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Saturday
2nd January, 1960



NORTHERN REGIONAL LEGISLATURE



**PARLIAMENTARY
DEBATES**
(HANSARD)

**HOUSE OF CHIEFS AND
HOUSE OF ASSEMBLY JOINT SITTING
OFFICIAL REPORT**

FIRST JOINT SITTING OF THE SECOND
LEGISLATURE OF NORTHERN NIGERIA

SESSION 1959-60

COMPRISING PERIOD
2nd January 1960

KADUNA
GOVERNMENT PRINTER, NORTHERN REGION OF NIGERIA
1960

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—agreed to.

LIST OF MEMBERS OF THE HOUSE OF CHIEFS

In Provincial Order of precedence

Adamawa

Mallam Aliyu Mustafa, C.B.E., Lamido of Adamawa
 Mallam Muhammadu Tukur, Emir of Muri
 Mallam Ngbale, Chief of Bachama
 Mallam Ibrahim, Chief of Zinna
 Mallam Isa, Chief of Shellem
 Mallam Biyapo, Chief of Mbula
 Mallam Yoila, Chief of Longuda

Bauchi

Mallam Adamu Jimba, C.B.E., Emir of Bauchi
 Mallam Abubakar, C.B.E., Emir of Gombe
 Mallam Umaru, Emir of Katagum
 Mallam Ahmadu, M.B.E., Emir of Misau
 Mallam Muhammadu Wabi, Emir of Jama'are
 Mallam Muhammadu, Chief of Kaltungo
 Mallam Maleka, Chief of Dass
 Mallam Abdullahi, Chief of Ningi
 Mallam Iliyasu, Chief of West Tangale
 The Chief of Dadiya

Benue

Hon. Atoshi Agbumanu, O.B.E., Aku of Wukari,
(Minister without Portfolio)
 Mallam Gondo Aluor, Tor Tiv
 Ogiri Oko, Chief of Idoma
 Mallam Ahmadu, Emir of Keffi
 Mallam Umaru, Emir of Nassarawa
 Mallam Yusufu, Emir of Lafia
 Mallam Muhammadu Sambo Garbosa, Chief
 of Donga
 Mallam Audi, Chief of Takum

Bornu

Alhaji Umaru Ibn Muhammed, C.M.G., C.B.E.,
 Shehu of Bornu
 Alhaji Umaru Ibn Ibrahim Elkanemi, C.B.E.,
 Shehu of Dikwa
 Alhaji Muhammadu, M.B.E., Emir of Fika
 Mallam Maidalla Mustafa, Emir of Biu
 Alhaji Umaru Sulaiman, O.B.E., Emir of Bedde
 Mallam Adama, Chief of Shani

Ilorin

Mallam Sulu Gambari, Emir of Ilorin
 Mallam Umaru, Emir of Pategi
 Alhaji Muhammadu Sani, Emir of Borgu
 Mallam Sule Ndakpotu, Chief of Sharagi
 Mallam Abubakar, Chief of Lafiagi
 Mallam Alhassan, Chief of Shonga

Kabba

Mallam Ali Obaje, the Atta of Igala
 Mallam Muhammadu Sani Omolori, Ohinoyi
 of Igbirra
 Alhaji Abdu Aguyé, Ohimege Igu, Chief of
 Koton Karifi
 Obaro of Kabba *vacant*
 Mallam Maiyaki, Chief of Kupa-Abugi
 Mr Jacob Owonibi, Chief of Ijumu
 Mr Mark Dada, Chief of West Yagba
 Mallam Idirisu, Chief of Eggon

Kano

Alhaji Sir Muhammadu Sanusi, K.B.E., C.M.G.,
 Emir of Kano, *(Minister of Moslem Pilgrimage
 Affairs)*
 Alhaji Haruna, Emir of Hadejia
 Alhaji Muhammadu, Emir of Gumel
 Mallam Adamu, Emir of Kazaure

Katsina

Alhaji The Hon. Usman Nagogo, C.M.G., C.B.E.
 Emir of Katsina, *(Minister without Portfolio)*
 Alhaji Abdurrahman, C.B.E., Emir of Daura

Niger

Mallam Muhammadu Ndayako, C.B.E., Emir of
 Bida
 Mallam Umaru Maidubu, C.B.E., Emir of
 Kontagora
 Mallam Muhammadu Kobo, Emir of Lapai
 Mallam Sulaimanu Barau, O.B.E., Emir of Abuja
 Mallam Muhammadu Sani, Chief of Dabai
 Mallam Muhammadu Bello, Chief of Agaie
 Mallam Muhammadu Bello, Chief of Paiko
 Mallam Ahmadu, Chief of Minna
 Mallam Abubakar Agwai, Chief of Wushishi
 Mallam Muhammadu Abokin Mallam, Chief of
 Tgina

Plateau

Mallam Abdullahi Maikano, M.B.E., Emir of
 Wase
 Mallam Rwang Pam, M.B.E., Sarkin Jos
 Mallam Ibrahim, Chief of Kanam
 Mallam Muhammadu Kwore, Chief of Wamba
 Mr J. Y. Dimlong, Chief of Angas
 Alhaji Abdullahi Idde, Chief of Nassarawa
 Eggon
 Mr Mark Hirse, Chief of Sura Pyem
 Nyelong, Longamai, Chief of Shendam

Sokoto

Hon. Sir Abubakar, G.B.E., C.M.G., Sultan of Sokoto, (*Minister without Portfolio*)
 Alhaji Haruna, C.B.E., Emir of Gwandu
 Mallam Muhammadu Mera, Emir of Argungu
 Mallam Muhammadu Tukur, Emir of Yauri

Zaria

Alhaji Muhammadu Aminu, Emir of Zaria
 Mallam Muhammadu, Emir of Jema'a
 Mallam Gwamna, M.B.E., Chief of Kagoro
 Mallam Jibril, Chief of Birnin Gwari
 Mallam Ishaya Andrew, Chief of Jaba
Adviser on Moslem Law
 Mallam Junaidu, Wazirin Sokoto

Abdu
 Abdu
 Abdu
 Abdul
 Abdul
 Abuba
 Abuba
 Adam
 Ahmac
 Ahmac
 Ahmar
 Ahmec
 Allam,
 Aliyu,
 Aliyu,
 Aminu,
 Anache

 Baki, A
 Bashar,
 Basharu
 Bello, S
 Bello, M
 Bello, M
 Boyi, M
 Buba, M
 Buge, M

 Chigari,

 Dalhatu,
 Dan Alk
 Dankant
 Danmala
 Dantata,
 Dasuki,
 Davies, I
 Demsa,
 Didam, I
 Dingyadi
 Diso, Al
 Dodo, M
 Dzungwe

 Ekunrin,

 Fakai, M
 Farouk, A
 Fatika Al

ALPHABETICAL LIST OF MEMBERS OF THE HOUSE OF ASSEMBLY

(Returned at the General Election, October-November, 1956)

ELECTED MEMBERS

'A'

Abdulkadiri, Alhaji, Sarkin Dekina (Igala North)
 Abdulkadiri, Alhaji, Sarkin Giade (Katagum West)
 Abdullahi, Alhaji Maje, Turakin Kano (Kano South West)
 Abdullahi, Alhaji, Danburan, Sarkin Jada (Adamawa Southern Trust Territory)
 Abdulmumini, Mallam (Katsina South Central)
 Abubakar, Alhaji, Alkalin Alkalai, Sokoto (Sokoto East Central)
 Abubakar, Alhaji, Dokaji, (Kura)
 Adamu, Mallam, Sarkin Duguri (Bauchi Central)
 Ahmadu, Alhaji Shehu, O.B.E., Madakin Kano (Ringim)
 Ahmadu, Mallam, Ardo Malabu (Adamawa North Central)
 Ahman, Alhaji, Galadiman Pategi (Lafiagi)
 Ahmed, Mallam Sama'ila, Sarkin Tsabta Zaria (Zaria East)
 Allam, Mr Joseph D. (Ukum Shitire)
 Aliyu, Alhaji, C.B.E., Makaman Bida (Bida-Agaye)
 Aliyu, Mallam, Magajin Garin Sokoto (Sokoto Town West)
 Aminu, Mallam, Dan Iya, (Bichi)
 Anache, Alhaji Abdu, Magajin Gari (Kontagora-Wushishi)

'B'

Baki, Alhaji Othman Ladan (Katsina Town)
 Bashar, Alhaji Muhammadu, Wambai Daura (Daura)
 Basharu, Mallam, Maiduguri (Yerwa Town North)
 Bello, Sir Alhaji Ahmadu, K.B.E., C.B.E., Sardauna of Sokoto (Sokoto Central)
 Bello, Mallam, Marafan Asara (Sokoto North)
 Bello, Mallam Muhammadu, Sarkin Gandu (Sokoto Town East)
 Boyi, Mallam Muhammadu, Galadiman Gwoza (Dikwa South)
 Euba, Mr Michael Audu (Lowland)
 Buge, Mr Gda (Jos District)

'C'

Chigari, Mallam Shehu (Sokoto South)

'D'

Dalhatu, Alhaji, Bida (Gwandu Central)
 Dan Alkali, Mallam Abba (Kano North)
 Dankantoma, Mallam Baba (Gusau Town)
 Danmalam, Alhaji Muhammadu, Wamban Katsina (Katsina East)
 Dantata, Alhaji Ahmadu (Kano City East)
 Dasuki, Mallam Ibrahim, Marafan Gada (Sokoto North Central)
 Davies, Mr J. B. (Special Member)
 Demsa, Mallam Ibrahim, Dan Iya, Adamawa (Adamawa Northern Trust Territory South)
 Didam, Mallam, Kagoro (Zaria South East)
 Dingyadi Mallam Muhammadu Sani, Makaman Sokoto (Sokoto West)
 Diso, Alhaji Mamudu (Kano City South)
 Dodo, Mallam Muhammadu, Karamin Alkalin Katsina (Katsina North East)
 Dzungwe, Mr Ako (Kwande)

'E'

Ekunrin, Mr J. G. (Ilorin South)

'F'

Fakai, Mallam Muhammadu, Sarkin Gobir, Bayawa (Argungu)
 Farouk, Alhaji Ndagi (Bida Town)
 Fatika Alhaji Ahmadu, Sarkin Fada (Zaria West)

'G'

Gashash, Mallam Ibrahim Musa (Kano City West)
 Greenfield, Mr K. G. (Special Member)
 Gwamna, Alhaji Isiaku (Jos Town)
 Gyani, Mallam Maude Sidi Ahmadu (Zaria South West)

'H'

Habib, Mallam Abba Mohammed (Dikwa North)
 Hashim, Alhaji Tijjani (Sumaila)
 Hassan, Alhaji, Makaman Abuja (Abuja-Lapai)
 Hinton, Mr Donald (Special Member)
 Hurdi, Mallam Muhammadu (Hadejia South-West)

'I'

Ibrahim, Alhaji, M.B.E., Wazirin Gumel (Gumel)
 Ibrahim, Alhaji, Biu (Biu)
 Idrisa, Mallam Maina (Potiskum)
 Idrisu, Mallam, Tafidan Adamawa (Adamawa Northern Trust Territory North)
 Imam, Mallam Baba Kura (Bornu North)
 Imam, Mallam Ibrahim (Yerwa Town South)
 Indiorhwer, Mr Jacob Mbaakaa (Jengba)
 Inuwa, Alhaji Muhammadu, Galadiman Kano (Dawakin Kudu)
 Isa, Alhaji, Kaita, O.B.E., Madawakin Katsina (Katsina South)
 Iyorkar, Mr MacDonald Dzungwenen (Jecira)

'J'

Ja'afar, Mallam Abdullahi (Bornu North West)
 Jarfata, Mallam Audu (Muri South West)
 Jatau, Mallam Gwani' (Jema'a)
 Jibir, Mallam Daura (Kano Central)

'K'

Kabir, Alhaji Muhammadu, Chiroman Katagum (Katagum North)
 Kassim, Alhaji Haruna (Kano Waje)
 Keffi, Mallam Bala (Kaduna Capital Territory)
 Kwairanga, Mallam Muhammadu, Chiroman Gombe (Gombe South)
 Kyari, Maina Abba (Bedde)

'L'

La'aro, Mallam Ibrahim (Ilorin Town)
 Lame, Mallam Yakubu, Magajin Garin Bauchi (Bauchi West)
 Lawal, Alhaji Muhammadu, District Head Yandaka (Katsina Central)
 Liman, Alhaji Usman, Sarkin Lusawa (Katsina East Central)
 Lot, Pastor David (Pankshin West)

'M'

Maccido, Alhaji Muhammadu, Sarkin Kudu (Sokoto South Central)
 Mahiru, Mallam Shehu (Zaria Town)
 Mahmud, Mallam Ibrahim (Misau)
 Maihaja, Mallam Yunusa (Nguru Town)
 Maikano, Alhaji Abdullahi, Dutse (Dutse)
 Mairiga, Mallam Jibirin (Nassarawa)
 Maito, Alhaji Sulaimanu (Ilorin North)
 Maiwada, Alhaji (Wudil)
 Malabu, Mallam Bello, Madawakin Adamawa (Adamawa South Central)
 Mamiso, Mr Edmond, B. (Numan)
 Masta, Mallam Abba (Bornu West)
 Mu'azu, Alhaji, Sarkin Ruma (Katsina North West)
 Mu'azu, Mallam Lamido (Sokoto North East)
 Muhammad, Alhaji Musa, Magajin Gari (Borgu)
 Muhammadu, Alhaji, Magajin Garin Kazaure (Kazaure)

M
M
M
M
M

Nai
Nac
Nac
Nal
Nar
Nay
Nur

Obe
Ogb
Ohik
Ojeb
Olaw
Orjin

Sanus
Shata
Shehu
Shetti
Shua,
Sikkar
Soba,
Sule,
Sulaim

Tela,
Tijjani
Tureta

Uba, A
Uband
Ukpab
Umaru
Umaru
Usman
Usman
Usman
Usman

Wuyep,

Yusufu,
Yusufu,

The Att

ALPHABETICAL LIST OF MEMBERS

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'M'—continued

Muhammadu, Mallam, Yariman Gombe (Gombe North)
 Muhammadu, Mallam Sarkin Ayyuka Sokoto (Sokoto South-East)
 Mukaddam, Alhaji Usman (Bornu East)
 Musa, Alhaji, Sarkin Danko (Sokoto South)
 Mustafa, Alhaji Monguno (Bornu North-East)

'N'

Nabegu, Alhaji Ali (Kano South)
 Nadada, Alhaji Muhammadu Sada, Sarkin Sullubawa (Katsina North)
 Nadanko, Mallam Usman (Zuru)
 Nahanun Dama, Mallam Baba (Gwari-Kamuku)
 Namallam, Alhaji Garba, Arzika (Sokoto North-West)
 Nayaya, Mallam Jibir (Bauchi North)
 Nunku, Alhaji Mu'azu Gambo (Southern Plateau)

'O'

Obekpa, Mr Abutu (Idoma North West)
 Ogbadu, Mr Daniel (Igala South)
 Ohikere, Mr G. U. (Okene Town)
 Ojeba, Mr R. B. (Igbiria)
 Olawoyin, Mr J. S. (Offa Town)
 Orjime, Mr Vincent Igbaramum (Iharev-Masev-Nongov)

'S'

Sanusi, Alhaji Ado (Gwarzo)
 Shatambaya, Mallam Adamu (Yawuri and Gwandu South)
 Shehu, Mallam, Usman Sarkin Gabas (Gwandu North)
 Shettima, Alhaji Yakubu (Dawakin Tofa)
 Shua, Mallam Abba Kyari (Bornu South)
 Sikkam, Mallam Abubakar, Ma'ajin Tangale-Waja (Tangale-Waja)
 Soba, Mallam Anjo (Zaria North)
 Sule, Mallam, Gaya (Gaya)
 Sulaiman, Alhaji Usman (Kwara)

'T'

Tela, Mallam Haruna (Kaura Namoda Town)
 Tijjani, Mallam Ahmadu, Kurawa (Kano South East)
 Tureta, Alhaji Muhammadu, Turakin Sokoto (Sokoto East)

'U'

Uba, Alhaji, Ringim (Jahun)
 Ubandoma, Mallam Muhammadu (Muri North East)
 Ukpabi, Mr Ajene (Idoma South East)
 Umaru, Alhaji, Sarkin Fulanin Ja'idanawa (Dambatta)
 Umaru, Mallam, Yola (Kano East Central)
 Usman, Alhaji, Mukaddam, Yerwa (Bornu East)
 Usman, Mallam, Sarkin Baura, Dange (Sokoto West Central)
 Usman, Mallam Shehu Galadiman Maska (Katsina South-West)
 Usman, Mallam Shehu, Sarkin Daji (Lafia)

'W'

Wuyep, Mr Gabriel (Pankshin East)

'Y'

Yusufu, Alhaji, Galadiman Hadejia (Hadejia North East)
 Yusufu, Mallam Tanko (Wukari)

Official Member

The Attorney-General, Northern Region

GOVERNMENT OF NORTHERN NIGERIA

(Formed by Alhaji the Honourable Sir Ahmadu Bello, K.B.E., M.H.A., the *Sardauna of Sokoto* in December, 1956)

- The Premier, Alhaji the Honourable Sir Ahmadu Bello, K.B.E., M.H.A., *Sardauna of Sokoto*
- The Honourable Sir Abubakar, G.B.E., C.M.G., M.H.C., Sultan of Sokoto—*Minister without Portfolio*
- The Honourable Alhaji Sir Muhammadu Sanusi, K.B.E., C.M.G., M.H.C., Emir of Kano—*Minister for Pilgrim's Affairs*
- The Honourable Alhaji Usman Nagogo, C.M.G., C.B.E., M.H.C., Emir of Katsina—*Minister without Portfolio*
- The Honourable Atoshi Agbumanu IV, O.B.E., M.H.C., Aku of Wukari—*Minister without Portfolio*
- The Attorney-General, the Honourable Mr H. H. Marshall, C.M.G., Q.C.
- The Minister of Finance, the Honourable Alhaji Aliyu, C.B.E., M.H.A., Makaman of Bida
- The Minister of Education, The Honourable Alhaji Isa Kaita, O.B.E., M.H.A., Madawaki of Katsina
- The Minister of Trade and Industry, the Honourable M. Abba Habib, M.H.A.
- The Minister of Works, the Honourable Mr George U. Ohikere, M.H.A.
- The Minister of Land and Survey, the Honourable Mallam Ibrahim Muša Gashash, M.H.A.,
- The Minister for Local Government, the Honourable Alhaji Abdullahi Maikano Dutse, M.H.A.
- The Minister of Health, the Honourable Alhaji Ahman Pategi, M.H.A., Galadima of Pategi
- The Minister of Agriculture, the Honourable Alhaji Mustafa Monguno, M.H.A.
- The Minister of Animal Health and Forestry, and for Northern Cameroons Affairs, the Honourable Alhaji Abdullahi Dan Buram Jada, M.H.A., Galadima of Jada
- The Minister of Social Welfare and Co-operatives, the Honourable Mallam Michael A. Buba, M.H.A., Waziri of Shendam
- The Minister of Internal Affairs, the Honourable M. Shehu Usman, M.H.A., Galadima of Maska
- Ministers of State—The Honourable Mallam Mu'azu Lamido, M.H.A.
- The Honourable Alhaji Muhammadu Kabir, M.H.A., Chiroma of Katagum
- The Honourable Mr D. A. Ogbadu, M.H.A.
- The Honourable Mr Abutu Obekpa, M.H.A.

PARLIAMENTARY SECRETARIES

(do not sit in the House of Chiefs)

- Premier's Department—Mr S. A. Ajayi, M.H.A.
- Ministry of Finance—Alhaji Ahmadu Fatika, M.H.A., Sarkin Fada, Zaria
- Ministry of Education—Alhaji Dalhatu Bida, M.H.A.
- Ministry of Trade and Industry—Mallam Tanko Yusufu, M.H.A.
- Ministry of Works—Alhaji Ibrahim, Biu, M.H.A.
- Ministry of Land and Survey—Mallam Sule Gaya, M.H.A.
- Ministry for Local Government—Alhaji Muhammadu Bashar, M.H.A., Wamban Daura
- Ministry of Health—Alhaji Ndagi Faruk, M.H.A., Tafidan Bida
- Ministry of Agriculture—Alhaji Usman Sulaiman, M.H.A.
- Ministry of Animal Health and Forestry, and Ministry for Northern Cameroons Affairs—Alhaji Mu'azu Gambo Nunku, M.H.A.
- Ministry of Social Welfare and Co-operatives—Mr Edmond B. Mamiso, M.H.A.
- Ministry of Internal Affairs—Alhaji Tijjani Hashim, M.H.A.

President

Alhaji the Honourable Haruna, C.B.E., M.H.C.
(Emir of Gwandu) (*President House of Chiefs*)

Deputy President

Alhaji Umaru Gwandu, M.B.E., (*Speaker
Northern House of Assembly*)

Clerk to Regional Legislature

Alhaji Muhammadu Ladan, M.B.E.

Clerk Assistant

*M. Abdullahi K. Muhammadu

Second Clerk Assistant

Vacant

Editor of Official Report (*Hansard*)

Mallam Mukhtar A. Tahir

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M. Sani Bala

M. Sulaiman A. Yero

Serjeant at Arms

R. S. M. Abdullahi Mango, B.E.M.

*Seconded from other Government Departments.

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

OF THE FIRST JOINT SITTING

IN THE THIRD SESSION OF THE SECOND PARLIAMENT OF NORTHERN NIGERIA APPOINTED TO MEET AT LUGARD HALL ON THE SECOND DAY OF JANUARY, 1960

VOLUME I

HOUSE OF CHIEFS AND HOUSE OF ASSEMBLY JOINT SITTING

Saturday, 2nd January, 1960

The House met at 10 o'clock

(THE PRESIDENT in the Chair)

PRAYERS

Mr President (Alhaji The Hon. Haruna, C.B.E., M.H.C.): I should like to welcome all the Members of both Houses to the first Joint Sitting. If the Members have no objection, I will start with item 3 on the Order Paper. So I will call upon the Emir of Katsina.

Adjournment *Sine die*—Motion

The Emir of Katsina (Alhaji The Hon. Usman Nagogo, C.M.G., C.B.E., M.H.C.): I beg to move, That this Joint Sitting at its rising this day do adjourn *sine die*.

The Aku of Wukari (The Hon. Atoshi Agbomanu O.B.E., M.H.C.): I beg to second.

Question proposed.

Mr J. S. Olawoyin (Offa Town): I do not support this Motion. What is the need for moving such a motion to adjourn *sine die*? I should therefore suggest to the President to allow this motion to be suspended.

The Minister of Education (Alhaji The Hon. Isa Kaita, O.B.E.): On point of order. Has the hon. Member put down an amendment?

Mr President: Actually, he has not.

M. Ibrahim Imam (Yerwa Town South): There is no need to put down any amendment. He is speaking on a Motion already moved by the Emir of Katsina, and he has a right as a Member of this House to make his point.

Mr Olawoyin: The Minister has no right to mislead the President. It is the procedure in

any Parliament to allow a Member of the Parliament to express his view with regard to the point being debated in the House. In this case, the Emir of Katsina has already moved a Motion and I am speaking on that Motion.

Mr President: I think there is plenty of time, up to 6 o'clock. Now, we can hear the views of the other Members.

M. Ibrahim Imam: I should like, with due respect to the Chair, to state the importance of the fact that this Motion is pre-mature and intended to infringe the right of the minorities. The contention of the Opposition is that the Government did not consult us before the selection was made.

Mr President: We have not come to that point yet.

M. Ibrahim Imam: Thank you, Mr President. As a matter of course, the Members of this House will take a longer time to debate the Motion to be moved by the hon. Premier, in fact, longer time than the Government anticipated. That is the reason why we feel very much concerned over this Motion and we should therefore express our disappointment. We have no other alternative than to oppose it.

The Hon. Acting Attorney-General (Mr I.M. Lewis): All that can be done with regard to this motion is either to accept or reject it; not, as the Member for Offa has pointed out, to suspend it.

Question put and agreed to.

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR

SELECTION OF SENATORS

Mr President: Hon. Members, the proclamation having been published in the Northern Regional Gazette and circulated to you all, is taken as read. I will now proceed to read a message which I have received from His Excellency, the Governor of the Northern Region, Sir Gawain Bell:—

[MR PRESIDENT]

31st December, 1959.

“The President,
Joint Sitting of the House of Chiefs and
House of Assembly summoned in accordance
with my Proclamation of the 23rd December,
1959,
Lugard Hall,
Kaduna.

Sir,

In accordance with regulation 3 of the
Election (Senate) (Northern Region) Regula-
tions, 1959, I have selected the following
twelve persons to represent the Northern
Region as members of the Senate of the
Federal Legislature:—

Mallam Hassan Yola, Turaki: Adamawa
Province

Alhaji Abubakar Garba, Madakin
Bauchi: Bauchi Province

Mr Henry Oravande Abaagwu: Benue
Province

Zanna Megella Sherif: Bornu Province

Mallam Sani Okin: Ilorin Province

Mallam Abdussalami Yusufu: Kabba
Province

Alhaji Muhammadu Sani Ungogo: Kano
Province

Mallam Hassan Rafindadi: Katsina
Province

Alhaji Abubakar Bale: Niger Province

Mallam Bawa Malake: Plateau Province

Mallam Muhammadu Sani Dingyadi:
Sokoto Province

Mallam Nuhu Bamalli: Zaria Province

Now, therefore, I do hereby invite this
Joint sitting of the House of Chiefs and
House of Assembly to approve the selection
of the aforesaid twelve persons as members
of the Senate to represent the Northern
Region.

GAWAIN BELL,

Governor of the Northern Region”

ORDER OF THE DAY

Appointment of Senators—Motion

**The Minister of Education (Alhaji The
Hon. Isa Kaita, O.B.E.):** I beg to move the
Motion standing in the name of the Hon.
Premier on the Order Paper,

That this Joint Sitting of the House of Chiefs
and House of Assembly hereby approves the
appointment of each of the following selected by
His Excellency, the Governor of the Northern
Region of Nigeria in accordance with regulation 3
of the Elections (Senate) (Northern Region) Regu-
lations, 1959, as a Member of the Senate to represent
the Northern Region:—

Mallam Hassan Yola, Turaki: Adamawa
Province

Alhaji Abubakar Garba, Madakin Bauchi:
Bauchi Province

Mr Henry Oravande Abaagwu: Benue Province

Zanna Megella Sherif: Bornu Province

Mallam Sani Okin: Ilorin Province

Mallam Abdussalami Yusufu: Kabba Province

Alhaji Muhammadu Sani Ungogo: Kano
Province

Mallam Hassan Rafindadi: Katsina Province

Alhaji Abubakar Bale: Niger Province

Mallam Bawa Malake: Plateau Province

Mallam Muhammadu Sani Dingyadi: Sokoto
Province

Mallam Nuhu Bamalli: Zaria Province.

Mr President, we have now heard His
Excellency's message informing you of his
selection of twelve persons to represent our
Region as members of the Senate of the Federal
Legislature. His Excellency now invites us to
approve this selection and the Motion before
the Joint Houses today calls us to give our
approval.

However, before we proceed further with our
business, Members may find it useful if I
remind them briefly of the background leading
to this new political development in Nigerian
constitutional history. At the Constitutional
Conference held in London in 1957, it was
agreed that there should be two Legislative
Houses for the Federation: a House of Re-
presentatives and a Senate. The Senate's life
was to be conterminous with that of the House
of Representatives and it was to have similar
powers to that House save that it should have
no power to initiate or to delay money Bills.

It would also have delaying power for a period
of six months over Bills, other than money
Bills, which had been passed by the House of
Representatives. In other words, the Senate
is to play a role similar in many respects to that
of the House of Lords in London.

As regards the composition of the Senate the
Conference recommended, and the recom-
mendations have been written in the amended
Constitution, that each Region should provide
twelve Senators who should possess the same
qualifications as those required for membership
of the House of Representatives, who should
not be less than forty years old and who should
not be members or retain membership of any
other Legislative House. At that 1957 Con-
ference, our Government indicated its intention
that the twelve Senators should each represent
one of our provinces. The Conference left
the nomination of Senators, subject to those
qualifications, to Governments as they saw fit.

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You now have before you the list of twelve eminent persons, submitted by the Regional Government, who have been selected by His Excellency to represent our Region in the Federal Senate. They are, without exception, persons of great experience not only of their own provinces but of Regional Affairs, and I am confident that they are well fitted to fill the high posts to which they are to be called, and to bear the responsibility of the representation of our Region in the new Senate.

In accordance with paragraph 10 of the Standing Orders of this Joint Sitting, I now move the Motion for a resolution approving His Excellency's selection of these twelve persons.

Minister of Trade and Industry (The Hon. Abba Habib): I beg to second.

Question proposed.

Sarkin Nasarawa Eggon, Alhaji Abdullahi Idde: I rise to support this selection made by His Excellency the Governor of the Northern Region. In my opinion the selection is an important step forward and doubtlessly pleasing to all of us especially that each province in the Northern Region is represented. But I would be pleased to know, Mr President, whether from amongst those selected, one or two would be required to reside in Lagos.

Mr J. S. Olawoyin (Offa Town): Mr President, the Motion of the Minister of Education is unfortunate, improper and unpopular on the following grounds. The method of appointment adopted by the Government is in sharp conflict with the unanimous agreement reached at the London Constitutional Conference. I refer all Members of the House to paragraphs 29 and 30 of the Report of the Conference. The Government has exhibited flagrant disregard for Parliamentary Opposition and also exposed the dictatorial tendency of the Northern Peoples Congress Government. It is also shocking that the Northern Peoples Congress has not taken into consideration the fact that the Opposition Parties in the North won as many as thirty-three seats in the recent election to the House of Representatives. Now the Northern Peoples Congress wants to bamboozle the House by making the appointments solely and exclusively from Members of the Northern Peoples Congress, to the exclusion of the Members of the Opposition Parties in the Northern Region. It is also unfortunate because this is the first meeting of the House in this year of Independence and the first duty of the Northern Peoples Congress Government is to show its disrespect for Parliamentary Opposition.

The Minister has explained to us what has lead to the appointment of the Senators in this country, but he deliberately omitted some material facts. Paragraphs 29 and 30 of the Report definitely show that the Governments of all Regions should consult the Opposition Parties in their respective Regions before making any appointments. It was agreed that, in appointing Senators, the selection should not be made to the exclusion of the Opposition Parties. But, contrary to this agreement, the Northern Peoples Congress has now appointed twelve Senators, all of whom are defeated Northern Peoples Congress candidates in the last Federal elections, without consulting anybody.

The Minister told us in his speech that the Senators well represent the Northern Region, and that the Members of the Senate should have equal qualification with the Members of the House of Representatives. With your permission, I would like the Minister to give an answer to this question. How would unpopular Northern Peoples Congress candidates who were defeated in an election, have the same qualifications with the popular candidates of the Opposition Parties who were elected to the House of Representatives? Secondly, how would somebody who was rejected even by his own party at the nomination level—that he should not contest the election because he was sure to fail, and I am here referring to Mallan Sani Okin of Ilorin—have the same qualification with Mr Olatunde who was elected to the House of Representatives. He failed to secure nomination at the party level. [ALHAJI DALHATU BIDA: "How do you know?"] I know because the Emir of Ilorin [HON. MEMBERS: Sit down].

Mr President: There is no amendment.

Mr J. S. Olawoyin: Thank you, Sir.

Hon. Alhaji Isa Kaita: Mr President, Sir, on a point of order. I would like the Member to withdraw his improper motive on the Emir of Ilorin. [MR J. S. OLAWOYIN: "Which Order?"] 26.

Mallam Ibrahim Imam: Point of Order, Mr President.

Mr President: Bad remarks should not be made against any member. I would ask the Member to withdraw his statement.

Mr J. S. Olawoyin: Thank you, Mr President. It is parliamentary practice that nobody should argue with the Chair. It is also the practice that if anybody wishes to misrepresent the opinion of a Member he

[MR J. S. OLAWOYIN]

should explain himself to the Speaker. The Minister of Education is misrepresenting me, I have never said anything against the Emir of Ilorin. But I withdraw.

It is now plain that the Minister cannot give reasonable answers to my questions to show whether the unpopular people appointed as Senators have the same qualification with the popular Action Group and Northern Elements Progressive Union candidates who have been popularly elected by the people of the Northern Region to the House of Representatives. I have one golden advice for the Northern Peoples Congress Government, Mr President, and that is that the Northern Peoples Congress would lose nothing but would gain the admiration of the whole world if it could, on the grounds already explained and further grounds which will be brought to the floor of the House by the Leader of the Opposition, withdraw all these names and consult the Parliamentary Opposition before making its selection. They should do so only for the fact that the Prime Minister of the Federation will be embarrassed, being a member of the Northern Peoples Congress, to find that the other Regions have consulted their Opposition parties before making the appointments, but that his own party has not done so because of their usual dictatorial way.

Lastly, I shall give one final example. Just as the Minister referred to the House of Lords, I shall refer to the House of Chiefs in the Region. All Chiefs and Emirs who are Members of the House of Chiefs represent their respective Emirates. They are traditional heads of their areas and should not be expected to affiliate with any political party. Therefore, they fully represent the Northern Region in the House of Chiefs. Therefore, since the upper house is to have representatives from each Region, the Senators who are politicians must represent each shade of political opinion in each Region. But all these unpopular and defeated Northern Peoples Congress candidates who are now appointed Senators cannot claim to be representatives of the Northern Region. Mr President, Sir, I beg to oppose this Motion.

Mallam Maude Gyani (Zaria South West) (*in Hausa*): I rise to appreciate the selection of these people as Senators. Surely, Mr President, His Excellency the Governor has made a wise selection. But, while speaking on this Motion before the Joint Sitting, I would like to remind the Opposition Members, who are sitting beside me, that it is time we pulled

ourselves together. This is a national issue on which we should have one voice. I would like, therefore, all of us here to bear in mind that we should forget all our internal differences and see to it that those who are expecting the downfall of our Region are disappointed.

I am not a member of the Northern Peoples Congress but I now speak as a Northerner, and as such I must be proud of whoever are selected from the North. In my opinion, it is inappropriate to listen to the Opposition who have just come here to cause confusion. We should all hope that these twelve people selected to represent us in the Senate will make it a pledge to serve this Region and bear in mind the overall interests of the people. We should also remember that we are now talking of Independence.

Mr Olawoyin: Point of Order 13 of the new Orders. [M. IBRAHIM IMAM: "Equivalent to 26 (4) of the House of Assembly Orders."]

Mr President: What do you want to point out to him?

Mr Olawoyin: He was talking of Independence, and we are not talking about Independence now, it is therefore irrelevant.

Mallam Maude Gyani: I cannot follow his point. Without achieving Regional autonomy and expecting to achieve Federal Independence in due course, could we have reached this stage in our constitutional evolution? All these things are owed to the Northern Peoples Congress. I therefore have every right to say something on it.

Mr President, Sir, in my opinion it is high time we ignore all the confusions the Opposition is trying to cause. With these few remarks, I fully support the selection of these people as Senators.

Mallam Ango Soba (Zaria North) (*in Hausa*): Mr President, Sir, I rise to oppose the method used in selecting these people to represent the North in the Senate, because it is improper. It is not that we hate those selected, not in the least, all that we oppose is the method. Before selection of such a nature is done in this Region I was of the opinion that Members of the Opposition Bench would be consulted. This is very important.

At any rate, I am very pleased that the selection has been made on provincial basis. It would only have been better had it been that during the selection the state of the parties in each province was first taken into consideration. Thus, in provinces where the

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Opposition parties won a majority during the recent Federal elections, the Opposition should have been asked to select a representative to the Senate. For instance, in Zaria where the Opposition won six of the eight seats and the Northern Peoples Congress won only two.

It is important to note that everyone privileged to sit here today represents his people. In the light of this fact I, therefore, see no reason why we have been ignored. Considering the votes scored by the Opposition parties in this Region during the last Election, it would be found that it is undemocratic to disregard the Opposition completely. From what we have been hearing of other countries, Mr President, we have been made to believe that Governments do consult their Leaders of Opposition on matters such as this. However, we, the Opposition, are still on our guard to see to the defeat of those who are militating against our interests—by the grace of God. It is very shameful to note too that some Members who are now on the Government side were elected to this House on the platform of the Opposition Parties but crossed the carpet. They are ungrateful hypocrites.

Mr President: We are now talking only about the selection of Senators.

M. Ango Soba (in Hausa): Thank you Mr President. We of the Opposition oppose the method used in the selection of these Senators, because we are sure, though we are not considered, that their work as Senators will affect us. We would, therefore, like to make it clear to this Joint Sitting that we oppose the method and as such we have no support for the Motion now before the House at all.

M. Haruna Telá (Kaura Namoda Town) (in Hausa): Mr President, I have seen only one thing to talk on with regard to this Motion. Sir, I have never seen an instance where a parent of ten children decides to abandon one of them. What is obviously appropriate is for the parent to bring up all of them without discrimination. I am afraid, Sir, it is not so with our Government. It has really shown discrimination in the selection of the Senators. The Government has shown that Opposition Members should be ignored. But, though the Government may not know the activities of these people, we from villages, know their behaviour quite well. We know how they often victimise the common people. I therefore oppose the way this selection was carried out.

M. Shehu Mahiru (Zaria Urban) (in Hausa): I rise to comment on the selection of these people. The objective is to help the Region as

a whole, but in actual fact this will in no way contribute to the material progress of this Region. The reason why I say so is that all the people selected are members of the Northern Peoples Congress and I am sure they are people who will not cater for the Region's interest generally. They are not people of integrity who will give an unbiased service to the country. They are not people who will sympathise with the common people of this Region and when they get to the Senate they will not care to help the Region as a whole. They will not advance any argument that will aid the progress of the people. They will only be keen in pleasing the selected few at the top. Mr President, this selection is improper. Had it been properly made some people who are in sympathy with the Opposition would have been selected. This approach to the selection clearly shows that we are now going back to the old undemocratic Government which knew no opposition at all. If the selection had been democratically done, at least an opposition member would have been included.

Alhaji Isa Kaita: This gentleman is only abusing these people. Point of Order 24 (2).

Mr President: I think the Hon. Minister is correct.

M. Shehu Mahiru (in Hausa): Mr President, I would suggest that this selection be rejected because those selected are not people of integrity.

Mr J. G. Ekurin (Ilorin South): Mr President, in opposing this Motion, I should like to make three important remarks. The Government has acted in an undemocratic and unfair way in the selection of these twelve Senators to the Federal Upper House because:—

(1) the Government failed to recognise and comply with the procedure laid down by the Government itself in the Report of the Constitutional Conference for the selection of Senators;

(2) it is clearly laid down in the procedure that consultation must be made with the opposition before the selection of those twelve men could be made.

As these twelve names of the men appeared in the Order Paper today, I really believe that their selection has already been made by the Government some days ago after consulting many members of Government side of the House only and perhaps the twelve people themselves, but without any consultation with the opposition. It has now just been brought before the House today for us to hear what has been done;

[MR J. G. EKUNRIN]

(3) it was also laid down in the procedure that consideration ought to be made by the Government with the Opposition in the selection in order that the opposition may be given representation in the Upper House. At least two people ought to be selected from the Opposition by the Government, but the Government failed to do so and that shows that the Northern Peoples Congress Government would not give any regard to the Opposition parties in this House.

In any democratic Government full respect ought to be given to the Opposition who should even be consulted on all national affairs. For these reasons, I advise the Government to withdraw this Motion until well consultation has been had with the Opposition. Therefore Sir, I beg to oppose the motion.

M. Basharu (Yerwa Town North) (*in Hausa*): I rise to oppose the Motion before the House on the ground that the Government has clearly shown a complete disregard for the Opposition. I would suggest to the Government to suspend this Motion for six months so as to see how other Regions would make their own selection. My fear of the Northern Peoples Congress Government is now genuine in that the Government, being conscious of its weaknesses, calls upon the Chiefs together with the Members of the House of Assembly to put a rubber stamp to what is a *fait accompli*. I know that the Emirs and Chiefs were not consulted before this selection was made. Every Member of this House knows that I have not attended the London Constitutional Conference, but my party, which is affiliated to a party that was represented at the Conference, was represented by a member, who I am sure understood all that went on at the Conference. Mr President, Sir, I beg to oppose the Motion before the House.

Alhaji Isyaku Gwamna (Jos Town) (*in Hausa*): I rise to support the Motion before the House. With regard to the selection, Sir, I think the Government has done well to choose these eminent people because they are men of great experience, and I am pleased to understand that all those chosen are above the age of forty. This shows that the people are fully matured to take the responsibilities given to them.

Mr President, Sir, taking the names of these people one by one, I find that each Province in the North is represented. This is the most important thing attached to this selection. Taking for example the Turaki of Adamawa:

he has done a lot for this Region. He has a sense of responsibility and all the requisite qualifications. He is also a man of integrity. Turning now to the proposed Senator for Bauchi Province, the Madawaki of Bauchi Mallam Abubakar, everyone knows the great work he has done for this Region. Mr President, these people are fully qualified to represent this Region in the Senate and as such I feel we should support the Motion and not listen to the Opposition who have nothing sensible to say.

Mr President, when we were at home we heard over the Radio some comments about the selection made by somebody from the Opposition Bench, who calls himself the Opposition Leader. He commented that the Opposition should have been consulted first before the selection was made. He is mistaken. While still on this Sir, I would like the Government to inform the House who are the Opposition and when their Leader was appointed. I have for long been a Member of this House and all that I know is that the Leader of the Opposition was deposed. They are now all scattered and most uncertain of themselves but, they continue to say that the Opposition should have been consulted.

Mr President: You are going out of the way. We are talking on Senators.

Alhaji Isyaku Gwamna (*in Hausa*): I know these people selected will well represent this Region because of their vast experience which will enable them to co-operate with other experienced people in the Senate to run the affairs of the country as a whole. I am sure that these people will do their work well and I hope Mr President will now put the question. I support the Motion.

Alhaji Isa Kaita (*in Hausa*): I feel that we are wasting our time on this Motion. Those who have spoken against it have not put forward any concrete suggestions to the contrary. We can see that their comments are centred on one point and that is the Opposition has not been consulted. [M. IBRAHIM IMAM: Is the Minister addressing the House?] Mr Olawoyin even went so far as to cause confusion when he was talking on Paragraphs 29 and 30 of the Report of the Constitutional Conference. The most disappointing thing is that he did not read the Report very well nor did he have time to read the relevant Sections. There is no where in the Report which says that the Opposition must be consulted on such appointments. In paragraph 30, it was only said that the Government would appoint only twelve people and that was what I said.

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Mallam Ibrahim Imam: Point of Order, Mr President, 24 (11). (*No Member should speak more than once except when replying*). The Minister has already moved his Motion, but I should like to have some interpretation by the Attorney-General on this Standing Order of the Joint Sitting.

Alhaji Isa Kaita: I am giving the reply Mr President. On the points made so far by hon. Members, there is nothing really worthy of an answer. An hon. Member told the House that all these people contested the last Federal Elections and they were all defeated. I want the House to understand that this is entirely untrue. Another hon. Member abused the privileges of this House to say something malicious about these people who are not here and cannot for that reason defend themselves. I move that the question be now put.

M. Ibrahim Imam: No, Mr President. We of the Opposition find it very difficult to give our approval to this Motion of the Minister of Education unless some facts attributing to the misconception of some sections of the Report of the Nigerian Constitutional Conference in London of 1957 have been clarified. Mr President, it is true that the Report of the Nigerian Constitutional Conference has no force of law on the Constitution itself, but, being a Report agreed upon by all the Leaders of the major parties in London with the Colonial Secretary in the Chair, it is the duty incumbent on the Leaders of the Northern Peoples Congress to see that the convention agreed upon in London at the Constitutional Conference is honoured. The Nigerian Constitutional Conference Report has clearly shown, under Section 29, the desirability of ensuring that Senators should not only represent the Government but also the Opposition parties in the Region as well. The Report also requests the recognition of the desirability of the representation of the Opposition.

Mr President, for the benefit of those who have not the opportunity of reading the Report of the London Conference, and to those who are misled by the Government Bench, I should like to seek the indulgence of the Chair to read part of the relevant section of the Report. Section 29 of the Report reads that:—

"The Conference agreed to recommend that nominations of persons for membership of the Senate should be made by the Government of the Region subject to the affirmative vote of the majority of Members of both Legislative Houses of the Region sitting together (where there were two Houses) or of the House of Assembly where there was no second Chamber. The procedure for the selection of the Senators should be prescribed by

legislation made by the Government of the Region. The Senators should possess the same qualifications as were required for the membership of the House of Representatives, and in addition should at least be forty years old and should not be Members or retain membership of any other Legislative House. Subject to these qualifications the Government would be free to nominate anyone they saw fit".

The Conference, Sir; I would emphasise this point, and the section I am going to read is the most important one of the Report:—

"The Conference, however, considered that in making nominations the Regional Government ought to recognise the desirability of ensuring that Senators should represent not only the Government but also the Opposition of the Region and that they should not consist entirely of (or perhaps even mainly) or persons with party political affiliations".

Mr President, Sir, if you examine clearly these sections contained in the Report of the Nigerian Constitutional Conference it can be seen that the names submitted by His Excellency, the Governor, are not only names of Northern Peoples Congress party members but they are those of staunch members of the Government party and most of them or rather all of them are executive members of the Northern Peoples Congress [HON. MEMBERS: No]. I can challenge any of these Senators who is going to be appointed to declare publicly that he is not a member of the Northern Peoples Congress and has no affiliation with the party in power. If our interpretation of the clause is right, it is not only necessary for the Opposition to be consulted before the Government makes its selection but the Government must accord some degree of courtesy to the Opposition to make nominations of their own choice of at least two members out of the twelve.

Mr President, the nominations which the Opposition might have made if they were accorded such rights would not necessarily be of the members of the Opposition parties or persons with party affiliation but must be members who have the requisite qualifications, quality and integrity and who are not only accepted by the Opposition and Government in power but also by the public at large. This is not only in keeping with the principles of the Nigerian Constitutional Conference recommendations, but also with the spirit underlining the principles of parliamentary democracy.

The contention of the Opposition in stressing the importance of the combination of Senators to reflect the opinion of the Opposition has arisen out of the discussions by the delegates at the Constitutional Conference, and it was those discussions which gave rise to the insertion of this proviso in the Report of the Constitution. This clause was put in as a compromise proviso

[M. IBRAHIM IMAM]

to meet the needs of the delegates who expressed their fears that the party in power would appoint Senators from its own members. If I got it alright, this move was made by the N.C.N.C. (*National Council of Nigeria and the Cameroons*) delegates who represented the Western Region at the Conference. So no matter in how many ways it is interpreted by the hon. Attorney General, who is busy reading his books and scribbling some notes, the fact remains that the spirit underlining the insertion of this clause is to give the right to the Opposition to give the Government advice as to the composition of the Senators, so that the composition would reflect the Opposition opinion.

Commenting on the Motion, Mr President, it is not enough for the Mover to satisfy the provisions of Section 5D of the Nigerian Constitution Order-in-Council, 1954, but he should go further to state the other qualities that are required of Senators. A Senator should not only be qualified enough to be eligible for Membership of the House of Representatives, he should also be a man of outstanding character, integrity and of wide experience. The Mover has failed to satisfy the House by not giving details of the individual qualities of the would-be Senators.

The Practice adopted in all parliaments of the world where the selection of such individuals is required by law in the House to represent the country either in or outside it is that the Mover of the Motion should state categorically the qualities and backgrounds of those involved. This reminds me of a very interesting thing to which I am going to draw the attention of this House. The Government has blindly put in names of persons who they do not know and the Governor has been advised very wrongly. I come from Bornu and to my knowledge there is no such person as Zanna Megella, but the Government has not drawn the attention of the House that there is a spelling mistake in the name. I know there is Zanna Mai Dalla who is the Chief Scribe of the Native Authority and also an executive member of the Northern Peoples Congress, Bornu Branch. I do not know whether the Government has this man in mind for this particular selection. I am not from Katsina nor Kano and therefore I do not know if there are some mistakes in the names of the candidates from these Provinces. [M. ABBA HABIB: Mr President, it is a spelling mistake. The name is Zanna Mai Dalla Sherif] So, Mr President, I do not know whether the Chair will accept the amendment suggested at random by the hon. Minister of Trade and Industry, or

whether this mistake should be referred to the Attorney-General for advice as to whether this gentleman can be accepted as a Senator in the House. You are going to pass Zanna Megella but the actual man's name is Zanna Mai Dalla. This seems to be very simple to those who have no legal knowledge but the Attorney-General will be able to see the difficulty. I do not know whether to ask the Attorney-General if in law it is safe to pass this as it is.

Secondly, Mr President, the idea of appointing members to the Senate is to provide a check on the unscrupulous actions of the Members of the Lower House. It is common all over the world that in the Lower House the members are usually immature politicians and their actions are sometimes hash and radical, and to check such radical actions of the Lower House, it is the duty of the Senate to scrutinise whatever comes to them from the Lower House. To do this, Mr President, it is absolutely necessary that the Members of the Senate should be mature persons who have political experience and wide knowledge of parliamentary practice. They ought to possess the necessary knowledge to follow the debates of the Lower House.

While commenting, Mr President, on the Motion, how many of them have the necessary practical experience, and how many of them have the knowledge of what is ensuing in the Lower House. The Lower House which is not like the Northern House of Assembly where things are done in *Hausa*, the Lower House is the House of Representatives where people with brains go and work. Of all these twelve men, I can see only five who have the necessary qualifications to be Senators as far as I can ascertain. They have, however, fulfilled the requirements of Section 5D of the Constitution Order-in-Council, 1954, but for the Region to be adequately represented among its equals, in the Senate, we must have people who have a high standard of integrity. We have so many members of the Northern Peoples Congress who are in the House and others out of the House who have gained not only rich, but necessary experience of parliamentary practice, who really do know what a bill is and the implications involved therein, not such people who have not got the slightest experience of Parliamentary Procedure. What advice is such a man going to give if a wrong bill is passed to the Senate from the Lower House. He is no better than his counterpart in the Lower House who is immature, and, Mr President, that is what we want the Government to realise and all these things have arisen out of the fact that the Government has refused to consult the Opposition.

We ought to have discussed this out of this House, without the necessity of raising our voices in this House. That is why before we came to the House we enquired from the Clerk whether it was possible to amend the Motion of the Minister of Education. Of course, the Clerk explained the difficulty involved and we agreed to accept his advice. He, however, drew our attention to the provisions of the Standing Orders of the Joint Sitting of the House of Chiefs and House of Assembly under section 10(4). We have of course studied the possibilities of making amendments to these names in our parliamentary meeting but we found that it would take us no where further than our present stand because it would involve us in just making character assassinations of individuals and casting aspersions on the integrity and personalities of the gentlemen selected by the Governor in the Motion which is very unfortunate, and we are not actually against these men. We came to this House without any prejudice against any person and without any preconceived view. Why we Members of the Opposition chose to oppose this Motion is on the following ground, Mr President: the flagrant violation of the Conventional agreement of the London Conference by the Northern Peoples Congress which is the main political party in the Region. If the Northern Peoples Congress can so disregard and dishonour the Convention to which it is a party how would you expect it to conduct itself in dealing with international pacts. The selection of the candidates on provincial basis is in accordance with the provision of the Nigerian Constitutional Conference and the Government has interpreted it to suit its need. And it is given Mr President in Section 30 of the Nigerian Constitution Report and I am asking the Mover of the Motion whether this is contained in the Motion or not.

In parliamentary democracy, the recognition of the Opposition is the responsibility of the Government in power. [GOVERNMENT BENCH: who are the Opposition Members, how many Members have you?]. I should like to take the opportunity to clear from the minds of the Northern Peoples Congress uneducated elements that opposition exists in this House and will continue to exist and the Leader of the Opposition is someone whoever is being called by the Opposition party or parties to be their Leader. It is then up to the Government to confer their recognition on him or not.

Before I take my seat, I should like to make one very important observation. I should like to ask my learned Friend, the Attorney-General, as to the interpretation of the Standing Order

of the Joint Sitting 10(4). This Order has put us in a very difficult position. It is not only ambiguous but also not clear from its text. If it were clear we would have made some amendments. We shall be very grateful, of course, to the hon. Attorney-General to clarify the interpretation of this Order.

I should now like the House to know the stand of the Opposition. As my hon. and learned Friend from Offa; (*laughter*) [ALHAJI ISA KAITA: Learned in what?] well, learned in Yoruba as the hon. Minister of Education is himself slightly learned in Arabic—I should like the Government to withdraw this Motion and give the Opposition a chance to hold consultations with the Government. If the Government refuses to accept this request, we shall have no alternative but to withdraw ourselves from this meeting in protest to what the Government has done. We shall no longer participate in the debate as far as this Motion is concerned. This is the only way open to us to register our disappointment. With the leave of the Chair, we beg to withdraw ourselves from the sitting but, before doing so, we are going to wait for our Friend, the Member for Kaduna, who has got something to say.

Mallam Bala Keffi (Kaduna) (*in Hausa*): Mr President, I rise to express my appreciation to this House. This gives us the opportunity of meeting the Chiefs, who are like parents to us, in the same House. It is true and desirable that when a son stands to speak in front of his parents he should be careful of what he says. I am aware that the Northern Peoples Congress Government has purposely

Alhaji Isyaku Gwamna: Point of Order, 24 (2) (*Irrelevant matters*).

Mr President: Please continue.

M. Bala Keffi: Thank you Mr President. Although we are now participating in the debate on the selection of Senators who are to represent us, we still maintain that we should have been consulted. I am, however, aware of the fact that the Northern Peoples Congress Government used to consult the Opposition on many things relating to the progress of this Region and the country as a whole. On such occasions we often put our differences aside and consider the welfare of the people as a whole and not the interests of the individuals. But seldom the Northern Peoples Congress ignored our own feelings to isolate the agreement. I am sure if they had consulted us earlier on this, all these arguments would not have been put forward. We know the Government very well and their habit of declining to honour their words by

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changing their minds immediately they leave a Conference room.

With regard to the twelve would-be Senators already selected to represent the Northern Region—I feel it is not desirable to mention any names because it will be embarrassing—I have to stress that we are the Opposition and we know the status of every man in this country. To call names here will be inappropriate in front of our fathers, the Chiefs, who are now in this House. I will not go any further into details.

There is only one thing which surprises me with regard to the selection of the Senators. This selection is based on provincial basis by the Northern Peoples Congress Government. We have twelve provinces in the Region and the selection of the Senators was based on that. But one interesting thing, Mr President, is that I understand one of the twelve Senators even knew that he was going to be appointed well before this date. He was even being congratulated by his friends on his appointment, while we of the Opposition were not consulted. This definitely shows the unpopularity of this Government in the Region. Mr President, we, the Opposition are bound to point out things which we feel are wrong, and it is the duty of the Government to see to all of them as to avoid repetition in the future.

Referring to the selection of the Senators on provincial basis, I have one remark to make. We have all witnessed the opening ceremony of the Administrator's Office earlier today by the Premier during the course of which he referred to it as the most important office to the people of this Region. He also said that the office was incomparable to any of the provincial offices in this Region and that he would, in this New Year, accord Kaduna more enhanced status. Kaduna Capital Territory is second to none in importance in the Region, because it is here we have the seat of the Governor and the Government. Before considering the selection of these Senators, I feel that Kaduna Capital Territory should have been the first town to be considered before any other province. Is Kaduna's omission the beginning of the enhanced status? I am sure most Members of this Joint Sitting are quite aware of the reforms introduced in Lagos, and Kaduna is no less than Lagos or any other big town in Nigeria. I have been told that Lagos is selecting three Senators, but how is a place like Kaduna forgotten. Is this the way of making the Premier's promise a reality? This definitely contradicts what he said this morning with

regard to what they are planning to do for Kaduna. They are only intending to neglect the Capital of the Northern Region.

Mr President, with these few remarks, I should like to say that since we on the Opposition side have been contemptuously treated in this House, we must register our protest in the best way we can. It is only obvious that we should express our disappointment because we have been ill-treated. We will openly show our disapproval by withdrawing from the Chamber. We have been hurt in a big way and therefore we cannot be a party to the approval of this selection. We still maintain that we should have been consulted earlier before the selection was put forward to the House. The only course open to us now is to walk out from this sitting.

The Members of the Opposition then withdrew from the Chamber.

Mr I. M. Lewis (The Hon. Acting Attorney-General): Some Members of this House have mentioned the name of the Attorney-General in their speeches requesting clarification of various points, but unfortunately most of them—opposition members—have just gone out, may be they are afraid the answers I am going to give will not be the ones they want! The first thing I want to say is in connection with the misinterpretation of the constitutional position of the Attorney-General. The hon. Member from Yerwa South asked for my interpretation of Standing Order 10(4). He seems to forget that in this Joint Sitting it is only you Mr President who can determine how a standing Order should be interpreted. For the sake of the record, however, Mr President I would respectfully suggest that though the hon. Member has difficulty in understanding the Standing Order, you, I feel sure Mr President, will not have this difficulty. Rule 1 of Standing Order 10 clearly lays down that there must be a motion for a resolution approving a person or persons named in the message from the Governor and this shall be moved by a member of the Executive Council and such motion may be in respect of more than one person unless notice has been given to the Clerk for a motion for amendment, in which case the person or persons so named in the motion for amendment shall be moved individually. And rule 4 of Standing Order 10 makes it quite clear that no motion shall be moved save for the purpose of approving or amending the selection of a person as a Senator, the closure, the discipline of members and the adjournment, and no debate shall arise in respect of any of the last three motions, that is to say on business motions. I think the hon. Members have not read their Standing Orders about the

necessity for putting down a motion for amendments and so now they seek to say the Standing Order is unintelligible. I will remind the hon. Members that the reason for our being here is to deal with the message from His Excellency which has earlier been delivered to this Joint Sitting for the approval of the selection of the Senators and not to have discussions on other matters, however interesting they might be. The requirements of law in regard to the appointment of the Senators have been carefully complied with that is to say sections 5A, 5C and 5D of the Constitution and sections 9 and 10 of the Constitution coupled with the Elections (Senate) (Northern Region) Regulations which were approved on the 10th of December, 1959.

Even if the hon. Member for Kaduna Capital Territory does not understand, hon. Members of the House will understand the necessity of the Government to comply with the Constitution. The Constitution, in section 5A lays down that the Region shall send to the Senate twelve persons. Even therefore, if it had been the wish to send somebody to the Senate specifically to represent Kaduna Capital Territory as suggested by the hon. Member for Kaduna Capital Territory it would not be possible as taking account of one for each province that would require thirteen persons. I can however assure the House that when the Government was considering who should be appointed from Zaria Province it considered the merits of the people in Kaduna.

A point made by the Honourable Member from Yerwa South was with regard to a spelling error that has appeared in the name of the Member to represent Bornu Province as it appears in the resolution in the Order of the Day. You, Mr President will be well aware of the practice of the House of Chiefs and of the House of Assembly that printing errors are always corrected in the House without the necessity of a formal amendment, and this applies even when we are dealing in Committee with a Bill when the greatest accuracy is necessary. The next point made by the hon. Member for Yerwa South was that the Government or by implication the Secretary of State had failed to comply with what was agreed in the Constitutional Conference as was set out in paragraph 28 to 31 of the 1957 Constitutional Conference Report. I am happy to be able to

tell the hon. Members that everything that was legally required to be done has been done. (Applause).

The only matters which are required to be written into the Constitution or the law are those matters which were in the words of the Report "agreed" or which were "recommended" and if hon. Members will examine those paragraphs to which I have referred in the Report they will see that everywhere that something is said to be "agreed", or something is "recommended" it has been carried out. It is only where discretion has been left that it can in any way be said that the Government has deviated from the Report, and in this context Mr President, I would like to end up by reminding this House what the Government had to do. It had to put forward the names of those persons whom it thought could best represent the interests of the Northern Region, irrespective of Party, in the Senate. The names that are before the House are the names that the Government thinks are best fitted for that purpose. (Applause). Mr President, I beg to support the Motion.)

Question put and agreed to.

Resolved,

That this Joint Sitting of the House of Chiefs and House of Assembly hereby approves the appointment of each of the following persons selected by His Excellency, the Governor of the Northern Region of Nigeria in accordance with regulation 3 of the Elections (Senate) (Northern Region) Regulations, 1959, as a Member of the Senate to represent the Northern Region:—

Mallam Hassan Yola, Turaki: Adamawa Province
 Alhaji Abubakar Garba, Madakin Bauchi: Bauchi Province
 Mr Henry Oravande Abaagwu: Benue Province
 Zanna Mai Dalla Sherif: Bornu Province
 Mallam Sani Okin: Ilorin Province
 Mallam Abdussalami Yusufu: Kabba Province
 Alhaji Muhammadu Saru Ungogo: Kano Province
 Mallam Hassan Rafindadi: Katsina Province
 Alhaji Abubakar Bale: Niger Province
 Mallam Bawa Malake: Plateau Province
 Mallam Muhammadu Sani Dingyadi: Sokoto Province
 Mallam Nuhu Bamalli: Zaria Province.

ADJOURNMENT

Resolved,

That this Joint Sitting do adjourn *sine die*. (Abba M. Habib)

Adjourned sine die accordingly at forty minutes past Noon.