Oil Company Training Fund and for purposes connected therewith, be read a Second time.

This Bill is very short. It merely seeks to establish a fund to be known as the Gulf Oil Fund and this will be established as a fund by itself and the money that we expect to get from Gulf Oil Company will have to go to the Consolidated Revenue Fund. This is because we will like to keep the identity of the fund.

It is in accordance with the policy of the Government that when an oil company is given a concession, that oil company makes some training offers to the Government. In this particular case, the Gulf Oil Company is making a grant of £321,855 to be paid over a period of five years or over a longer period but not exceeding ten years. It is the intention of the Government that we use this fund to train Nigerians in all the various fields of oil industry.

This is exactly what we expect of the other oil companies to-day, so that with this money we will award scholarships to our boys and girls to go to institutions of higher learning to study in all the fields that affect oil industry. Our idea is to train Nigerians in these fields so that they may be well equipped to develop and to protect the interest of Nigeria in this field. Nigeria can only derive maximum benefit from its oil industry if we can get Nigerians trained in this field. That is the purpose of this Bill.

I, therefore, beg to move.

Senator Chief Majekodunmi: I beg to second.

Senator Chief E. E. Boyo: I rise to support this Bill. It is a sign of development and as an honest Nigerian, I must welcome it.

The Escravos Bar is the city of the oil industry. It is, therefore, my plea that the natives of that place should be given priority with respect to the training scheme.

Another aspect of the matter is that Government should see to it that oil produced in the Escravos Bar is refined there and not outside that region. If this project can be carried out all within the Mid-West, the purpose of this Bill will be amply fulfilled.

I support the Bill.

Senator T. Olamijulo: I rise to support wholeheartedly the Nigerian Civil Aviation Training Centre Bill. In doing so, I would like to praise the Government for its efforts to see that we have training schemes in every field. The Government deserve our praise. The more we know of these things the better for Nigeria and for the whole world.

I support the Bill.

Question put and agreed to.

Bill accordingly read a Second time; immediately considered in Committee; reported, without Amendment; read the Third time and passed.

NIGERIAN RESEARCH INSTITUTES BILL

Order for Second Reading read.

The Minister of Economic Development (Alhaji Waziri Ibrahim): I beg to move,

That a Bill for an Act to establish research institutes in respect of cocoa, coffee and cola, in respect of oil palm, in respect of rubber, and respect of trypanosomiasis; to provide for the transfer to those institutes of certain assets and liabilities of existing bodies (if any) established for similar purposes and for the winding up of those bodies; and for purposes connected with the matters aforesaid, be now read a Second time.

Before independence and until 1962, we had Research Institutes jointly owned by Nigeria, Ghana, Sierra Leone and Gambia. They were then known as the West African Research Institutes.

Sometime in 1962, the Government of Ghana suggested that in order to be more practical in our research and, in order to tie up research activities with development programmes of each country, the West African Research Institutes should be broken up and

[ALHAJI IBRAHIM]

after that it was suggested that we should have a loose body, advisory in capacity, to co-ordinate research activities between the four countries.

A meeting was held in Accra and we were represented, the other Governments were represented and, we agreed to set up national research institutes in our respective countries and, instead of the West African Research Council, we should have a Council or a body which would co-ordinate the research activities of the four countries.

We found that that was most appropriate because it is not easy really to carry on research work embodying the research work of four independent countries when each country in fact places priority of research on different types of crops and, in order not to find ourselves in conflict as to what type of research on agriculture or forestry should receive priority. We therefore agreed that it was a good idea to work only on the basis of co-ordination. That was why we had to disband the West African Research Institute and formed National Institutes.

We have not yet formed the advisory body to co-ordinate the research activities of Nigeria, Ghana, Sierra Leone and Gambia, but as soon as we are able to complete the work of forming our National Institutes we shall start discussion on the question of forming the Advisory body to co-ordinate the research work of the four countries. We shall not hesitate to bring in other African countries in order to enlarge the body and that, of course, will be in accordance with the policy of African unity.

I know that many people, especially in the House of Representatives, are of the opinion that the West African Council should not have been broken up. They argued that in fact it is in accordance with our policy of African unity that we should have that body, but Senators know that in practice, unity between Governments is not really easy. We will certainly have African unity, we are foremost in advocating this, but we all know that when it comes to practise, when the different authorities put different opinions on certain matters,

then practical implementation of African unity becomes difficult. That is why I would like to warn Senators before they criticise us. In fact, it is really not a warning. I am sorry. I just want to inform the Senators of the reasons why we have to break up the West African Research Institute.

It was not due to lack of appreciation of the importance of African unity, but we found that it could not work in practice. It may be that after we have formed our own national research institutes as we are attempting to do now, then after we have succeeded in appointing the advisory board as we intend to do, we will find the solution to the problem of having an executive research board or body. But at the moment, what we find possible in practice is only an advisory body which will co-ordinate the result of the researches.

If we start a research, for example, on cocoa in Nigeria, we do inform the other Governments and give them full details of the type of research in cocoa we intend to undertake. We also inform them of the type of research we intend to undertake on other crops like yams, oil palm and so on. They in turn also send us details of their researches. The results are also exchanged.

So, even after we have formed our own national research institute, there will be full consultation and co-ordination between Nigeria, Ghana, Sierra Leone and Gambia in research work. Therefore, the link has not been broken. That is what I would like to tell Senators first.

Now, what we are seeking to do in this Bill is to lay down the object first, then the type of crops or trees on which the research institute will be formed. Senators will see that the research will also include that on sleeping sickness and trypanosomiasis. Then it will also set rules on management, financial provisions, compulsory acquisition of land for the institutes, conditions of employment for the workers of the institutes, the Board of the institutes, appointment of members to the Board and the allowances which members

will draw, regional representation—that is to say which Region will appoint how many in which research institute—

And it being 5.45 p.m., the President proceeded to interrupt the Business.

Debate to be resumed—Friday, 2nd October.

ADJOURNMENT

Motion made and Question proposed, That the Senate do now adjourn till Friday, 2nd October.—(THE MINISTER OF HEALTH).

The President : I would like to announce to Senators that at 7.30 p.m. tonight, there will be a cocktail party in my residence at 17 Ikoyi Crescent for all Senators.

Question put and agreed to.

Resolved : That this House do now adjourn till Friday, 2nd October.

Adjourned accordingly at fourteen minutes six o'clock.

SENATE OF THE FEDERAL
REPUBLIC OF NIGERIA

Friday, 2nd October, 1964

The Senate met at 9 a.m.

PRAYERS

(The President in the Chair)

NOTICE OF MOTION

ADJOURNMENT SINE DIE

The Minister of Health (Chief M. A. Majekodunmi): I rise to move, That the Senate at its rising this day do adjourn *sine die*.

I beg to move.

The Minister of Economic Development (Alhaji Waziri Ibrahim) I beg to second.

Question put and agreed to.

Resolved: That the Senate at its rising this day do adjourn *sine die*.

ORDER OF THE DAY

NIGERIAN RESEARCH INSTITUTES BILL :

ADJOURNED DEBATE ON SECOND READING

(30TH SEPTEMBER)

Question again proposed, That the Bill be now read a Second time.

Alhaji Waziri Ibrahim: I was telling Senators about the reasons for breaking up the West African Research Institutes and for having these National Institutes to undertake researches into agricultural and animal health activities. I have spoken quite enough and all I have to add is that we have done very much in research work in Nigeria even though the results of the researches have not been applied widely in the country. So many good results have been obtained in practically every field of agricultural and veterinary researches in Nigeria, but the weakness about this is that both in agriculture and animal husbandary most of our people still use the very old and ancient methods. Since we became independent we have improved and done very well, I mean that the Regional Governments have been practical in their approach to solving our

agricultural problems and also in dealing with those of animal husbandary.

We all know that the colonial approach to research was very theoretical. I have said before that the research officers in those days made researches into agriculture, forestry and veterinary science, but did very little in getting the farmers to use the improved methods. The results of the researches remained in the laboratories and so during the whole of the British Administration in this country, in actual fact, agriculture remained undeveloped. But now we have our own people both in charge of the research and of the field work in agriculture, and as a result we find that much improvement and progress have been made.

In this connection, I would like to take this opportunity to advise Senators to think of investing money in agriculture. I mean that they should make private investments in agriculture. This is something very much lacking in Nigeria. The results of the Research Institutes activities will be made available to any individual who is prepared to invest in agriculture. For example, instead of investing £5,000, £6,000 or £8,000 in lorry transport in which there are many people already, or investing some thousands of pounds in the buying of salt, kerosene or sugar and competing with the hundreds of Nigerians already engaged in this business, I am suggesting that Nigerians should think of investing such money in agricultural plantations. If that is done, the results of the research will be made available to such investors.

Soon we shall have very large private-owned plantations such as people have in Fernando Po. There, there are plantations of oil palm to which we send thousands of Nigerians to work. Therefore, it should be easy for us also to establish such plantations because we have got the people and the land. Thousands of acres of land are lying waste in Nigeria. I suggest that people should either pull their resources together or, alternatively, those who have enough money of their own should invest such money in plantations. In a very short time, we shall have large private-owned plantations of palm-oil, cocoa and other agricultural crops. One can even invest in cotton and rubber plantations such as the Dunlop have in Calabar Area. In no time, we shall be employing

hundreds of Nigerians in these plantations thus helping to solve our unemployment problem.

I thought I should mention this point while introducing this Bill. I can think of two reasons why the results of the researches have not been applied. The first reason is the complete indifference of the colonial officers to our agricultural problems. In fact, I am of the opinion that most of those officers really did not know how to apply the research results, and as a result on reflection one would not blame them for their indifference. Most of those British research officers only had the text book knowledge of agriculture. I agree they taught our agricultural assistants, but I find that most of them were afraid of making mistakes in tackling the agricultural problems in a more practical and wider sense. As a result all they did was to impart the little text-book knowledge to our people yearly.

Now that our own people are managing the Research Institutes and are ready to make mistakes and advise investors, I think with a little initiative from the private sector we shall soon improve our agricultural methods. We must not leave it to the Governments to do everything about agriculture. At the moment, Senators will bear me out that the farm settlements are all initiated by the Regional Governments and although there are some private-owned estates these are quite few and small in size. There is, therefore, a large room for improvement and Senators will be helping us greatly if they themselves invest in agriculture. 'Invest in agriculture' should be the slogan now and the theme through next year. If the Senators themselves will invest or encourage people to invest in agriculture, we shall soon develop the cultivation of all crops and that, of course, will mean more foreign earnings.

We have all said that agriculture is the backbone or the mainstay of our economy but in practice one finds that it receives insufficient attention. All of us can therefore do a lot by being practical in our approach to our agricultural problems.

I know that one other problem which discourages people from cultivating, say, rubber plantation or oil palm plantation is that it takes a long time to get any results. In the case of rubber it takes about six years to get any result and in the case of oil palm it takes

perhaps a little longer time. But now with the application of some of the research results oil palm can be cultivated in, I think, about three or four years. The period of maturity is now considerably reduced and, therefore, one starts to get returns in less than five years. People may perhaps find more attraction in the cultivation of groundnuts or cotton which can be planted and harvested within a few months. If anybody invests in the cultivation of groundnuts and provided he manages it very well and uses fertilizers, he will get results in a matter of months. So it is also in the case of cotton.

Let us turn our minds to this type of approach in agriculture. We should not all go into the very quick-profit-yielding trades like the selling of kerosene, sugar, salt, *et cetera*, as there are already too many people in these trades.

I do not wish to take much of the time of Senators. This Bill is very clear and it seeks to establish our own National Research Institutes.

I beg to move.

Chief Majekodunmi : I beg to second.

Senator J. K. Nzerem : This is undoubtedly a non-controversial Bill. There is only one thing I want to say about it. Government is in the habit of carrying on researches year in year out without any definite and practical results. We are fed up with these researches. We want something that will benefit the people.

The Ministries of Agriculture in the various Regions employ thousands of agricultural officers, superintendents and field workers but one does not see much of the results of what they are doing. I do not belittle the fact that research is necessary; all I am saying is that these researches must be applied for the benefit of the people. Perhaps instead of the Federal Government starting a number of research institutes, it should make it a point to aid those research institutes already being undertaken by the Regions.

Take, for instance, the oil palm research institute—they call it W.A.I.F.O.R.—at Benin. The Government should subsidise this institute so that it can cater for all research projects in the Mid-Western Region. There is the Moor

[SENATOR NZEREM]

Plantation at Ibadan which could cater for the whole research projects in the Western Region ; then we have the research station at Umudike, near Umuahia, which could look after the Eastern Region. I do not see the necessity for the multiplicity research of institutes.

It is, as I have said, necessary that we should have researches, but it is advisable that these research institutes should be as few as possible ; and the Federal Government should try to subsidise those institutes already in operation. This measure is to be preferred to starting new institutes.

As I said earlier on, there is nothing bad in this Bill, and I am only hoping that when it is passed the result achieved from these researches will be applied for the improvement of the farmers particularly, and we would like to see visible results of the research institutes. Thank you, Mr President.

Senator A. O. Airewele : The establishment of these institutes will undoubtedly improve the growth of our crops. Although there are many research institutes already established in different Regions, we still need more of them.

For example, there is rubber in the Mid-West. We need to conduct research into the growing of rubber because if one really goes to the Mid-West one will find rubber in abundance, and it grows wonderfully. We have to improve the growth and quality of rubber.

Many of our people are willing to put their money into agriculture but what is worrying them is the lack of sufficient capital. We all know that agriculture requires labour and without much capital it will be difficult to finance any agricultural projects on modern methods. I can assure the Minister that over sixty *per cent* of the Members of this Senate are farmers. We really depend mainly on agriculture—some cultivate rubber ; some cocoa ; some oil palm ; and so forth. But what is discouraging us is the low prices obtainable from the crops. We want the prices to be stepped up and stabilised, particularly as regards rubber, cocoa and palm oil.

If the profit-incentive is assured, and deserving farmers are assured of loans to improve their agricultural methods, I feel much results

will be achieved. We have observed that subsidised agriculture is undoubtedly helpful to any nation's growth, and it will attract our children to think of farming as a career rather than to think of working in urban townships. This has been observed not only in industry but in agriculture because it lessens the hardship often faced by poor farmers.

Subsidised farming, too, is one of the quickest ways of combating unemployment. If plenty of money is pumped into improving farming methods great results will be achieved.

We all know why the already established research institutes have not been fruitful to us in any way. The British who taught us in the past did not know more than what was contained in the textbooks because they had not enough land on which to put into practice what they had read. But with us, we have the land but not enough capital ; and I feel that at no distant date, with government subsidy, our sons will be attracted to farm work ; our agricultural methods will be improved and we will become good farmers.

Another point that worries us is the fact that on the passage of this Bill some extra-territorial institutes already in operation will be wound up and the assets of the former West African Research Institutes transferred to new institutes to be established. We are afraid of what would happen to the progress so far made by the existing institutes. I feel that it would have been better to improve the existing ones rather than wind them up, because if they are wound up and the assets are transferred, it means the retardation of the progress so far made and, undoubtedly, it will lead to many losses.

I am of the opinion that the existing ones should be improved ; then we establish new institutes to cater for those crops not already being catered for, like rubber, cocoa, kola nuts, and so forth.

With this comment I beg to support this Bill.

Senator A. Nwoke : I rise to support this Bill. It is non-controversial in a way, but I feel that there are certain things that have been left out. When the Minister of Economic Development toured Umudike area sometime ago I happened to have followed him about the area. We discovered that forty acres of land

were devoted for experiment purposes by the Federal Government, while the rest of one hundred acres or over were for the Eastern Region. I do not see any reason why the Federal Government should not have undertaken the whole research work, at least the financing of the project and then made use of the entire staff of the Agricultural Department at the Umudike research station. What applies to the East should also apply to the rest of the other Regions of the Federation.

There is a lot of disparity in staffing. Naturally the Federal Government staff enjoy better conditions of service than the Regional Governments' staff. The obvious result must be that members of the staff of the Regional Governments leave for the Federal Public Service, and that is not encouraging enough.

There is one difficulty about agriculture whether it is undertaken by the Governments or by private individuals, and that is money to finance agricultural projects. It has been very difficult for the Regional Governments that have started industrial projects on various lines to run their Research Institutes adequately. Therefore, the Federal Government of the Republic of Nigeria should come to the aid of the Regional Governments by financing some of the projects.

There is a point I would like the hon. Minister to clear when he is going through points made by Senators, and that is the Schedule, page C264, which has to do with the Constitution, etc. of the Councils. With your permission, Mr President, I quote:—

"1.—(1) *Subject to the provisions of this Schedule, the council of the Cocoa Institute shall consist of eleven members.*

"(2) *Subject to the provisions of this Schedule, the council of the Oil Palm Institute shall consist of ten members.*

"(3) *Subject to the provisions of this Schedule, the council of the Rubber Institute shall consist of ten members.*

"(4) *Subject to the provisions of this Schedule the council of the Trypanosomiasis Institute shall consist of eleven members.*"

What I would like to draw the attention of the Minister to is the disparity in the number

of members comprising each Institute. Could these be token figures? If they are not, how exactly does the Minister arrive at these variations? The first and the last Institutes have eleven each, but under Oil Palm and Rubber there are ten each. Without the Minister's explanation in this case, I do not think I can proceed further.

So, I support the Bill.

Senator Zanna Medalla Sheriff: I rise to support the Bill. As some Senators have earlier said, it is non-contentious. According to the Minister's explanation it is merely to form Institutes in order to take over what was formerly done by the West African Institutes of Research jointly owned by Nigeria, Ghana, Sierra Leone and Gambia.

So, if this West African Research Institute is to be disbanded I feel it is quite in order in the interest of continuing research to have a co-ordinating body in the Federal set-up to take care of the various research activities going on in our various Universities. The present Universities in Nigeria have invariably got faculties of Agriculture and Medicine.

I quite support the idea of a Senator who said that there has been much of research in this country. Well, research has come to stay. Our Universities have already got faculties to undertake the research, and, therefore, the staff employed may be redundant. But research work in general is very useful to this country. Though I do not know what obtains in the East and the West, in the North (I shall cite two products—cotton and groundnuts), when research was not properly carried out the output of cotton and groundnuts was somewhat negligible, but as soon as the Institute of Research at Samaru came up and Government started to pay greater attention than was done before both cotton and groundnuts which are the main cash crops of the North have been abundantly increased, and farmers in the North are now eager to go to the Research Station to ask for better seed.

It is all right for one to just say that research work has been going on for years and years without any result. How many Senators here have actually attempted to visit a research farm or station? I hear some Senators saying

[SENATOR SHERIFF]

they have visited some, but I have my doubts as to whether a sufficient number of them have done so.

Actually, there is valuable work being carried out in these research stations. I also quite agree that our aim in agriculture in this Federal Republic of Nigeria is to mechanise farming. It is very expensive to mechanise farming because our farmers' resources too low to meet the cost. No farmer in this country can afford to buy a tractor for his farm work. I had the opportunity of visiting a farm in America in 1962. Well, there was a tractor being used on this farm, and I asked the farmer what was the cost of that tractor, and he told me it was £3,000. One tractor alone cost £3,000! I asked him if there was anything below that, in other words, I asked him if one could get a reasonably cheaper tractor which might give two or three years' service at a lower cost, but he did not think so. When considering or judging from the standard of farming in Nigeria one would realise that an ordinary farmer cannot afford to buy a tractor for £3,000, which, mind you, is just one item in the number of farm tools which would mechanise farming.

So, I quite agree with the Senator, because I feel that agriculture should be encouraged and farming should be mechanised. But these things are very expensive to obtain. Perhaps the Minister can think of cheaper mechanised tools which the ordinary farmer in this country can buy.

It would be a very good idea to try and revolutionise. As most of the Senators have said, we have been using ancient methods of farming up till now and there is every likelihood that we shall continue using these same methods until the next decade or more.

Coming now to the animal side of research, I still maintain that research is very, very valuable because the North is a cattle area and its revenue comes mostly from cattle.

The President : Much as I would like to allow Senators to say all they want to say on this Bill and also while I shall be very happy to have all the explanations given, let me remind Senators that to-day is our last day and already, a Motion for Adjournment *sine die*

has been moved. Moreover, to-day is half, day and we shall not be re-convening in the afternoon.

As there are some Senators therefore who would like to speak on the Motion for Adjournment, I appeal to those speaking to be very reasonable so as not to waste time so that each and every Senator will have the time to say something on the Motion for Adjournment.

Senator Zanna Medalla Sheriff: Formerly there was a disease known as rinderpest, which used to kill thousands and thousands of cattle every year. Well, through these research activities, medicines and injections have been found and once a cow is injected, it becomes immune from the disease just as someone who is vaccinated becomes immune from smallpox.

So, this disease which was a most fatal disease not only in the North but also all over Tchad, Niger and the Cameroons, has now been driven almost completely out of the country. All this is done through research.

Without research, such injections could not have been obtained but since the introduction of these injections, not a single cattle has been lost out of a herd of say a hundred cattle.

As you have just mentioned, Mr President, I would not like to take more of your time. So, with these few remarks, I beg to support.

Senator S. Eyitayo : I rise to support the views expressed by Senators who have said that this Bill is non-controversial, and I believe that because it is non-controversial in nature, it will have an easy passage by the Senate.

The only quarrel I have with the Bill is that it is late in coming.

The Minister of Economic Development, in his speech, made us to understand that the President of Ghana, Dr Nkrumah, has suggested the winding up of the West African Research Institute.

Alhaji Waziri Ibrahim : On a point of information, I did say "the Government of Ghana" but I did not with due respect, say "the President of Ghana, President Nkrumah." I said "the Government of Ghana."

Senator Eyitayo : Well, according to the Minister, the Government of Ghana suggested in 1962, the breaking up of the whole West African Research Institute.

I remember that in 1953, I was a member of the delegation that went from Nigeria to work with the West African Cocoa Research Institute at Tafo in Koforidua, Ghana. After going through all the various aspects of their work, we made certain recommendations to the Ghanaian Government and on our return from Tafo to Accra, we met Dr Nkrumah and placed our views before him.

He agreed with us and, I am now inclined to believe that this agreement continued to be in his mind until he voiced it out in 1962. That is why I said that this Bill is a little bit late in coming.

Nigeria, as we all know, is essentially an agricultural country. There is no amount of development which we can make without taking agriculture into consideration and that is why this Bill is a welcome one.

Right from the inception of agriculture, it has taken into consideration the two modes of agriculture we have in this country—crop farming and animal husbandry. Senators will observe that in all these councils that will be set up, these two modes of agriculture are in the minds of the Government. Therefore, it is a very, very welcome bill. I only hope that work in this direction will soon be started.

Senator Chief (Mrs) Wuraola A. Esan : I have nothing against this Bill. It is a welcome one and as the Senator who spoke before me has said, it is only late in coming and I am glad that it has come after all.

The only question I would like to ask the Minister of Economic Development is this. We have been doing research on economic crops and animal husbandry, but what is the different faculty of agriculture we have in this country for the research of daily menu ?

As far as we are concerned, I know that research has improved the lot of animals and even chickens. Chickens are known to have been giving injections in order that they may produce better eggs when they are ripe. I would like to know what definite steps are

being taken to improve the daily menu. There should be improvements in the making of *akara*, *ogi*, *moin moin*, *eko*, *et cetera*.

The President : This shows that the woman Senator is a real mother !

Senator Mrs Esan : We must praise our grandmothers who had the intelligence of producing oil out of palm nuts in those days.

The tedious way in which women have to work in order to produce the daily menu has not been very much encouraged by the different research institutes and I would like the Minister concerned to pass on this matter to those in charge.

We all know that the people who make biscuits did not start by making packet biscuits, they started by frying their biscuits the way we fry *akara*. We will, therefore, like to see progressive methods whereby women will not be killed cooking food all day long.

Alhaji Waziri Ibrahim : Does the woman Senator want to know how to make soup ?

Senator (Mrs) Esan : We do not want to know how to make soup because we know how to make soup. What we want is an improvement in the method of making soup, so that a woman would not have to grind pepper, cut onions and prepare all the other things for making soup, because this is a waste of time and as we all know time is money.

The amount of trouble women take in preparing food deteriorates their health and we want to improve the health of the nation.

I would like the Minister to kindly pass this on and not only to pass it on but to see that something is done to improve the daily menu of the nation. It is not the *Yoruba* tribe or the *Ibo* tribe that I am concerned with but the nation as a whole.

Sir, I would like to crave your indulgence to deviate a little bit. I want to say thank you to our noble father, the President of the Republic for the inclusion of women in the Honours List.

The President : That can come on the Motion for Adjournment. That is why I said that Senators should not waste time so that we can get on to the Motion for Adjournment in time.

Senator Chief (Mrs) Esan : I would also like to suggest that in order to encourage voluntary organisations who spend their time and money to improve the social welfare of the nation, these people should be included in the Republic Day Honours List. They are the silent workers. We have people like Dr Mrs Awoliyi, Mrs Manuwa—

The President : I do not want to call the Senator to order, so I do hope she will confine her remarks to the Bill.

Senator J. K. Nzerem : On a point of order, Senator Chief Mrs Esan is becoming irrelevant.

The President : The point of order is accepted.

Senator Chief (Mrs) Esan : I have made my point that research should be conducted into the proper way of making these yearly honours award.

I beg to support the Bill.

Senator (Mrs) B. U. Kerry : I rise to support the Second Reading of the Nigerian Research Institutes Bill. It is high time we had research institutes in this country. As we have universities in this country catering for our children who cannot afford the expense of overseas training, these research institutes should in the same way not only be for cocoa, coffee, cola nuts, palm produce and rubber, but also for things like cassava, castor seed, maize, *jero*, *dawa*, groundnut and cotton. These are the food-stuffs which help this country as well. I, therefore, appeal to the Federal Government to take note of this point.

The President : These women are really good !

Senator Mrs Kerry : So many diseases are caused by the poor quality of the food we eat to-day. For instance, something like *gari* which is obtained from cassava should be researched into, with a view to still improving on it. We eat simply because we are hungry and we want to eat. But this does more harm than good, according to the doctors.

If Senators look at our school children nowadays, they will find that majority of them are suffering from bad eye-sight, and as a result are using spectacles. When these children are

sent to the hospital for treatment, the first thing the doctor tells them is to stop eating *gari*. If these children will stop eating garri, only God knows what else they will have to eat. Everybody knows that *gari* is one of the main foods of this country.

Therefore, I am appealing to the Federal Government to ensure that when these research institutes start to function in this country, *gari* should be the first thing to be researched into.

I beg to support.

The Minister of Economic Development (Alhaji Waziri Ibrahim) : I am just wondering whether in view of the fact that Senators seem to be a little bit anxious to go away, it is necessary for me to reply to all the points they have raised. However, if I may take a few minutes, there are many important points that have been raised which deserve some comments.

One of the most important point was the low prices of our crops. One Senator mentioned that the prices of our crops overseas are very low. We are well aware of this fact and the subject has been under discussion in the Committee of the Food and Agriculture Organisation of the U.N.O. and also during the discussions at the GATT in Geneva.

There is very little we can do in improving the prices of our raw materials for the simple reason that so many African countries produce the same types of crop that we produce, for instance, groundnuts and cocoa. This is not the only point. The consumers of our crops such as cocoa, have got such co-ordination and co-operation between themselves as buyers, that they quote the same prices to us when we go to the market.

They are so organised—if one goes to France, Britain or Germany—that the prices are the same. They offer the same prices for the same crops everywhere.

Senators know that this is a very elementary marketing problem. If our buyers put their heads together and decide on something, it is very difficult for us to make any headway.

The other point is that there are substitutes for some of the crops which we produce. Take rubber, for instance, there is what is called synthetic rubber and this makes the sale of our natural rubber rather difficult.

I cannot go in to details because of shortage of time. The only time we have a chance is when the weather in two or three of the other producing countries is very bad and they face, as a result, a probable shortage. This is only time we stand a chance of dictating the prices of our crops. But as soon as conditions become favourable to them, this situation is reversed.

The other point is that the Federal Government should undertake research in agriculture all over the country instead of allowing the universities and Regional Governments to do it. We do not think that it is quite proper, under our constitution, for each Regional Government to do its own research work. But that is exactly the position to-day.

The Research Institute attached to Ministries of Agriculture and also to Universities like to be independent and, of course, we have no power, nor do we desire to change that policy.

I now come to the question of Board membership—eleven in the case of cocoa and ten in the case of oil palm—referred to by Senators. I want to say that this is not important. These are just the numbers considered appropriate by the Research Institutes themselves and they just mean nothing. Senators should therefore have no fear about that.

As to whether the research work of the Universities will make the University staff of the other Research Institutes to be redundant, I want to tell Senators that it will not. There is, in every University everywhere, either a Research Division, or an Agricultural Division, or Forestry Division or a Veterinary Division, for teaching purposes and they carry out research at the same time.

But a big scale research meant to produce improved methods and to improve the seeds for wider application all over the country has always been undertaken everywhere by Research Institutes independent of the Universities, but they do co-ordinate and co-operate with the Universities which undertake research into similar crops.

Senator (Mrs) Kerry wanted research to be undertaken on yams, cassava, cocoa, *jero* and

dawa. I want to assure her that research on these crops is going on in this country. These crops are not being neglected at all.

The same lady Senator also said something about our boys consulting the doctors and being told to stop eating *gari*. In my opinion, this is really a question of trying to educate our people to appreciate the value of good and well-balanced food rather than dresses. Has it ever occurred to Senators that we in this country, both men and women, spend more money on dresses than we spend on food?

We have better foodstuffs than *gari*. We have beans, yams, rice, eggs, milk and we have plenty of meat. But the average Nigerian spends more money on his dress. We spend our money on expensive and colourful dress and drinks every month.

The increase in the rate of beer consumption in this country is alarming, and we spend millions of pounds on textile goods. So, the question really is not that our people do not know how to prepare good soup or food. They do know how to cook and, honestly speaking, there is very little improvement we can make on our cooking.

I have seen cooking in England. The people cook the same way as we do here. They just boil cabbages and carrots, and boil or fry meat, and eggs. They cook in the same way as we do; the only difference is that they spend more money on their diets and those of their children while we spend more on dresses.

All we need do to improve the situation, is to spend more money on feeding the family. We do not need to teach anybody how to cook. Our people know how to cook already, and that is just what I want to tell Senator (Mrs) Kerry and I hope that she will pass that on.

We have every type of food in this country. The only thing we need is to educate our people how to appreciate the value of balanced-diet. We have the food, although some of them may be in short supply, and if we stop feeding our children with *gari* everyday and instead of spending more money on dresses, we give the children some milk *gga*

[ALHAJI WAZIRI IBRAHIM]

and fish, then there will be no need to consult the doctors for defective eye-sight or any other disease.

The time at our disposal is very short, therefore, I do not want to say more.

Question put and agreed to.

Bill accordingly read a Second time and immediately considered in Committee.

NIGERIAN RESEARCH INSTITUTE BILL :
CONSIDERED IN COMMITTEE

Clause 1—(ESTABLISHMENT AND
FUNCTIONS OF RESEARCH INSTITUTES

Senator T. Olamijulo : I want to know from the Minister why groundnut, which is an important crop, is not included in the list of crops in this Bill when cocoa and oil palm are included.

Alhaji Waziri Ibrahim : The answer to that question is that research into groundnuts is undertaken at Samaru in Zaria and that institute at Zaria was not part of the West African Research institute. We are now concerned with the research activities formerly done jointly with the other Governments in West Africa.

Senator Olamijulo : I want to know further from the Minister why the reports of our researches are not published in newspapers.

Alhaji Waziri Ibrahim : They are published. If the Senator will check the voluminous report that he has been given he will find that the reports of the research made on cassava, cocoa and oil palm are there. We have sent these to all the Members of Parliament.

Senator Olamijulo : Although these reports have been circulated among Members of Parliament, they were not published in the newspapers.

Alhaji Waziri Ibrahim : The newspapers do not find such research reports interesting perhaps ; but some time, some newspapers do publish them. The newspapers like to publish sensational things but not important things like the reports on our research, work.

Senator Olamijulo : I think the newspapers will publish the reports if they are sent to them.

The Chairman : Annual Reports are generally sent to newspapers offices for publication. The Minister has said that often, there is nothing sensational about these reports and perhaps that is why the newspapers do not publish them.

Clause 1—(ESTABLISHMENT AND FUNCTIONS OF RESEARCH INSTITUTES)—*ordered to stand part of the Bill.*

Clauses 2-9—*ordered to stand part of the Bill. Schedule agreed to.*

Bill reported without Amendment, read the Third time and passed.

ADJOURNMENT SINE DIE

VALEDICTORY SPEECHES

The Minister of Health (Chief M. A. Majekodunmi) : I rise to move, That this Senate do now adjourn *sine die*.

Before the Senate rises, I would like to express, on behalf of the Government, our appreciation of the work of the Senate during these past five years. The Senate has been compared to the House of Chiefs in the Regions ; this is not quite an apt comparison because we all know that our Chiefs in this country are part and parcel of Government—many of them are Presidents of their local councils, and they have civic functions to perform for their Governments—therefore, they have not always been able to put to bear on Government measures the same scrutiny and independence as have characterised the deliberations of this Senate.

I think that the record which this first Senate of the Federation has created will go down in the history of this country and will affect the minds of those who are coming behind us, to look into our Constitution and to examine whether it would not be desirable to have such a body like this working with the Regional Governments.

Senators have been appointed here not as politicians, not as representatives of any Government, but as individuals who are distinguished in their areas and who have come here to bring to bear on public issues, the maturity of judgment and the clarity of vision which have made Senators a success in life.

The approach which the Senate has always given to all Government measures is one which has given us great encouragement in the Lower

House. The Government attaches very great importance, indeed, to the views expressed here in the Senate because we know that those views are expressed with the consideration of the highest good for Nigeria and not with any partisan motive whatsoever. (*Applause*).

As we take leave of one another to-day, I am sure we shall take with us very happy memories of the comradeship which has characterised our work, and of the very good relationship which has always existed among all Senators irrespective of their Region of origin.

This Senate has been a shining example to the whole country as to how we can all work together in spite of the differences in our background both culturally and developmentally.

I would like to take this opportunity to record, once again, our indebtedness to the first President of this Senate, who is now the President of the Republic. The spirit which he has imparted to this Senate has made for unity and for objectivity. The country owes a great debt of gratitude to him for the method whereby he has managed to weld together the different Senators who have come from different parts of the country.

His noble example was followed by his successor, Chief Dennis Osadebay, who is now the Premier of Mid-Western Nigeria. It would appear that the Presidency of the Senate is a training ground for very great leaders in this country. (*Applause*). Anybody who has ever occupied this Chair of the President is destined for great things.

I am sure you will also agree with me that our present President has kept up the noble ideal which has been set by his predecessors. (*Applause*.)

I would like to take this opportunity to wish all Senators a safe return to their families, and I hope that after the Federal elections, we shall see their very good faces again here, and that they will continue the good work which they have so ably started. Their contributions have gone a long way to ensure the stability and unity of this country.

Whenever there are any explosive issues facing the country, when such issues come to the Senate, they become no longer explosive. We analyse them very coolly and calmly here and that spirit of compromise which has

characterised Nigerian nature, is very strongly exemplified here in the Senate. It was very seldom, indeed, throughout the life of this Senate, that we had any sharp disagreements.

We have had an occasion to delay Government Bill, and even to amend some of the Government measures, and this the Government has accepted in good faith. That is as it should be. The Senate should be able to approach all public issues dispassionately, with maturity and with all sense of responsibility for the unity of this country.

We cannot just all sit down here and accept any measure coming from the Lower House or the Government, and that we have never done. Senators have all expressed their views very forcibly. On many occasions, even when it was not possible for Senators to amend any Government measure, they had always managed to extract from the Government an undertaking that certain sections of the measure would be modified according to their way. Senators will all agree that this had been done.

We feel very grateful for their co-operation. We wish them the very best.

I wish to take this opportunity to announce that we have arranged for a group photograph to be taken immediately after this sitting. The Prime Minister was to have been with us to join us in the photograph, but unfortunately, he has very many pressing State engagements to-day, and as the time of our adjournment is so uncertain, it is not possible for him to be in the Senate.

The Prime Minister has asked me personally to express his very deep regret, because, as he put it, nothing gives him greater pleasure than coming to this Senate which, according to him, is a 'sane' House, a House of sanity. I hope that hon. Senators will excuse him for not being present to take this group photograph with us.

I beg to move.

Senator Dr E. A. Esin : I beg to second this Motion for Adjournment.

I thank you, Mr President, for giving me the opportunity to say a few words to this Senate before it adjourns. I would like, first of all, to correct two beliefs which have been very current in this country since we started as an Upper House.

[SENATOR DR ESIN]

One of them is that the Senate is not necessary at all. Our newspapers, day in and day out, have tried to point out that it is not necessary to have a Senate. As my Colleague, Senator Chief Majekodunmi, has said, they would now realise that in this Senate there are men of reason and maturity, and that it is, therefore, absolutely necessary for this Senate to continue.

The President : I hope Senator Dr Esin meant that in this Senate we have reasonable and mature men and women.

Senator Dr Esin : Yes, Mr President, I meant men and women.

The Minister of Health : Mr President, Sir, in this context, I think man embraces woman.

The President : You are a doctor.

Senator Dr Esin : They thought all we were concerned with was to bring politicians from all over the country and satisfy them by paying them emoluments and they would be happy. Now we have done our work for five good years, the Government of this country has been stable and it enjoys very good reputation outside Nigeria as the most stable government in Africa. I hope Africa will take note of that.

The next point is that I would like the politicians of this country to take examples from this Senate—that where the need of this country is concerned, where the progress of Nigeria is paramount, the Senate is a non-partisan House and only looks or examines issues before it to see whether or not they will be in the best interests of the country. Our political parties are apt to project their interest into national issues. I would therefore call the attention of the Senate at all times to examine all the issues and see whether the ultimate result will be beneficial to this country.

There are the two observations I would like to make.

I am very happy to note that the behaviour of our Senators has been excellent indeed and I wish that as many of them as possible will return—although it might be possible to retire a third and I hope it will not be due to age—and those of them who will return here will certainly continue to set examples for this country.

Mr President, I beg to second.

Senator M. B. Chukwubike : Mr President, these dying minutes of the last sitting of this Senate—

The President : I would again warn Senators that I would like them to be brief in their speeches so that I would be able to call almost every Senator to speak.

Senator Chukwubike : Mr President, I was trying to say that this is the right time for Senators to pay tributes to those who deserve them. In this regard, I am saying that the Prime Minister is the first person to be congratulated. He has been piloting the affairs of this country with utmost care. By his simplicity and wisdom, he is known throughout the Federation as the people's Prime Minister.

Mr President, I want also to say a few words about Chief Okotie-Eboh, the Minister of Finance. The Minister of Finance has completed his five-year period of delicate business very ably and judiciously. The Government plans very, very well. But we all know that without financial assistance both from outside and within this country, the projects in hand will just evaporate as a figment of imagination. He has discharged his duties without fear, favour or bias, and I praise him for that.

I have one point which I want the Government to look into. From my heart of hearts, Mr President, I am praising all the Governments of the Federation for encouraging the use and consumption of our locally produced articles and goods. By this, all the Governments are creating a healthy and contented legacy for the generations yet unborn.

But I have one observation to make on our locally produced goods. We all know that very many people in this country rightly—I say *rightly*—take to some of the imported goods while we have their counterparts made here in this country. I say *rightly* because our Ibo proverb has it that when one abandons one's source in search of another source, it all means that one's own is soiled.

I am saying that some of our locally produced goods are not genuine. I want to give two examples. One is our Guinness Stout brewed at Ikeja and the other is our matches.

You will agree with me that the Guinness Stout brewed and bottled at Ikeja contains impurities and you will notice that these are conspicuous in the glass. You cannot see these in any other beer including the famous Golden Guinea.

In our matches, you will agree with me also that one can finish one whole box without any fire coming out. This is correct and all Senators can bear me out. If our local industries are to stand world competition, something must be done and immediately too about the quality of what we produce. I would like the Government to investigate this defect in the quality of our products.

I would also like to say a word on the last countrywide strike. The big strike ended with a big question: Who gained? Was it the Government, the workers, the traders or the landlords?

Senator Salahu Fulani: On a point of order, I think Senator Chukwubike is irrelevant. What we want is—

The President: Where is the irrelevancy? Senator Chukwubike should please proceed.

Senator Chukwubike: Mr President, when the big strike ended, who gained? Was it the Government, the workers, the traders or the landlords? From my own experience, the landlords and the traders gained. The workers themselves gained nothing out of that strike. The heartless landlords have increased house rents. We know also that the prices of our locally produced goods immediately after the strike. The Government lost thousands of pounds by that strike—

Senator Chief O. A. Fagbenro-Beyioku: Please substantiate.

Senator Chukwubike: I am going to substantiate. The Government lost by way of man-power and it is a great loss. The few pounds added to the workers' salaries cannot even meet the increase in house rents.

I would therefore suggest that in future, Government should negotiate with the workers before they go on strike. The Government should not wait for workers to go on strike before it starts to negotiate.

Thank you, Mr President.

Senator Alhaji Y. M. Abudu: I rise to associate myself with the views expressed by the last speaker in paying compliments to the Federal Government, particularly the Prime Minister, for the way in which the affairs of this nation have been handled since these last five years. We are all proud of their achievements. They brought us to independence and now we have become a Republic. We are grateful to them and to the Minister of Health, Senator Chief M. A. Majekodunmi, for the leadership he has given this House. Every time when we had any matters to be taken to the Government, he was the man responsible for doing it for us. For the way he has been handling our affairs, he deserves our commendation.

I would like to seize this opportunity to ask a question as the Minister of Economic Development is present here with us this morning. I would like to know what the Government is doing about repatriation of our capital invested abroad. We always hear our Governments, Regional and Federal, going abroad in search of loans for our development programmes. I think that before a man or woman should go a-borrowing, he or she should first have made use of all his or her resources. If we have our capital lying idle abroad, why should we go a-borrowing? We should bring it back to Nigeria. That will show that we have confidence in ourselves. It will also show our sense of responsibility. Why should we have some money somewhere and yet go on borrowing? I would like the Government, if they have not taken steps to repatriate any money we have abroad, to do so now.

I do not want to take up the time of others who would like to speak, but I would like the Minister of Economic Development and the Government to do something about repatriating our capital to Nigeria.

Thank you.

Senator J. K. Nzerem: Before we say good-bye or *au revoir* to one another, I think it will not be out of place to cast a retrospective view over the work we have done for the past five years, and I wish to do that very quickly now.

We are very lucky indeed to be associated with the work of making laws for the country during what I may rightly call the most

[SENATOR NZEREM]

historical epoch in Nigeria. Well may it be said of us as the disciples of old that many have desired to see what we have seen but have not seen them. Eminent and illustrious Nigerians like the late Herbert Macaulay, the mighty King Jaja of Opobo, and our recent "Boycott King," the late Mazi Mbonu Ojike, to name only a few, were not privileged as we have been to see Nigeria become a sovereign independent State as well as a Federal Republic.

Nigeria is acclaimed the world over as the citadel of democracy in Africa, and so it is a thing of pride and joy that we were not only here as mere spectators, but we fully took part in the making of the laws that have made Nigeria a great nation. Our first reaction to this is that we should be grateful to our Almighty God who has, without any special merit of ours, made us to see these things. And the fact that we have been so privileged is a challenge to us, that we should work conscientiously and faithfully in order to serve our country.

Independence, we have been told times without number, is not an end in itself, but a means to securing for our people a life more abundant, not for those at the top, but for the generality of our country men and women. This, in my view, is the chief work which any country expects of its legislators. How well we have done this work or failed to do it is, I am sure, going to be recorded by time and history. For my part, I can say that all of us have done our best and we will look back without justifiable pride to our humble contribution to the cause of unity and solidarity of this country and the happiness and welfare of its people.

As we disperse to our various places of abode, let us not forget to pay tribute to that great Statesman and Father of the Nation, Dr the Rt. hon. Nnamdi Azikiwe who, all will agree, is the architect of modern Nigeria. I am sure it is the wish of us all that God will continue to bless him and prosper his ways so that he can continue to show the light that we may find our way.

Nor must we overlook the important role which our amiable Prime Minister, Sir Abubakar Tafawa Balewa, has played. His cool-headedness and God-fearing disposition have become proverbial and have earned for him

a special place in the political annals of Nigeria. Let us hope that he will continue to exhibit those fine traits of character which have marked out his regime as one of great hope for the teeming masses of our beloved country.

To all members of this Cabinet I wish also to pay my humble tribute. They have all tried according to their light to serve our great country. It is true that mistakes have been made, but I regard them more as those of the head rather than of the heart.

And to you, Sir, Mr President, I pay my respects. Like your predecessors in office, you are on the path to greatness and I wish you luck.

To my fellow Senators, from whose words of wisdom I have benefited immensely, and especially to the Leader of Government Business in the Senate, Dr M. A. Majekodunmi who has combined the exuberance of youth with the sagacity of age, I say good-bye and good luck.

Although I am not a preacher like my Friend, Senator Olamijulo, I would like to end this my short valedictory speech with a prayer:

May the healing power of Thy grace, O God, rid us of all perverseness of heart and strengthen our resolve now and always to serve our country faithfully and conscientiously, and thus keep her united and strong.

One last word that I would like to say is on this deplorable strike of teachers going on in the country now. Please, for goodness' sake, will the Government have mercy on the poor teachers. They have been driven to the wall, and like a man driven to the wall, they have reacted in the way they have done. I personally do not approve of any violence or any dishonour to our National Day, but the Government should not allow this strike to go on indefinitely. I know that unlike the strike by Railway workers or the Electricity Corporation men, the teachers' strike may not affect the Government. But it does affect the people, and the Government exists for the good of the people. So, let the Government come to the aid of the teachers and give them what they want.

We want teachers and we want teachers who are contented, teachers who are going to devote their whole time to their work because they are satisfied with their conditions.

Finally, let me say that I wish God to bless the President of the Federal Republic of Nigeria. Long live the Federal Republic of Nigeria.

Senator P. A. Ogundipe : It is a pleasure to be called upon to make a valedictory speech on the Floor of this House after five years' service. I am going to be brief.

Senator A. E. Ukattah : On a point of order, a Senator is having a dangerous weapon here.

The President : Senator Ogundipe should proceed with his speech. Before that, I hope that Senators who are rushing out will remember that we are going to take a group photograph after this meeting and that all Senators are expected to be there.

Senator Ogundipe : Previous speakers have praised the President of our Republic, the Prime Minister, the President of the Senate and all the Cabinet Ministers.

But here, I wish to pay more tribute to the Leader of the Senate in the person of the Minister of Health (*Senator Chief Majekodunmi*). He has been in charge of all the business done in the Senate for the past five years.

Senators will all agree with me that his cool-headedness and special characteristic of being unruffled in spite of all criticisms from us is superb.

At the early stages of this House, we were in the habit of criticising Government measures, especially for not furnishing our flats, but the Minister of Health has always taken our criticisms in very good faith and has tried on all occasions, to appease and calm us. He also gets the Government to rectify all our complaints. He has been a very able Leader of this House.

Other Ministers who have been attending the sessions of the Senate, have one good point to their credit. They leave behind all their hecklings and other characteristics of the Lower House. They give us our due respect as elderly men. They have also co-operated with us despite the occasional outbursts of some of them.

Now, I would like to wind up with the case of teachers. I am very glad that the Senator who spoke before me mentioned it. Even though the two Houses of Parliament are wind-

ing up, I would still appeal to the Government to start from now, and do all that lies in its power, to stop this strike which if allowed to continue, might have a very great effect on this country.

We all know that teachers do not produce *Fanta* or iron sheets, but indirectly, they are the real producers of these materials. It is the teachers that produce the man-power.

Senators will agree with me that when our children behave very well, we often attribute it to teachers. When our children behave badly, we equally attribute it to teachers. But we forget that our children spend less than one-fifth of their time with their teachers.

The upbringing of our children rests squarely on the shoulders of teachers. Since this is so, we should try to improve their own well-being. Teachers have not been well treated. Their profession is a noble one and, as such, we should try to improve their standard of living.

I am appealing to the Government to negotiate with teachers in good spirit so that our children might return to school.

I am grateful and particularly happy to be a Member of this Senate—the first Senate of the independent Republic of Nigeria. I have had the opportunity of knowing our great men—men of character and vision—and I consider myself fortunate to have had the opportunity of associating with them.

In order that other Senators may have the opportunity to speak, I would say finally that ours is a job well done. I wish all of us good luck till we return to our homes.

Senator M. G. Ejaife : I regard this occasion as a most solemn one. It is almost certain now that this is the last meeting of the Senate before the Federal Elections. It may well be that after the elections the composition of the Senate may not be identical with what it is now.

However, I regard this last meeting as a very important one and that is why I tore myself from my staff in order to come here, even though I was not suspicious of any strike, apart from the fact that there has been rumours of strike.

[SENATOR EJAIFE]

People once regarded this House as a rubber-stamp and I think that mistake had been exploded, even long before our leaders acknowledged the active part played by the Senate. We have not only delayed some Bills, but we have actually caused Amendments to be made. We here, have no necessity to play up to the Gallery. We have no necessity to consider the interest of the electorate in any particular area in preference to the overall interest of Nigeria. I think that we represent the Republic as a whole and we carry out our duties without any fear or favour—all in the interest of our country.

In support to what the Leader of the House said earlier on, I would say that I am happy that we have done our little best to bring about a considerable compromise in the pursuit of unity in this country because this is a House full of level headed men and women.

I am very glad to be associated with great people—men and women and the more I know of them, the prouder I feel that I should be associated with such concourse of great men and women.

I think that this House has been adorned and graced by very many great names some of which have already been mentioned. This House has been graced by no less a personality than our revered President Dr Nnamdi Azikiwe, the President of the Federation.

We have also had here people like Dr Eni Njoku who is now the Vice-Chancellor of the University of Lagos, Mr Olajide Shomolu who is now a High Court Judge in Western Nigeria, and of course, we had here the present Governor of the North, Shettima Kashim Ibrahim. This also reminds us that many people who had been here have headed for very great posts.

We had here Chief Dennis Osadebay who is now the Premier of Mid-Western Nigeria. We are proud that we still have among us such great people as Senator Chief Majekodunmi who is the Minister of Health.

We are indeed very proud of his eloquence, sense of judgment and consideration. We have here too Senator Dr Esin who is also a Minister of State. Another Minister of State who is also a credit to this House is Senator

Alhaji Nuhu Bamali who has made a name for himself in conferences in which he has represented this country abroad.

We have had here an expatriate, Mr L. C. Daldry, who is the Chairman of Barclays Bank, D.C.O. Having sat here for a while he felt like a guest receiving our hospitality and thus voluntarily resigned his membership. But we cannot forget the very able contributions he made before he left the Senate.

I cannot but feel very proud also that the Senate has also been honoured by the presence in the Chair of Dr Abyssinia Nwafor Orizu who has had the very good fortune of piloting this House to the end of this Parliament. We wish him more grease to his elbow.

I think that sufficient tributes have been paid to some of our departed comrades: Senator Dahlon Asemota, Senator H. N. Udoh, Senator Alhaji Abubakar Bale, and last but not the least Senator Oba Adeniji Adele II of Lagos. We cannot do more than pray once more that their souls may rest in peace.

I want to pay my tribute to each and every one of my fellow Senators for the very good contributions they have made here. In this regard, I want to associate myself with what has been said here in the past, that even though we have been noiseless, on the whole we have, almost out of proportion to the size of this House, contributed to the progress of this country. This is not merely singing one's praise.

I pray that we may all return home safely and that after the elections we may come back here once more so that we may continue to enjoy our comradeship.

Senator Chief O. A. Fagbenro-Beyioku : Every one of us will be leaving this House to-day with mixed feelings: feelings of joy for the comradeship we have enjoyed one with another; feelings of joy for the excellent way we feel when we know that we have discharged the most sacred duties entrusted to us, and feelings of joy for the way we have demonstrated our maturity.

But we shall have feelings of displeasure at the thought that this House will be reconstituted after the elections. Perhaps we may not again be one hundred *per cent* together

with ourselves as we have been within the last five years. Perhaps some will not return and those who will be lucky to come back will have to start again to make new friends. That is the only thing that can make us feel unhappy.

On the Floor of this House we have come to regard ourselves as brothers—

Senator Chief (Mrs) Wuraola A. Esan :
And sisters !

Senator Chief Fagbenro-Beyioku : And sisters. But the Leader of the Senate has said that for the purpose of this debate "man" shall be all-embracing. So, we shall use the masculine gender. (*Laughter*). In deed, we have developed to regard ourselves as brothers. When we are here we forget the Region from where we come, we forget our tribal affinity, we forget that there is anything like political alignment in this country. It has been very grand ; it has been very noble.

The very first President of this House, as the Leader of the Senate said, set the pace. He was always truthful, accommodating, corrective and he was never annoyed.

He is the proper man to lead the nation to-day as the President of the Federation. We of this House are very proud of him and we wish that he continues to be in that office for as long as he lives.

He was followed by a very able person, as the Leader of the Senate said. That personality is Dr Osadebay and I want to pay my tribute to him. He is an ideal man ; he is a practical man ; he is a man who faces life in its reality. There is yet another thing about him. I do not know how he ever got into politics because, to my mind he does not understand diplomacy. In deed, I think it is by the grace of God that he has succeeded as a politician. He is always straight and frank. When he says, "This is my point" that is his point.

The Senate was slighted and he was not afraid to say it. He said, "I will not sit in this Chair and see the Senate slighted" and, of course, the Senate ceased to be slighted. Government paid heed to what he said. This is excellent. He made us to enjoy ourselves and we would not feel like missing any session of the Senate with Dr Osadebay in the Chair.

What we have lost in this House the people of the Mid-West have gained. I am sure that by the grace of God he will be able to develop that area, the Mid-West, and make it one of the proudest Regions we have in Nigeria. May God help him to discharge his duties.

We are always lucky. We have the next man in the Chair to be a very forceful personality. Here again is somebody who understands the people ; a man who has acquired the natural experiences of life and thus is in a position to lead both the old and the young.

Fortunately, we are supposed to be old men and women here. But whether Senator Chief (Mrs) Wuraola Esan is old or not I do not know !

Our present President has made us to enjoy the Senate as his predecessors. He has been very fair and has helped us to develop upon the sense of comradeship we have built. This is a very big House, a House nobody will like to miss. I do not want to miss this House whenever it re-convenes. I want to be here always and I am sure I will be here during the next session.

I want to thank our Leader, Dr Majekodunmi. We all know him very well, he has helped us a lot in this House. Apart from the business of this House, some of us have approached him for other things not connected with the business of the Senate and we have been able to enjoy the confidence which we have developed in him. He has been very helpful.

Some of us do not regard him as an old man. I think he is a "young-old" man. I do not even think I can connect him with old age. He looks more like a man of 23 than a man of 40. We know very well that he will be here again to continue to lead the House and we want to place on record our appreciation of the very excellent work he did during the months of emergency in Western Nigeria. That is gone into history and it will never be forgotten. We thank him very much.

We have also to thank our Ministers who are in the Ministry of External Affairs. It is so interesting and the Government of this country should be congratulated. We have a young man from the Lower House as the Minister of External Affairs and we have two Senators

[SENATOR CHIEF FAGBENRO-BEYIOKU]

from this mature House, the Senate, Senator Dr Esin and Senator Alhaji Nuhu Bamali to work with Dr Jaja Wachuku.

So that when Dr Wachuku wants to put in the impetuosity of youth, these men from the Senate will say—"No my boy, take advice". I think it was an excellent team. Dr Esin has done a lot in matters relating to Commonwealth Relations. We have followed closely his activities and I want to say he is a pride to this honourable House.

As for Alhaji Nuhu Bamali, he has done something which makes me feel happy, he has shown by his efficiency that not only people who are Lawyers can do good work. There is a wrong sense of reasoning in this country, and it is that if a person is not a lawyer or if he has not got a Ph.D. or B.Sc. degree, then he has no sense at all. That is a wrong conception which is destroying this country. People are apt to say: "Oh !, this man is a lawyer, put him there."

But Alhaji Nuhu Bamali is a practical man, who developed himself and learnt the hard way. He came into the show and he has been able to show to the nation that the people we need are not those with degrees, but those with the correct sense.

For this reason, we want to place on record our appreciation of the activities of Alhaji Nuhu Bamali, who has given the Senate great pride which we shall never forget.

We want to thank our hon. Prime Minister and to pray for him. If anybody stands anywhere and talks about the Government of this nation and does not mention the name of Alhaji Abubakar Tafawa Balewa, he is not doing justice to himself.

The fear of the Lord is the beginning of wisdom, our Prime Minister places God before himself in anything he does. I remember some years ago when we were still under the British ; there was a matter connected with the Government and I went to him, he was then the Leader of Government Business.

I discussed the matter with him. He said, "Chief Beyioku, I will wait for God's guidance in this matter". I will never forget that sentence—"I will wait for God's guidance in this matter". And, that is why we must

always pray that this country should be led by God fearing politicians and God fearing people. We must try to forget our animosities and preach unity when we all shall have returned home.

I want to pay tribute to the "fallen angels", our comrades who answered the call to the great service, I want to pay tribute to them. I can hear a Senator saying why should I call them "fallen angels". I call them "fallen angels" because they have now fallen by the way side. Whoever is dead has fallen by the way side.

Senator M. G. Ejaife : On a point of information, they are not "fallen angels".

Senator Chief Beyioku : I think the Senator does not want to teach me in what context I should use the words. I do not agree.

Senator Dalhton Asemota is gone, the Oba of Lagos, Senator Sir Adeniji Adele is gone, Senator Udoh and Alhaji are gone. They are all fathers of the nation and as the saying goes—

*The fathers built the city,
In ages long ago,
And busy in their busy streets,
They laboured to and fro—*

Senator Alhaji Ahmed Metteden : May I know which Alhaji, the Senator has just referred to ?

Senator Chief Beyioku : I am referring Alhaji Abubakar Bale and not Alhaji Metteden. As I was quoting—

*Till one by one they fell asleep,
To live and wake no more.
The children played around them
And sang a song of yore.
Oh ! God of ages help us
Such citizens to be,
That children's children here may sing,
A song of Liberty.*

Mr President, I congratulate you for having the unique fortune of being the great President to preside at the last session of the Senate and we do pray, that when we come again, may God in his great wisdom give us Presidents of the like we have always been privileged to have.

Senator Chief J. A. O. Akande : This is the last meeting of the Senate and, although a late comer, speaking for myself and other late comers—

The President : Does the Senator regard himself as a late comer because he was not appointed when the Senate was first constituted?

Senator Chief Akande : Yes. I have been impressed by the way the affairs of the Senate has been handled. We have also been impressed by the spirit of unity among the Senators.

This Chamber, Mr President, will ever be remembered by generations yet unborn because it was from amongst its members in 1958 that most of the delegates were chosen for the resumed Constitutional Conference which was held in 1958 in London.

It was also in this Chamber that the first President of the Nigerian Republic took his seat. I think that this Chamber will ever be remembered by generations yet unborn.

The Federal election is very near. It is the duty of all Senators to go back to the different Regions and teach tolerance. Violence and thuggery do not pay. We must listen to the voice of the Almighty God always.

In my opinion, no single political party can rule this country for ever. There must be changes, and if there is a change, I think we must take what the Almighty God has ordained. It is true that those who live by the sword must surely perish by the sword. In this manner we have got to go back to the different Regions, as I have said, to teach tolerance and wait for God's own good time.

It is also our duty as Senators to advise those who are in power that it is God's sacred trust and that this power should not be used in a way that even the Almighty God who gave it will have to take it back from them. We have to be tolerant knowing fully well that if we rule over people of different political affiliations, such people should believe in different ideologies.

Members of the present House of Senate must congratulate themselves for the opportunity of serving their father land. This is the first House of Senate and those who are here, as I said, must congratulate themselves that they are here at this time. It does not matter whether all or some of us return to this place. Even those who return to this place will find that they have had men and women before them who have laid the foundation, a very solid foundation which every sensible person must emulate.

I remember that a Senator was speaking about those who passed to the great beyond—people who laboured for Nigerian independence but never saw it. Great names have been mentioned. I would like, on the Floor of this House, to pay tribute to a distinguished personality who has passed away and who served between the years 1954-59 in this very Chamber. I refer to the late Adegoke Adelabu. He, too, did his best but he never got to the promised land.

We new Members of this House were not in a position to know some of the other Senators who have passed to the great beyond, except one great personality, Oba Adeniji Adele II of Lagos. I also join others in praying that their souls may rest in peace.

Senator Chief P. I. Acholonu : Mr President, I wish to associate myself with other speakers in giving honour to those to whom honour is due, and that is in the person of Senator Chief Majekodunmi the Leader of this House, and his Colleagues. We appreciate the way and manner they have conducted the affairs of this House.

Some Senators have said many things about Senator Chief Majekodunmi and called him our own leader. Personally, I used to think he was helping only me—and I was calling him my own leader. I am surprised that nearly every Senator is saying almost the same thing about him.

Now, coming to the members of the staff of this House—I do not think it is my duty to say this but with your permission Mr President—I suggest that the Clerk of the Parliaments and the other Clerk Assistants must take it upon themselves to see that they educate their followers to continue in the excellent way and manner they behave to the Members of this House. They are intelligent and their method of approach and the way and manner they receive us is very cordial. Any time we ask them for anything, they give it to us; sometimes they do even if we have not asked for it at all. Many a time they have won my admiration and I am very grateful to them for their excellent services. I think it will be a good thing if they continue in this way and I pray that the young men following them will emulate their good example.

[SENATOR CHIEF ACHOLONU]

Coming to our Government, I would like to say that good headmasters usually produce good scholars. Our able Prime Minister, a man of good character, never fails to answer any question with humility. He gives careful consideration to every question before trying to answer it—like the wise boa constrictor which takes great pains in swallowing even a rat. We are very, very proud of him. He is God-sent, and it is God's wish that we should have such an intelligent and cool-headed leader.

Similarly, we have a man like the Right Honourable Dr Nnamdi Azikiwe who is the President of the Federal Republic of Nigeria. He treats everybody alike, regards everybody as his friend, father, brother or sister. He has no discrimination whatsoever against anybody.

The President : I still have to remind Senators that many Members have not spoken and they are eager to speak. I am not taking the right of Senator Chief Acholonu from him, but I am only praying that he should help others. I am directing my remark to everybody here.

Senator Chief Acholonu : I will abide by your ruling, Sir.

Coming to the other Ministers of the Federation, I thank them also for their contributions in seeing that the Government of this country is properly managed and controlled.

Something was said here two days ago about the Police. Somebody was accusing the Police. If I had been allowed to speak on that occasion, I would have challenged that accusation. Our Police deserve commendation. At present, they are trying to stop smugglers, and they are fighting and battling with high marauders too. The Police work tirelessly without sleep day in and day out maintaining peace and order throughout the Republic. At political party meetings they are seen hanging around in their vehicles to control any disorder; and when there is a riot they are found lying in the bush, eating practically poorly-prepared *akara* balls. We have to commend them for their good work. We trust they will wholeheartedly help us to quell any disturbance during the forthcoming elections.

Before saying something about the Federal elections, I would like, through the President, to ask the Government to see to it that proper precaution is taken to safeguard the lives of the village people throughout the Federation. A political party can be likened to a church. Nobody should be forced to go to any church against his will; at the same time nobody should be forced to follow or vote for a political party which he does not fancy.

I am not only referring to the Government alone, but I am also calling on the Emirs, the Obas, the Obis, the Igwes, the Obongs, and the Amayanabos, to join hands together either on divisional, provincial or regional basis, to give proper advice to the various political parties, so that we may have a free and fair election. We should tell the various contestants that they should not sacrifice any human blood in order to gain power. This point is very important.

I now come to thank the President of the Senate who has inherited some of the good qualities of his predecessors. He has exhibited those good qualities, and we are very grateful indeed to him for the way and manner he has been conducting the affairs of this House. He has been able to give everyone the opportunity to contribute to debates; he has been able to guide us in our deliberations. We do appreciate your contributions, Mr President, even when you had not become our President.

You are to-day our President and we pray that you come back to this House and continue with your Presidency of the Senate.

I hear a Senator asking me whether that will be a sort of promotion for him. Well, if Senators come back to the new House of Senate, I think that in itself is a kind of promotion.

My thanks go to the members of the public who have been coming here to watch the progress of our debates and, especially, to those who have found time to come here this morning to witness our deliberations. I must also thank the pressmen for ever bothering to come and watch our deliberations to-day. Until the Lower House rose, they never interested themselves in what we are doing in the Upper House. They have to-day remembered

us that we are after all part and parcel of the Government, particularly since no Bill becomes law until we have passed it.

It will be observed that at times we have disagreed with some Government measures, and after listening to their explanations we have found ourselves agreeable.

During the life of this House we have lost some of our Members, and to them I say, May their souls rest in peace. And to us who are alive, I say, Good luck to everyone.

Senator Chief (Mrs) Wuraola A. Esan : I count myself this morning as the happiest woman for the following reasons. When I was coming to this Upper House for the first time I was very much afraid, because then I did not want to have anything to do with a new government—

(Applause as the Premier of Mid-Western Nigeria, Chief Dennis Osadebay, G.C.O.N., and former President of the Senate, entered the Official Box.)

I think, Mr President, I have to start all over again. I was saying that when I was coming to this Upper House for the first time I was very much afraid because I felt I was going to be a lone voice in the wilderness of men; and because, at that time, there were the doubting Thomases who believed that perhaps the Government would not last long.

We have to thank God a great deal for the unity we have had so far, inspite of our diversity. In thanking God for this unity I have to join others in praising those people who have been helpful in bringing it about. The President of the Republic, who is regarded as the father of the nation, and was once the President of the Senate; the Premier of the Mid-Western Region who was formerly the President of the Senate, and who gave us the best that any President of the Senate could give to this House—he was very fair and, if I may say so, very partial to women.

Senator P. A. Ogundipe : On a point of order, I think the Senator speaking is very lucky in that the very ex-President she is praising is present this morning to honour her speech.

Senator Chief (Mrs) Esan : Whenever I rise to speak I always speak the truth; and I am sure that fellow Senators will bear me out that whenever it was my turn to speak I always spoke the truth.

We have to congratulate ourselves, too, and be particularly happy that we are present to-day, during this last session of this House, to lend colour to the progress of the nation. I say this because were it not for the Senate I do not think we could have carried on so peacefully the whole length of this five years without any great eruption.

We have been told here that observers call us rubber-stampers. Well, if we have been rubber-stampers, then we are very good and efficient rubber-stampers indeed, because we have never rubber-stamped any Bill without saying something, however unpleasant it may have sounded to some people. I am happy to have been a party to this kind of rubber-stamping.

On the question of praising those who deserve to be praised, it seems to me that we have failed to take notice of a set of people who deserve to be praised. In this regard I mean the wives of the great people who have contributed their own quota to the progress of this country. Surely without the wives of those great people, we would not have had the contribution they made to the progress of this nation.

Those who have also contributed to the progress of this nation are people like our honoured sisters, Mrs Flora Azikiwe, the wives of the Regional Premiers, the wives of the Cabinet Ministers, and the wives of Parliamentarians.

I hear some Senators heckle about the husbands of female Senators. May I say that our former President in the person of Chief Dennis Osadebay, is now in the Official Box, and he would not like women to be heckled. So, Senators had better keep silent and listen.

In addition, the wife of our present President should also be remembered. Without all these respectable women their husbands would not have been so cool and calm to perform their duties well. Men do not give credit to women though the silent workers are the ones really

[SENATOR CHIEF MRS ESAN]

doing the work. Those who are responsible for men living in a very congenial atmosphere, cool and peaceful homes, without being troubled by rascally children, and with food and welfare of homes being well looked after, are the ones really making it possible for Bills to be passed into law and for making laws to be implemented. Men only think that when they come here they are the ones to be praised.

The President : May I warn again that the time is up, and the Senators know that we will not be able to re-assemble.

Senator Chief (Mrs) Esan : I am happy to be reminded of time, but the only other thing I would like to say now is that I would like what I said this morning in connection with awarding national honours to more of our prominent women, to be added as a complement to what I have said under this Adjournment Motion.

Lastly, I want to speak about the teachers' trouble. Teachers are very much neglected, and I must say that this is so not because this present Government does not appreciate the contribution of teachers towards the progress of this nation, but because we have inherited this from our colonial masters. In our colonial days teachers were only engaged by voluntary agencies who thought then that teachers should only earn God's praise and not man's praise. It was assumed then that all the teachers should look for was to get to Paradise where they should get their reward. So, teachers were then started with 10s or 15s per month, and from there they went gradually to £6 or £7. In those days teachers could afford to manage things under that condition of getting little pay, because they were then looked upon as honourable men, and nobody would force them to pay tax or do things which they must do now.

The standard of living of teachers these days must be considered. They cannot now go on as they were formerly doing. Teachers' service conditions should no longer be left unrevised; it should not be left until our Parliamentarians are well disposed in their own time to do so. As a teacher and proprietor of school, I do not support strike. As it is, I do not think that teachers' strike is something that will give us what we need in

Nigeria. But teachers are being ill-treated. They are not given sufficient consideration in the order of things. If we want our children to have sound education, and if we want to take good care of our manpower, we must consider the position of teachers.

A teacher's service starts from home where the housewife has a duty to perform, and this service goes gradually to the teachers in schools. If we take good care of teachers in schools by giving them salaries which are commensurate with the present standard of living, then we are taking care of our own family at our individual homes, because when our children leave our homes to their schools they go to a place of learning. Whatever training we may give to our children in our individual homes, and however we make them do their studies at home, we cannot do the work of teachers. They must eventually go to the teachers, and the teachers can spoil the training already given to these children in their homes. Therefore, I would like to say that before the dissolution of this Senate, steps should be taken to encourage teachers and whatever they must have done amiss should now be forgotten.

Senator Chief R. A. Umoh : I rise to give praise, as others have done, to those who deserve it. I first of all praise the entire Senators in this House. This Senate is indeed worthy of its name as the Upper House of the Nigerian Legislature.

As this is the terminus of the life of the present House, I must say that we have been able to produce the highest set of people in the country to-day. From this very House we have produced the President of the Republic of Nigeria; we have produced at least one Governor; we have produced a Premier of a Region; we have produced a Judge of a High Court, and we have produced somebody man-nin ga Uuniversity. So, I really feel that the Senate has done a lot. The people here in the Senate are actually the fathers of the country, and their cool-headedness and the way they treat matters in this Senate have appealed to me a great deal, and they really make me feel that they have taken their rightful places at the right time too.

I have to congratulate the President of the Republic of Nigeria, the Prime Minister, and the Premiers of the four Regions. The Premiers of the four Regions of Nigeria, I

must say, are good people, and they have done their duties very well. All eventualities co-operated to give beneficial results here, and even when one hears that this and that are happening in a Region, all taken together, they conglomerate to produce something very useful. None of them is sitting down with folded arms because none of them dislikes criticism. If one sits down with folded arms without doing something, there will be no result. One must do something, and what one does is what people will talk about.

I praise all the Presidents of this Senate, past and present. As a matter of fact they had done exemplarily well. From what we have seen, beginning from Dr Nnamdi Azikiwe, the first President of the Senate, to Chief Dennis Osadebay, and further down to the very present President of this Senate, Dr Abyssinia Orizu, all Senators would agree with me that they are the real light. In fact, we have all learnt from them. What we have inherited from them as Senators can never be bought with money. Their lives have become part and parcel of our lives, and if one goes out to the Lower House or any other Legislature in this country, one would find a great deal of difference. Why is this so? It is because we were directed by matured heads who have a wealth of experience on legislative matters.

There are very many important sets of people I wish to praise, and these are the Civil Servants of this country. Before I go deep into this, I have certain things to say.

Several Senators : Please do not go deep.

Senator Chief Umoh : I will not go deep, but I am sure the Civil Servants of this country have to be praised, starting from the Clerks of this House. All Senators have seen the noble work they have done, and from the beginning up till this time the setting of the whole length and breadth of the Civil Service is good. Our Civil Servants are very well trained. We have, at least, inherited that from our colonial days when Civil Servants were a strong unit, and they have, indeed, held on to it. They are as a matter of fact, incorruptible.

I hear some Senators trying to dispute the incorruptibility of our Civil Servants. But may I say that if any Senator has ever heard certain things, they must be regarded as

rumours—and we do not entertain rumours nowadays. We talk of facts. Therefore, I praise them very much.

I would also want to praise the pressmen because they have warmed up this country. They have given news here and there about Nigeria. If there were no pressmen, nobody could have heard anything about this country. But if one has a child who is full of vivacity and movement and who is getting too strong or going with a strong force, one has to curb the child's movement. So it is that we who are the fathers of this country, together with the Members of the House of Representatives, are trying to curb the activities of the Press because it is full of vivacity and movement. All the same, we have to praise the pressmen because they have done a lot for this country.

What about the hon. Ministers who emerge from this Senate? The three Ministers we have here deserve praise. Nobody can forget what one of them, Senator Dr M. A. Majekodunmi, the Leader of the Senate did as an administrator in the West. He played a role which remains an indelible mark on the minds of people. This is definitely true. The other two Ministers—Dr Esin and Alhaji Nuhu Bamali are the pride of this Senate.

I must say in all sincerity that I appreciate the way in which the Police have been treated because policemen are quite workers. The Government did not wait for the Police to go on strike or to protest before their conditions of service were looked into as regards payment of salaries.

But there is still something which has not yet been done. Teachers are not well looked after. Teachers are the real fathers of the country. They are the fathers of our children because as soon as our children go to school, they stay with the teachers and imbibe all the good characters of the teachers. So, if the teachers are not well looked after, it is a shame on this country.

It is a teacher that moulds a child's behaviour by means of parental co-operation. What the child leaves undone in the house will be completed by the teacher in the school. How do we have to show that we appreciate what the teachers are doing for us? This appreciation will only be shown by hearkening to the

[SENATOR CHIEF UMOH]

voice of the teachers and trying to make them go abreast with the modern world. We slap the teachers in the face and yet we want them to be able leaders to our children. What if they teach our children to live that low standard of living that they are living now? Let us clear the grievances of teachers and show them that we appreciate their work.

We had a great day yesterday and many people enjoyed themselves at the Tafawa Balewa Square but, while I was enjoying myself there, tears ran down my cheeks when I saw the teachers, that noble set of people, teachers who have taught lawyers, doctors, the Governors and Premiers of this country, crying while others were enjoying. They were standing like mad men in order to show the public that they were not hearkened to.

In Nigeria to-day, all sets of people have been listened to and have been very well treated because they cry out aloud and demand their rights by violence. But teachers who have high standards of spirituality and morals are begging before God and man that they should be listened to and treated the way others have been treated. Senators should have seen what the teachers were doing yesterday. They were crying while others were rejoicing. And was that complete joy? No, the joy was not complete. So, we as the fathers of this country should feel that plight of teachers more than any other person.

People feel that the teachers' strike will not do anything to this country but, as a matter of fact, this is a very slow poison because anybody who is poisoned from the very core cannot escape the poison. Afterall, who are those who teach our children? If teachers mean to upset this country, they can do so, although I am not praying for this to happen. I do not wish to stir up anything that is out of place, I am only appealing to the Ministers who are here to do something for the teachers immediately and see that they are well treated.

Why did the Government not wait for the Police to make some noise before they were well treated? Is it not because of the good work done by the Police in the country? Policemen are now satisfied and we are happy for the good treatment they have been given.

I appeal to Ministers to do something about the conditions of service of teachers. With these few remarks, I beg to support.

Senator Hassan Rafindadi : It gives one great pleasure and inspiration to say a few words at this Adjournment, an adjournment which is taking place after the last Meeting of the Senate.

This august House has really made history. It has added colour and taste to Nigerian politics by not only being the first of its kind in the political evolution of Nigeria but also by being the nations' embodiment of unity and solidarity. Through the matured and valiant judgment of the Senators, as well as their keen sense of duty, this first Nigerian Senate has demonstrated beyond any shadow of doubt that Nigerians can all live in peace, harmony, brotherhood and friendship through our unity in diversity. These are factors which we all recognise as being of cardinal importance to the continued progress of our great country.

The greatest characteristic of this august Senate, Mr President, is its acceptance of the spirit of give and take which is the surest sign of our maturity.

Our ardent hopes and prayers are for the continuity of peace, progress and prosperity of our fatherland, and may the Almighty Allah bless our country, our leaders and all our people.

Senator Chief J. I. G. Onyia : This is a valedictory address and it is a pity time is against us. What I can do now, under these circumstances is to associate myself with the remarks already made by my fellow Senators in paying tribute to the Government as well as to the staff, and to Senators themselves.

I would not like the Senate to go away to be misrepresented by the publication I saw in the *Daily Times* of 1st of October at page 21, which gave the indication that pressure was brought to bear upon the Senators to pass the Press Bill, by Chief Festus Okotie-Eboh, which is not the case.

This was what the *Daily Times* published yesterday, and I beg to quote :—

“PAY HALT THREAT IN THE SENATE

The Finance Minister, Chief Festus Okotie-Eboh, yesterday threatened the Senators when

the Upper House was considering the Newspaper (Amendment) Act."

"He declared: "Why the complaint about the Bill being rushed? All right, don't pass it, and you won't get your salaries."

Some Senators : That was what he said.

Senator Chief Onyia : That was not what Chief Okotie-Eboh said. What people understand by this is that Chief Okotie-Eboh used threat and pressure upon us to make us pass this Bill. That is ridiculous and is a gross misrepresentation.

Senator A. E. Ukattah : On a point of information, what the Senator is saying was actually said by the Minister of Finance, but as a joke.

Senator Chief Onyia : What actually transpired—we will all find it in the *Hansard*—was this. Somebody was raising the point of rushing all the Bills that came before us, so humorously Chief Festus Okotie-Eboh said that if we said all the Bills were being hurried and should be deferred, if we deferred that Supplementary Appropriation Bill, we would not get our salaries.

That was what happened. That was what he said, but the *Daily Times* has portrayed the Senators in a very bad light.

Now, during the official celebrations of our first anniversary as a Republic yesterday, I took notice of what transpired and I was happy about what happened. But it gives me some misgivings about the place of the Senators in the community. It appears that the Government must have to review its protocol to be able to place the Senators in their rightful place whenever they meet in an official ceremony. In my view, I think that after the Ministers, the next people to be accorded a dignified position should be the Senators.

But what happened? After the Ministers yesterday, there were some civil servants and other personalities, and the Senators were kept far behind with every Tom, Dick and Harry. I am sure Senators took notice of this. We did not feel happy about this. So it is time that the Government took cognisance of this so as to review the classification of people.

After all, the Senators are the elders and the fathers of the nation. After the Ministers Senators should come next, and then the Members of the House of Representatives.

The strike of the teachers is most deplorable. The treatment meted out to teachers is not peculiar to Nigeria. It is not. It is so all over the world. That was my reason for joining Rev. Ransome Kuti, Dr Lucas, Mr Efunkoya and Mr Esua in founding the N.U.T., the Nigerian Union of Teachers. I know why we fought for the improvement in the teachers' salaries which came into effect in 1942.

Before that time teachers were not well paid at all; they were not even being paid that which they are being paid now which we say is unsatisfactory. But I think it is most inappropriate, ill-timed and bad that when we are celebrating the first anniversary of our Republic, teachers, responsible teachers, should take occasion of that day to declare a trade dispute and to go on strike. It was bad for us to find school children yesterday being led by soldiers. This could happen any other time, but not during this occasion.

I do not think if men like Rev. Ransome Kuti and Mr Efunkoya—

The President : Order! As you all know the proposal has been made that the Senate should adjourn *sine die* to-day, and it is a well known fact that the people in the Lower House are going back to their constituencies to be re-elected or not to be re-elected again, and that a new Government is likely to come in.

We, as Senators, for these five years, have given our services. As almost everybody here said, my predecessors were great men whose activities you all appreciated. This was expressed even before the last of my predecessors came in here this morning. You all mentioned his name.

I am happy that we have had a House which has been able to carry on its duty with love both for the ruler and the ruled. We want to go back home and perform only one function. That one thing which I would like to ask you as the President of this Senate assembled, to do for Nigeria, is to urge all the Senators to go back home and tell anybody who thinks that

[THE PRESIDENT]

his ambition or his personal or tribal interests are above the interests of Nigeria as a whole, to cease thinking that way. (*Hear, hear*).

Let all of us go home and be the purveyors of the Gospel of Unity for Nigeria. No one particular Region, no one particular tribe can rule Nigeria alone. Let the Senators go home and tell the people that. (*Hear, hear*).

The Minister of Health (*Senator Chief Majekodunmi*), in his speech, has said that some of you will return to this Senate. I do not agree with him on this because I am sure that all of you will return. (*Applause*).

I hope that you remember that we are going to take a group photograph as soon as we leave here. I would also like to propose that as soon as we finish taking the photograph, we should all go in a procession to the palace of

the late Oba Adele of Lagos, who, as you know, was the Deputy President of this Senate. We should visit his palace as a sign of honour.

Let us also remember the Clerks of this Parliament. Sometimes, Senators do not know how much they have helped us to carry out our duties here. We should give them a great deal of thanks for that. We hope that each of them will have his own promotion in due time.

I thank you all for your co-operation, and those whose names I did not mention should not think I have forgotten them.

Question put and agreed to.

Resolved: That the Senate do now adjourn *sine die*.

Adjourned accordingly at twelve noon.

WRITTEN ANSWERS—24th SEPT., 1964

EXTERNAL AFFAIRS

Pilgrim Welfare Officers

*O.41. Senator J. K. Nzerem asked the Minister of External Affairs, what is the total cost to the Federal Government of the maintenance of Pilgrim Welfare Officers during the financial years 1961-62 and 1963-64.

Minister of External Affairs: The total cost to the Federal Government of the maintenance of Pilgrim Welfare Officers during the financial years 1961-64 is as follows:—

	£	s	d
(a) 1961-62 ..	8,966	3	1
(b) 1962-63 ..	12,157	18	7
(c) 1963-64 ..	12,371	6	5

LABOUR

June 1964 Industrial Strike

O.42. Senator J. K. Nzerem asked the Minister of Labour and Social Welfare, how many hours were lost by the Government during the recent strike; and whether he can estimate the cost to the Nation in terms of money.

The Minister of Labour: It is estimated that about 76,528 employees took part in the country-wide strike of June 1964, and that this

resulted in a loss of about 722,114 man-days or 5,776,912 man-hours.

I am not in a position to give an estimate of the financial losses caused by the strike.

EDUCATION

Retiring Benefits of Voluntary Agency Teachers

O.43. Senator J. K. Nzerem asked the Minister of Education, if he is aware of Federal Government's liability to contribute to the retiring allowances of all Voluntary Agency Certificated Teachers employed in all parts of Nigeria before education became a regional subject; and whether in the light of such knowledge he will reconsider his reply to Question No. O.58 of 19th September, 1963.

The Federal Minister of Education: Yes, I am aware, but I do not see how this outstanding liability of the Federal Government, incurred prior to regionalisation of Education, necessitates a reconsideration of my reply to Question No. O.58 of 19th September, 1963, namely that the welfare and service conditions of teachers (including retiring benefits) are matters for the Regional Governments in view of the concurrent status of Education under our constitution.

2nd OCTOBER, 1964

CABINET OFFICE

Police Constables on Beat Duty

O.51. Senator Chief J. M. Egbuson asked the Prime Minister, why policemen are no longer found in uniforms with batons on the BEATS during the day or night for the important duty of preventing crimes.

Minister of State for Police Affairs: Police Constables on beat duty wear uniforms and carry batons at all times in accordance with Police Orders.

Niger Dam and the Rivers People

O.55. Senator Chief J. M. Egbuson asked the Prime Minister, if he will make a statement on the benefits which will be derived by the

people on the River Niger and in particular the lower Niger from the much advertised Niger Dam.

Prime Minister: Apart from generating electricity for the use of the whole country, the Niger Dam, when completed, will also provide the following additional benefits:—

(i) *Navigation.*—It will allow the progressive development of national and international navigation. Passage through the Kainji Dam will be possible by means of two locks and an intermediate basin. Upstream of the dam a reservoir will be formed which will permit river transport to operate between Kainji and the Republique de Niger. Navigation by river crafts will be possible downstream to the sea throughout

the year because the Awuru rapids will be by-passed by a lock and the Bajibo rapids cleared to regulate the flow of water in the river.

(ii) *Flood control.*—Full flood control in the Niger valley as far downstream as the Kaduna river confluence will be effected by the large storage capacity of the reservoir. Partial flood control will be afforded in the stretch of the river from Kaduna river confluence to Lokoja. This flood control will reduce the flooding of the 'Fadama' downstream of Jebba and will allow the expansion of agriculture in this area.

(iii) *Fishing.*—The lake to be formed by the reservoir will provide a large increase of protein from fishery production. The annual catch of fish which will be possible after the establishment of an organised fishing industry has been estimated at over 10,000 tons.

O.56. Senator Chief J. M. Egbuson asked the Prime Minister, if he will state the effect of the Niger Dam on the River Niger's annual floods and the villages on the banks of the River down to Forcados in Mid-Western Nigeria and Akassa in the Eastern Nigeria.

Prime Minister : The attention of the hon. Member is invited to section (ii) of the answer given to Question O.55 on the effect of the Niger Dam on the River Niger's annual floods. There will be no appreciable effect on the villages situated below the confluence of the River Niger with the River Benue.

Mobile Police Unit

O.58. Senator J. K. Nzerem asked the Prime Minister, how many road accidents have been brought to the notice of the Police since the Traffic Police were withdrawn from the roads and replaced by the Mobile Unit; and whether there has been any reduction in the number of road accidents as a result of the new operation.

Minister of State for Police Affairs : Traffic Police have not been withdrawn from the roads. What has happened is that static checks on highways have been replaced by patrols under the command of Superior Police Officers. These men are from the Motor Traffic Division. Traffic police continue to perform duties in the towns.

During the past 4 months since the new procedure began, there were 3,857 accidents reported compared with 3,917 for the similar period last year.

Armed Robbery on Benin-Shagamu Road

O.59. Senator J. K. Nzerem asked the Prime Minister, how many cases of armed robbery on the Benin-Shagamu road have been brought to the notice of the Police; and what arrangement has been made to safeguard the lives and property of people using that road.

Minister of State for Police Affairs : Nine cases of armed robbery on the Benin-Shagamu road have been reported to the Police during the past year. Frequent patrols and road blocks are being made by the Police to combat this threat.

O.60. Senator J. K. Nzerem asked the Prime Minister, whether he will consider the advisability of posting a mobile Police unit at a strategic point on the Benin-Shagamu Road for patrol duty to stop armed robbers from molesting road users.

Minister of State for Police Affairs : As highway robbers do not confine their operations to any particular point on the Benin-Shagamu road, it is considered that their activities will be more effectively combated as at present by frequent Police patrols and road-blocks than by posting a Police unit to any one point on the road.

EXTERNAL AFFAIRS

Bilateral Aid to African Countries

***O.62. Senator Alhaji Abubakar Garba** asked the Minister of External Affairs, what African States have been offered the Services of Nigerian experts and professionals in the field of Law, Medicine, Hydrology, Establishments and Training and Internal Security under bilateral arrangements.

Minister of External Affairs : Bilateral aid has been given by Nigeria to the following African countries at their own request :—

Law.—Republic of Tanganyika and Zanzibar, Malawi, Uganda.

Medicine.—Sierra Leone.

Establishment and Training.—Northern Rhodesia (Zambia), Sierra Leone, Basutoland, Kenya, Tanganyika, Zanzibar, Uganda and Gambia.

Internal Security.—Democratic Republic of Congo, Republic of Tanganyika and Zanzibar.

2. No assistance has so far been given in the field of Hydrology.

African Unity

***O.63. Senator Alhaji Abubakar Garba** asked the Minister of External Affairs what step he is taking to achieve economic and cultural unity among African States.

Minister of External Affairs : Since Nigeria achieved her Independence in 1960, the Federal Government has negotiated a number of Agreements with the Governments of other African States, covering the following fields; Trade and Technical Co-operation, Air Services, Transport, Telecommunications and Customs. In addition, cultural exchanges have been promoted through various exchange programmes.

The Federal Government is aware of the need for African countries to maintain close economic and cultural ties with each other, and will continue to work towards this goal.

COMMERCE AND INDUSTRY

Industrialisation of Western Ijaw

O.26 Senator Chief J. M. Egbuson asked the Minister of Commerce and Industry, what industries he is contemplating to establish in Western Ijaw Division during the Six-Year Development Period.

Minister of Commerce and Industry : There are no immediate plans to establish an industry in Western Ijaw Division during the Six-Year Development Period. Government as a rule does not set up industries. It invests on projects of national importance or those considered viable but for which there is no Nigerian private capital available.

Federal Government Industries in Mid-Western Nigeria

O.27. Senator Chief J. M. Egbuson asked the Minister of Commerce and Industry, how many industries in which the Federal

Government has shares are there in Mid-Western Nigeria; and what are the names of the industries.

Minister of Commerce and Industry : None Sir. The second part of the question does not therefore arise.

Nigerian Tourist Association

O.64. Senator Alhaji Abubakar Garba asked the Minister of Commerce and Industry, what profit has accrued to the Federal Government from the Nigerian Tourist Association since its formation in December 1962, how was the profit shared between the Federal and Regional Governments; and what organisations are full members of the Association.

Minister of Commerce and Industry : The Nigerian Tourist Association is not a profit making organisation and no profit is supposed to accrue directly to the Federal or Regional Governments. The Association's work is to promote the tourist industry by attracting more visitors who come from all parts of the world and spend their money in this country. These receipts form part of the country's invisible export earnings which help to reduce our unfavourable trade balance.

The full members of the Association are all the Governments of the Federation except the Government of Mid-Western Nigeria, Messrs Elder Dempster Agencies Ltd., the Nigerian Airways Corporation, the Nigerian Railway Corporation, the Nigeria Hotels Ltd., the Hotel and Catering Association of Nigeria, the Lagos Airport Hotel, Messrs Compass Travel (Nigeria) Ltd., and the Federal Taxi Drivers' Union.

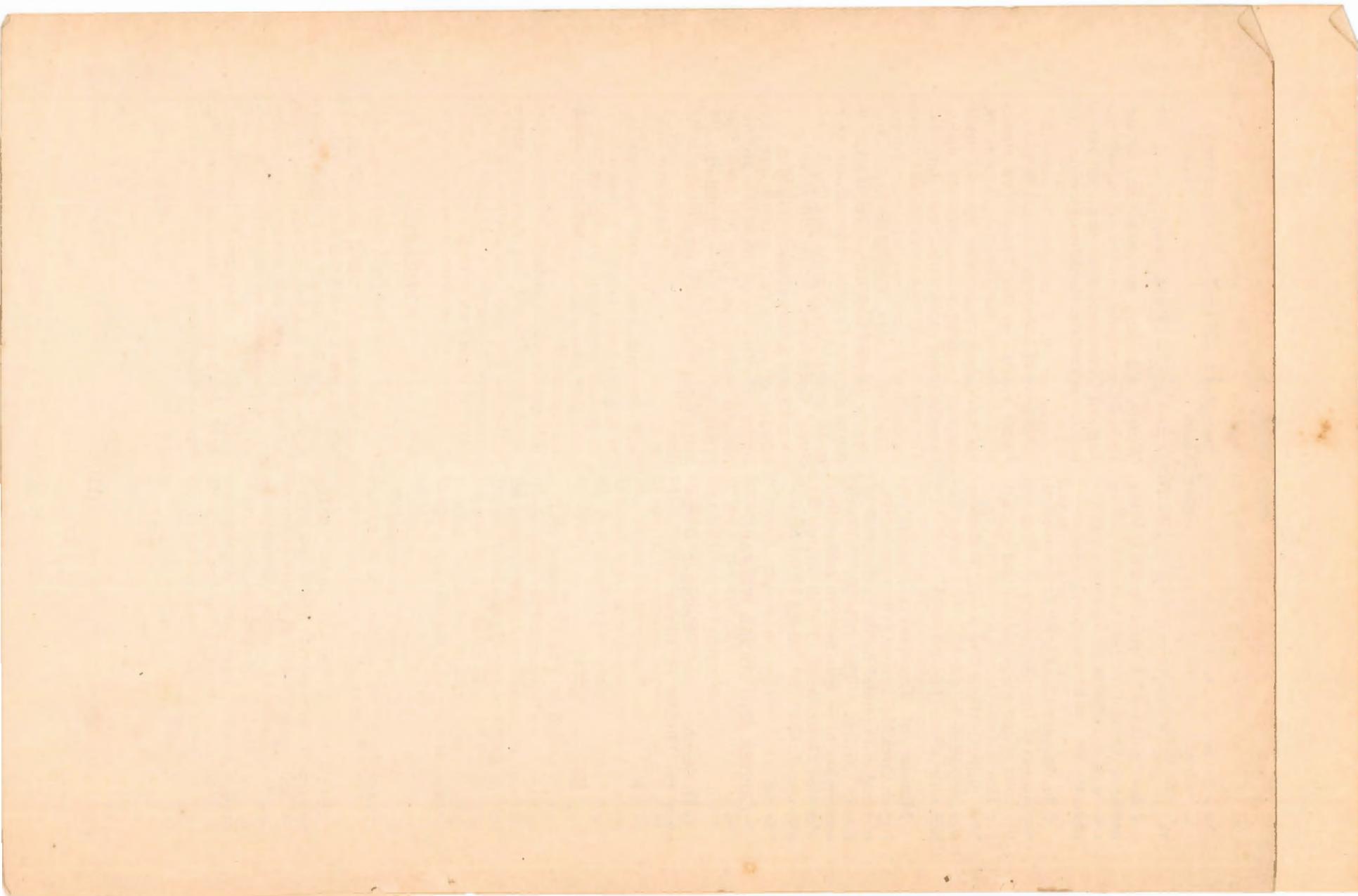
AVIATION

Nigeria Airways Statistics

O.74. Senator Alhaji Abubakar Garba asked the Minister of Aviation what was the profit realised last year by the Nigeria Airways; what was the average passenger and freight traffic month by month for same period.

Minister of Aviation : The statements of accounts for the year ended 31st March, 1963 are still under preparation and will be laid before this House in due course.

The average monthly passenger and freight traffic during last year were as follows:—



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Com. = Committee. Q = Question

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