



FEDERATION OF NIGERIA

PARLIAMENTARY DEBATES

OFFICIAL REPORT

SENATE

Session 1960-61

Comprising Period
14th, 17th, 24th—26th, 28th,
and 29th November, 1960

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THE SENATE

PRESIDENT

Senator Dr the Honourable Nnamdi Azikiwe

DEPUTY PRESIDENT

Senator the Honourable Adeniji Adele II, the Oba of Lagos

Representing the Northern Region :

Senator the Hon. H. O. Abaagu.
Senator the Hon. Malachias Bawa.
Senator the Hon. Nuhu Bamalli.
Senator the Hon. Alhaji Abubakar Bale, Madawakin Bida.
Senator the Hon. Muhammadu Sanni, Makaman Sokoto.
Senator the Hon. Abubakar Garba.
Senator the Hon. Sanni O. B. Okin.
Senator the Hon. Hassan Rafin Dadi.
Senator the Hon. Hassan Yola, Turakin Adamawa.
Senator the Hon. Abdul Salami Yusifu.
Senator the Hon. Zanna Medalla Sheriff.
Senator the Hon. Alhaji Sanni Ungogo.

Representing Lagos :

Senator the Hon. S. A. Agoro Chief Ojon (*elected by the White Cap Chiefs and War Chiefs*)
Senator the Hon. Chief O. A. Fagbenro-Beyioku.
Senator the Hon. Chief T. A. Doherty.

Representing the Eastern Region :

Senator Dr the Hon. E. A. Esin.
Senator the Hon. Chief P. I. Acholonu, M.B.E.
Senator the Hon. M. B. Chukwubuike.
Senator the Hon. Chief Ezeogo Ugwuocha, Uka of Edda.
Senator the Hon. P. C. Ndu.
Senator the Hon. J. K. Nzerem.
Senator the Hon. Chief Z. C. Obi.
Senator Dr the Hon. A. A. Nwafor Orizu.
Senator the Hon. Chief Phillip E. Nakoku.
Senator the Hon. H. N. Udoh.
Senator the Hon. A. E. Ukattah.
Senator the Hon. Chief R. A. Umoh.

Representing the Western Region :

Senator the Hon. Dahlton O. Asemota.
Senator the Hon. M. G. Ejiafe.
Senator the Hon. Wuraola Esan (Mrs).
Senator the Hon. Chief J. S. Olayeye.
Senator the Hon. Chief S. T. Hunponu-Wusu.
Senator Dr the Hon. J. O. Omitowoju.
Senator the Hon. Chief S. O. Esangbedo.
Senator the Hon. Chief T. A. Odutola, O.B.E.
Senator the Hon. S. Eytayo.
Senator the Hon. P. A. Ogun dipe.
Senator the Hon. E. A. Lagunju.
Senator the Hon. O. Somolu.

Nominated Senators :

Senator the Hon. Shettima Kashim, c.B.E., Waziri of Bornu.
Senator Dr the Hon. M. A. Majekodunmi.
Senator Dr the Hon. Professor Eni Njoku.
Senator the Hon. L. C. Daldry.

COUNCIL OF MINISTERS

His Excellency the Governor-General—Sir James Wilson Robertson, G.C.M.G., G.C.V.O., K.B.E.
Prime Minister—Alhaji the Hon. Sir Abubakar Tafawa Balewa, K.B.E.
Minister of Finance—Chief the Hon. F. S. Okotie-Eboh, c.M.G.
Minister of Lagos Affairs—Alhaji the Hon. Muhammadu Ribadu, M.B.E.
Minister of Transport and Aviation—Hon. R. A. Njoku.
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Minister of Labour—Hon. J. M. Johnson.
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Minister of State—Hon. M. T. Mbu.
Minister of State—Hon. M. A. O. Olarewaju.
Minister of State—Senator Dr the Hon. E. A. Esin.
Minister of State—Senator Dr the Hon. M. A. Majekodunmi.

SENATE OF THE FEDERATION OF
NIGERIA

Monday, 14th November, 1960

The Senate met at 10 a.m.

PRAYERS

(Mr President in the Chair)

Business of the Senate

Minister of State (Senator Dr the hon. M. A. Majekodunmi): Mr President, Sir, I move that the Senate at its rising this day do adjourn till Thursday the 17th of November.

Question proposed.

Senator Chief A. Fagbenro-Beyioku: Mr President, Sir, talking on this motion before the House we feel, or I feel, that after our adjournment to-day by the time we assemble on Thursday the Senate as it is now may have a different phase. I want to take this opportunity, Sir, of the present motion before the House to draw the attention of this hon. House to that necessary change which may happen in the Senate by the time we next assemble. By that, Sir, I want to refer to the President of the Senate who, since the inception and the inauguration of this hon. House, has been the guiding hand, has been the battery, has been the lantern. . . .

The President: Order, order, I am not ruling you out of order strictly speaking but I would suggest to you that whatever comment you may wish to make on this particular matter can best be made on the Motion of Adjournment.

Fagbenro-Beyioku: I stand corrected, Mr President.

Senator J. K. Nzerem: Mr President, Sir, I think that it is the feeling of every Member of this House that when we do adjourn we should adjourn for some time and not meet again until the House of Representatives has finished its work. Many of us have come from far off places and we all know the difficulty of staying very long in Lagos but I think we have come here for one very important reason and that is the installation and inauguration of the Governor-General. But after that, I think we should be free to go home and then return when the House of Representatives has completed its work. Perhaps the Minister in charge of Government Business may have arranged it so but if he has not I should ask him seriously to take that into consideration.

Minister of State (Senator Dr the Hon. M. A. Majekodunmi): Sir, if I may explain to hon. Senators that we have chosen Thursday the 17th of November as the date for reconvening the Senate after this adjournment because we appreciate that Senators naturally would wish to remain in Lagos to take part in the ceremonies of the installation of the new Governor-General which takes place on the 16th; and I think the ceremonies connected with this installation will continue for some time. The House of Representatives will meet on the 17th to start debate on the Motion of Thanks to Her Royal Highness and we feel that it is appropriate that the Senate should meet to conduct very important business pertaining to the life of the Senate itself. That is why we have chosen the 17th of November and it is not unlikely that after the adjournment on the 17th Senators will be able to go home and come back when business has accumulated from the Lower House. (*Hear, hear.*)

Question put and agreed to.

COMMITTEE OF SELECTION : ELECTION
OF MEMBERS

Minister of State (Senator Dr the hon. M. A. Majekodunmi): Mr President, Sir, I rise to move that Senator Somolu, Senator Chief Obi and Senator Alhaji Abubakar Bale be members of the Committee of Selection.

Question put and agreed to.

Minister of State (Senator Dr the hon. M. A. Majekodunmi): Mr President, Sir, the following Members of the Council of Ministers have been nominated to serve on the Committee of Selection: Senator the hon. Dr E. Esin, Senator the hon. Nuhu Bamalli, Senator the hon. Dr M. A. Majekodunmi.

ADJOURNMENT

Minister of State (Senator Dr the hon. M. A. Majekodunmi): Mr President, Sir, I rise to move that the Senate do now adjourn.

As this, Sir, is the last time that you will sit with us as President of the Senate, I would like to take this opportunity to say how fortunate the Senate has been to have you as the President since its inception. You have, Sir, more than fulfilled all our high expectations; you have firmly discouraged partisanship and you have discharged your duties as President with the

[DR MAJEKODUNMI]
utmost impartiality. Under your Leadership, Sir, the Senate has rapidly achieved a position in the country and is now a true symbol of unity of Nigeria. This, Sir, is one important great achievement to be added to your already formidable list of achievements in the service of your country, and now you are about to take on a much higher responsibility as Governor-General and Commander-in-Chief of the Federation of Nigeria. (*Applause*).

We of this Senate take a special pride in this appointment. In your time you have already broken so many records and set so many precedents—to this precedent which you are about to set is a particularly happy one to the Senate. We hope that in the years to come the Presidency of the Senate will become the stepping stone to the high office of the Head of State. As Governor-General and Commander-in-Chief of the Federation and the Father of the Nation you have a great responsibility to cement the unity of this country and to ensure this in orderly progress. We pray that God will give you strength and wisdom to continue the job which you have started honourably and with such determination and singleness of thought.

Mr President, Sir, I beg to move.

Minister of State (Dr the hon. E. A. Esin):
Sir, I beg to second.

Question proposed.

Senator Chief Fagbenro-Beyioku: Mr President, Sir, to us Members of the Senate the Meeting of to-day is full of meaning and the meeting of to-day presents itself to us with mixed feelings. Mixed feelings, Sir, in that we are happy that within the next few days the man who has guided the Senate from its inception and who has built for the Senate a tradition second to none in the Legislatures of this country will become the first African Governor-General of this great Nation.

We have every reason to thank God, and we have every reason to be proud of ourselves that it is from among us as the elders of the Nation that God has been pleased to raise one to lead the Nation. (*Applause*). But at the same time we are not all that happy because after to-day's meeting, Sir, we shall be missing that cheerful smile of yours on that Chair, we shall be missing your great personality which has welded us together, which has made us to

forget all about our political camps. We shall be missing the man who has a purpose and a mission for the country, a man who sits as the Head of the Elders. But God is always merciful and God has a way of discharging His purpose. We only pray to that God who has raised you up among us to raise up another who will succeed you and who will be near you in all the virtues which we have admired in you.

Your becoming the Governor-General of Nigeria is nothing which comes as a surprise to anybody, not even to the child in an infant school in this country. Everybody knows that when it comes to the general affairs of Nigeria, in the general struggle for emancipation, in the fight against the old Imperial Government and Colonial Government, in the struggle that man may live with man in peace and that man may respect the dignity of man, in the struggle to project the African as a man who is competent and capable to administer his own affairs, there has been none in this country who comes near you. And if everything is ready, if the victory is won, if the Independence becomes firm, there can be nobody better qualified to lead the State and to lead the Nation than the man who knows what he is about, the man who has a purpose for the Nation, a genuine purpose. So, for that, Sir, your appointment has not come as a surprise. We are rather praising God that God in His great mercy may continue to be with you to guide you and to direct you, that your love for this country which you have placed above everything else may continue to exist.

You have suffered for this country, you have been prosecuted for this country. You have been misunderstood for this country, and people have given you names all just for the love of this country. You are not discouraged. Now that you are going to be the Governor-General it is not unlikely that people may give you yet another name which may be worse than what they gave you before. It is unlikely that you will receive more criticism than you have ever received in your life. You should not expect that it is going to be a hundred per cent co-operation. We will have those who believe and we will have the Thomases. But still you are used to the game. You can handle the bat, and you can hit.

But when you want to hit I want you to hit with that tenderness of mind which is characteristic of you and which has made you to be the

idol of the Nation. We are very happy in this Senate and I am sure all the hon. Senators are very happy to-day because we have the honour in this House to pay our respect to you—that honour which the Members of the Lower House have not the opportunity to pay. They may be paying their respect to you at a later date but not here in this House.

In this order I would like to tell my hon. Minister of State that your Inauguration is our concern and we should not be happy to be treated as we were treated during the Independence Celebrations. (*Applause*). We would not like to be relegated to the rear. I think it was something which was bad for people to feel that Members of the Senate are not honourable enough to be present at the State Banquet. (*Applause*). It was something we viewed with great disapproval. Invitations have been going out and we have received but one invitation only to watch the inauguration. What of the other ceremonies. Are Senators, the people in these affairs of State, not entitled to be there?

A Senator : Inform the Minister in charge.

The President : Order, order. The hon. Minister is entitled to protection from the Chair.

Senator Chief Fagbenro-Beyioku : But we still have two days more to go, Sir, to see that unnecessary mistakes are corrected. We, Senators, have come from all parts of the country to witness this great event, and if there should be any consideration in any of the functions the people which should occupy the first line should be the Senators. I do wish that the hon. Minister in charge of our affairs will take care of these things, and I do wish that immediately after this Meeting there will be consultations, and I do wish that within the next two days we shall see the results, and when we come to participate in the general celebration when you are being ordained as our own King, and our own Chief, and our own Ruler, our own everything, we, Senators, will be there with broad smiles on our lips feeling satisfied that we have been accorded a place to which we rightly are entitled.

Mr President, Sir, I congratulate you, and I do pray to God that He may preserve your life so that you may be very useful to us in this country. This is an end which makes the

beginning of a beginner, and in this new beginning that is where we feel more concerned. We know that God is good to us and God will spare you for yet longer years so that by the time the battle is won you shall be able to say: "I have played my part, I have worked well." And this, Sir, we also say to your dear wife to whom please convey our best wishes.

Senator Alhaji Abubakar Bale : Mr President, Sir, I have very little to add to the deliberations already made in connection with your inauguration as Governor-General and Commander-in-Chief of Nigeria. Before saying anything, I want to explain one point to hon. Members of this House and that is how I came into contact with you personally and my impressions on my first day of meeting with you. Although I may call that day a bad day, it gave me some impressions on which I have been building up till to-day about your personality. That day was the day on which you passed through Bida, making a campaign tour for the election and so on. I did not know what was happening in the commercial part of Bida on that day, but after break from office I learned that there was something going on outside and I took my car, ran off and came on the scene. "What is it all about?", I asked. Oh, it was Dr Azikiwe with members of his party and there was a civil commotion brewing with N.P.C. members. That was the first day of seeing you.

I came to shake hands with you and said, "My dear Sir, what I want now is this. Where are your people?" You said, "They are here". I said, "Where is your car?" You said "There it is", and I said, "Will you please just leave". There was no argument, you just smiled and said "All right, thank you, Mada-wakin" and went off. You then handled the mob. Then I turned round and said, "You wait, wait!" Well, after I had cooled all those people down and taken them home, I went away thinking to myself what sort of a man is this. With all his greatness he is always smiling and making very impressive speeches. It means there is something ahead for this man.

Then days went on, the notice of the creation of this House came and we were assembled here. Immediately, what happened? Dr Azikiwe was made the President of the Senate, the Upper House of the Nigerian Parliament. Now, then, I have been here looking at him.

(ALHAJI ABUBAKAR BALE)

Even from your face, my heart has told me that this man is not going to stay here, there is something ahead for him. When we started debating in this House my knowledge of him increased until now—we have not completed a year—the great day has come before us. Well, you are leaving us.

Now, then, dear Sir, you have achieved this by your quietness and your patience which we see from the bottom. What you were waiting for, the time has now come for it, the reward of your deeds. My dear Sir, my only contribution to this is to pray the Almighty God to assist you in your new tenure of office. You have been telling us what is right and what is wrong since you have been in this House. These two things are the things upon which you build your new office, not looking at any sort of differences which may creep in but keeping to your quietness for which we are now praising you. I pray that the Almighty God will give you long life, good health and good end. Thank you.

Senator H. O. Abaagu : Mr President, Sir, no amount of goodwill speeches delivered in this hon. House to-day will be too much because this is the last day we have with our much respected President of the Senate.

Mr President, I just want to recall certain memories, certain expectations which we have held for a man of your personality. We have long expected that you being the first man in Nigeria to set the ball rolling for the emancipation of Nigeria from the yoke of British imperialism, that you should live to enjoy the fruit of your sweat and I think our dreams have come to pass. Mr President, you are going from us to-day or tomorrow to assume a higher office than this and I seize this opportunity of congratulating the Prime Minister on the choice he has made. He could not have made any better choice. Rarely do people who struggle live to enjoy the fruit of their sweat but in some cases we have people who really work for some purpose and sometimes come to enjoy the fruits of their sweat. You happen to be one. When it was forecast that you would be the first Prime Minister of an independent Nigeria here and the first to achieve that, we had thought that you would get something higher than that and I think the ordinary Nigerian in the street knows very well that you are now the highest man in

Nigeria. The post of Governor-General is higher than that of Prime Minister, not forgetting that that of a Prime Minister is a policy-making post, but yours to the ordinary man in the street is a higher post than that of the Prime Minister, and I think you are really deserving of that post. I understand that the new Governor-General of Nigeria, and that is yourself in person, would not want to have conferred upon him the following titles of C.M.G., K.C.B., and things of that nature. I would therefore suggest.....

The President : Order, order. Are these points really relevant ?

Senator Abaagu : Thank you, Sir. I think I will be more relevant now.

The President : Thank you.

Senator Abaagu : I would therefore suggest that our Governor-General in any of his letters of authority should add after his name the following titles. If I am not correct I think I will stand being corrected. After the name of the new Governor-General the titles should be : Ogbuefi of Onitsha ; Igwe of Nsukka ; and the Father of Nigerian Politics !

So, Mr President, to-day is a red-letter day in this House and we are very happy to have received a singular honour from the Prime Minister in having elected one of us to the highest post in the country and that is the post of Governor-General of the Federation and Commander-in-Chief of the Nigerian Military Forces. I therefore pray that you will live up to our expectations and that is to say that you merit the title of father of all Nigerian politics ; by that I mean that you will be a member of the NPC, of the Action Group, of the NCNC and all of the other political parties in Nigeria, and that is to say I want you to be somebody who is neutral in Nigerian politics. I know that we would not like our Governor-General to be a party politician. I think I have already referred to this when I made a speech here referring to the post of Governor-General in the beginning of this year and I am re-acclaiming my belief in this opinion. I wish you long life and a neutral co-existence with Members of the Cabinet, Members of the House of Senate and of the House of Representatives, and members of the Civil Service of this great country. I thank you.

Senator Dahlton Asemota : Mr President, Sir, I wish to associate myself with the several

Senators who have congratulated you on your appointment. I do not think there is anybody in this country to-day that can sufficiently say all that you have done to merit your present appointment, in so many different fields, even up to boxing! Before your advent, if any European happened to abuse an African or kick him, his fellow Africans would be laughing at him, but when you came you said, "No, that is not right. These people are your servants, you pay them, there is no reason why you should dread them". It is from then that people have had the courage to face up to the expatriates. So there are so many qualities therefore that have emanated from yourself that there is hardly anybody who will not be very very happy indeed to see you occupying your rightful place in Nigeria.

I know, Sir, that you have very many heavy tasks ahead of you but your Governor-Generalship is not going to be more difficult to run than your predecessor's in that you know your people more than anybody else. You know the minds of your people more than the minds of the expatriates. You will be faced with difficult problems. Tempers might go high. It is your duty as the Governor-General, and the Senators, to handle the affairs in such a way that the equanimity which you have brought to this country and which we have learned from you will be maintained throughout. Already there are diversities of opinions in many matters and in very many circles, and on many subjects, and I know that as the Governor-General, appeals will be made to you, Sir, and I do hope that with your very wide experience, being the head of a big political party, you will put the political toga aside, which you have done here, and face the problems with the sincerity of purpose which has elevated you to your present position.

Now before I go on further, Sir, I would like to support what Senator Beyioku has said about the treatment of Senators. We have not been given the rightful treatment which we consider we deserve. Sir, during the last Constitutional Conference I read that the Independence Motion would be debated in the House of Representatives and in the House of Senate and when both Houses had passed the Bill then it would become a Bill that would be presented to Her Majesty's Government, which I think we did. But I assure you, Sir, that there is a pamphlet here published by the

Information Service in Nigeria—"Nigeria Asks for Independence"—and in this pamphlet, if you read it throughout, there is not a single word said by the Senators here. Everything that was said in the House of Representatives was published and not a word by the Senators. If you look at the Hansard of the Senate from page 25-87 where the discussions on that Independence Motion took place in the House of Senate, you can read for yourselves what was said by the Senators, but of all that was said here, there is not a single word about it here in this pamphlet, and yet that is the document that was widely distributed. It was taken to America; it was handed over to the President of Ireland. It was given to every visitor from all parts of the world. It was handed over to all these people but there is not a single word about the Senate.

Well, I consider that this is an anomaly which it is good for us to point out now while you are here so that when you have attained your high office you will always keep the Senate in mind. At the moment we are not getting the publicity which the other Houses are getting. Our speeches are not relayed by the N.B.C. The press only publishes parts of our speeches. The press does not even know of the existence of the Senate, they have never seen it, except perhaps for one or two like the President and the Deputy President. Well these are the sort of things which it is very very difficult for us to comprehend.

Now if you read the foreward written by the Hon. T. O. S. Benson, he said here, among other things, I quote: "The representatives of the people of Nigeria have spoken with one voice and we who were privileged to take part in this historical and solemn debate are grateful for the honour done to us by our different constituencies who have shown confidence by voting us to represent them in this year of destiny." But how can you have one voice when they did not hear the Senate. The Debate of the Senate is not recorded here, Sir. He went on further to say—"I consider this the best way of letting as many as possible follow the trend of debates and people know about our activities in Nigeria." The Senate Debates are not here at all. I think it is an anomaly which is worth investigating.

The President: I think you have made your point and the hon. Minister of Information is here. He has taken note of all your remarks.

The Minister of Information (Hon. T. O. S. Benson): The *Hansards* of both the House of Representatives and the Senate are compiled at different times. When I discovered that the speeches in the Senate were not recorded in this pamphlet, I as the Minister responsible said that they should have included the speeches in the Senate in this publication. We are making the necessary arrangements to correct this.

The President: I think that is all the hon. Senator requires. That necessary arrangements should be made to put things right.

The Minister of Information: We regard the Senate as the Parliament of the Elders in the country and we shall give them the necessary respect and publicity they deserve. I am assuring the hon. Senator that he will soon be seeing the speeches made in this House in the second volume of "Nigeria Asks for Independence" which will soon be published by my Ministry.

The President: I hope the hon. Senator is satisfied.

Senator Asemota: Thank you very much, Sir. I am very happy about that because these days the Senate is getting prominence. In America to-day the President-designate is chosen from the Senate, (*Hear, hear*) and the Governor-General of Nigeria is chosen from the Senate. I think that is sufficient evidence for people in this country to realise the importance of the Senate and give us the position we deserve in Government publications and many other things.

Well, to you, Sir, as I have said I cannot say enough because I know that you have already achieved the success which you have actually worked for and I wish you best of luck in your new office. We pray that God may protect you and your Governor-Generalship will be an embodiment of respect and the upliftment of this country which every other country will follow. We hope when you get to your new office you will always remember the Senate. We congratulate you, Sir.

Senator L. C. Daldry: Mr President, Sir, I as a person completely outside all Nigerian party politics and as a person who has the great honour to hold a unique position in Nigeria's Parliament wish to speak very briefly on this Motion for the Adjournment. To preside over one of the Houses of Parliament

anywhere is always a very onerous task. When that House is the Upper House in Nigeria's Federal Parliament, it is clear that very special qualities are needed. The fact that this House in so short a time has built up so high a reputation for dignity, orderliness and constructive criticism in debate is itself a tribute to the skill, patience and impartiality of its first President. (*Hear, hear*). Our thanks are due to our first President for all that he has done to make this august Chamber what it is to-day. Sir, from a purely parliamentary point of view I very much regret having to say good-bye to you to-day, and, at the same time, I offer you all best wishes on the new and very illustrious appointment which you will be taking up in two days' time.

Senator Adeniji Adele II (The Oba of Lagos) (*Applause*): Mr President Sir, in rising to congratulate you I wish to associate myself with all the former speakers. I consider myself rather fortunate that you have been appointed the first Governor-General and Commander-in-Chief of the Federation of Nigeria. I do associate myself particularly with the last speaker when he said that when you took over we were just having a beginning and in that connection I would like to refer to the remark made by Senator Majekodunmi some time ago when he said—"We started without a tradition and we are just creating a tradition." You have created a tradition for us here and I hope we shall continue to be guided by what you have laid down and from to time we shall follow it.

I feel also the proudest to-day in this House for the simple reason that I have known you longer than anybody in this House. When you first started your career, you joined the Treasury as a 3rd Class Clerk and I had the good fortune that you worked under me in the Treasury Department in Lagos. (*Hear, hear*). When the time came and you felt that you should have something higher than a clerical appointment, you decided to go to America. You then returned to Lagos and I can remember vividly your dad wrote back to Mr Macgregor asking that you should be pardoned and taken back to the Treasury. Macgregor wrote back to say that according to the statement of your dad, since you could go to America, he would not like a lad who will always be sick with 'fits'. What I find to-day is that the fits that the Treasurer complained of is fits to learn more

for the higher appointments in the years to come.

Since that time, I have followed your progress step by step. In the Treasury, I think you were one of the young men who started the Literary Club. With so many young Lagos people behind you that Club carried on for some time until you left for America and from this little beginning you were laying the foundation of tomorrow. When you did come back to Lagos many years later, our people did rally round you. I think one of them was Senator Doherty and several others. I can also remember when we attended your lectures in Lagos, the people of Lagos nicknamed you "Dr Asiki-Iwe". Gradually, you rose to eminence and we are happy to-day to meet here as Senators and to have you as the first President of the Senate and you have laid the tradition which shall always be our guide in this House.

I congratulate you and wish you long life, good luck and prosperity. My advice to you as an elderly person is, whenever you discharge your duties as I know you will do, you should do it without fear or favour, or ill-will. May God continue to bless you. (*Applause*).

Senator A. E. Ukattah : I think many Senators have spoken already paying tribute to your good qualities. Mine is just to say a few words but I think that no amount of credit to your qualities can be commensurate with the contribution you have made towards the emancipation of this country. To-day is the last day when I shall address you as Mr President. A little after ten o'clock on Wednesday, I will be addressing you as His Excellency.

I came to meet you in this country in 1947; the occasion was when I met you waiting by the roadside when your car broke down while you were making a country-wide tour. It was then that I decided to take part in politics and since then I have watched your activities in this field with admiration. I like to join all others in the country to express my appreciation of the good work you have done and are doing in this country.

Now, if we had the choice of either letting you stay on in the Senate or allowing you to go, I would say we would certainly like to retain you here in the Senate for ever. But that

would be selfishness on our part because we are regarded as senior parliamentarians and we are therefore in a better position to know what would be good for the country as a whole. Now we allow you to go to take up a post of greater responsibility; that is something that we know is in the best interest of the country as a whole. You are going to be the father of the country; you have hitherto been the father of the Senate. Now that you are going to take up your post, I would like to say that, with a man of your calibre, I have no doubt at all that you will be able to face the onerous responsibility of that office creditably. You are the father of nationalism not only in Nigeria but in Africa and as it were we are your sons. But a son can sometimes advise his father and that is why I would like to advise you to do your best to show the country that you are the father—a person at the head of the affairs of State. That would leave us with the sacred duty of praying to God to enable you to carry on your onerous duties successfully.

Senator Muhammadu Sanni Dingyadi : Mr President, Sir, it is never my practice to speak in this House unless it is very necessary that I speak. I feel that this is one of the occasions I have to speak. By that I do not mean that I am going to say anything more than what has been said already. I just want to associate myself with the previous speakers who have already congratulated you for the deserving honour that has been bestowed upon you.

I want to say something about my first contact with you and that was in 1937 when you visited my town—Sokoto. You went to the Treasury there—and I was a member of that Office at that time and I was told by one expatriate officer who took you there that this man was called Dr ZIK. He came for the purpose of establishing one paper called "Pilot"—he went to America in search of knowledge. I would like to tell you what I had in mind about you by the time you left. After meeting you in that year 1937 I felt that this man must be a great man, he went to America to obtain knowledge at a time when nobody in the North had ever been to Lagos in search of knowledge.

The next time I met you was in 1945 when you granted me an interview—I came all the way from Sokoto with the sole purpose of

[SENATOR SANNI DINGYADI]
learning what was behind your mind about your party—the N.C.N.C. By that time you were fighting very hard to establish politics in this country and after having had the interview with you I was convinced that this man must be a great man. There must be a great future for him. But it is a pity that this did not come from my people!

Mr President, Sir, the next time I met you was in the House of Representatives—I cannot remember the date exactly—but I know it was around a date in 1954. The Eastern House of Assembly was dissolved and you eventually came to Lagos as a member of the House of Representatives. I say, now this man is coming on and I keep thinking in my mind that this man is really great and there must be some greater things in future for him. The next time I met you was here in 1960 in the Senate of the Federation. Now, Sir, all through the times I met you I have always prophesied that this man is going to be a real moving figure in Nigeria and my dreams and prophesy have materialised.

Now you are to assume this post of Governor-General and Commander-in-Chief of Nigeria which you really deserve for all your struggle for the freedom and liberty of Nigeria. You have worked very hard since the time I mention—that is since the time I met you for the first time in 1937 at Sokoto to the time you granted me an interview in 1945 to the time you came to the House of Representatives in 1954 up to 1960 when I met you here in the Senate. That is what is called a steady progress and, Mr President, I want to join my Colleagues in congratulating you for your attainment of this new post. I wish you long life and I wish you happiness. Mr President, I congratulate you.

Senator O. Somolu : Mr President, Sir, I wish to associate myself with the very moving speeches made by hon. Senators of this House and for my part, Sir, I think I am right in saying that you have a right to say to yourself in the words of Lord Babington Macaulay—"A proud man was Lars Porsena upon the trying day". Many hon. Senators have related before this august House the circumstances on which they have met you, but perhaps I may humbly say this on the floor of this House to-day, that in the formative years when you

first came back to this country and you joined in the vanguard of the fight for the freedom and the independence of this country I was among those six who were closest to you in the fight. And to-day I am glad to say when looking back over the twenty-three years of my association with you that I have no cause to blame myself that I joined you in this struggle—this fight for the salvation of this country! Your praises have been sung and they will continue to be sung for a time yet to come.

But as I have said, you have not allowed yourself to be diverted from a course in the past, and you will not do so in the future.

You are assuming a very great responsibility. For my part I would have wished that you became Prime Minister of this country, at the beginning of our independence when Nigeria will have to make her impact on the international scene. But, as Senator Abaagu has said, that is not to be. You are assuming a greater responsibility, greater in the sense that you are not going to perform your duties as a partisan politician. You are going to be the rallying point in all the diversities in tribe, race, religion and politics in this country. That is a very great responsibility, and I join in praying to God that you may not be found wanting in this onerous task. It is a job which is not going to be easy at all. It is one that is going to be fraught with a lot of misunderstanding; it is one which is going to tax your ability to the utmost. But if you continue to have faith in yourself, in God and in the people of this country, you will not fail; and it is the prayer of everyone also in this House that the honour which has been done to you, which is in fact an honour done to this House, will remain an honour unblemished, untarnished, and which will live in the pages of the history of this country as a beacon for the guidance of those who may come after us.

As has been said by many Members, by the way you have conducted the affairs of this House, you have made it an example which is worthy of emulation. You have conducted it in such a way that party politics has been put completely in the background, and the affairs of this country have come uppermost in the mind of everybody. As you go from hence to your great task, I hope you will also carry with you this great ideal which you have set before this House and set it before the nation; set it before the political parties; set it before the

different people, races, religions that inhabit this great country. It is my own personal wish that God will give you guidance, long life, prosperity, so as to merit the hopes of the 40 million people in this country. We look up to you and up to God for guidance, for assistance and for progress in the years to come. I hope that when we have to look back on these days we shall have no cause to regret the praises which we are showering on you to-day and the hopes which we carry in our minds for the years ahead.

As I said, there is no praise that we can give in this Parliament that will be too much, but the only praise that is worthy is the success of your tenure of office as Governor-General and we all hope that that success, when it comes, will not be yours alone but we too in this House will share with you (*Hear, hear*).

Senator Chief Odutola : Mr President, Sir, I rise to associate myself with so many inspiring speeches that have been made by hon. Members of this House. Many Members who spoke before me stated how long they had met you, Sir. I cannot claim to have known or to know much of you as many of them have done. But apart from being together members of the Youth Movement which was more or less one of the political bodies set up in this country, I think the short time that we were together as legislators in this country since 1947 has given me the chance of knowing sufficient of you.

When this House met for the first time early this year, in congratulating you, Sir, I expressed the wish and the hope that you would occupy this Chair on which you are to-day with dignity and also that you would acquit yourself in a way that anybody coming after you would envy. I said so at that time because I knew what it was for somebody to occupy the Chair of this hon. House, especially somebody who in the past had been a leader of a political party in this country. But I am very happy to say, Sir, that not only myself but also many Members of this House feel that the wish that we expressed at that time has been fully justified by your good self and that during your time this House has set up a standard which will be very difficult for any legislature in this country to beat. And it is my wish now that you are assuming a greater office that the same spirit with which you worked in this House will be continued.

Mr President, Sir, many Members have expressed their minds and have told you how very difficult it is to manage this country, and also how very difficult your job is going to be. There is no doubt about that and I am sure that you yourself know very well about this. We cannot at this stage tell you what to do and what not to do. To start with, in this House where we are to-day, you have already set up a standard which we feel if you take to your new office, you will be able to manage the affairs of this country without any trouble. The only thing that I will say, Sir, is to add my own prayer that God should guide you, give you wealth of health, wisdom and long life to manage the affairs of the country. Your burden is not going to be a very light one; it is not even going to be a light one, but when you look back to the work you have done for many years, and when you look back for what you have achieved in the country and also when you look forward to what people are expecting of you, I have no doubt that you will do your best to put yourself in a position that people who say what we are saying here to-day will be fully justified.

Mr President, Sir, I congratulate you in this your very important appointment and I wish you the best of luck in your new office.

Senator Alhaji Sani O. B. Okin : Mr President, Sir, I thank you very much. I feel that I shall be doing myself an injustice if I do not rise to say something about this. But before I continue I have to appeal to all the members from the Eastern Region to be patient and to give way to members from other regions to speak on this matter.

The President : I hope that this is not an indirect attack on the Chair because I have tried to preserve an air of impartiality so far.

Senator Alhaji Okin : First of all, I have to congratulate the President and pray that he lives to see and enjoy the fruits of his labour. Before I proceed, I have to congratulate all the Members of this House for being very fortunate in having the first President of the Senate to be the first Governor-General of the Federation of Nigeria (*Applause*). Secondly, I have to congratulate the people from the North that the first Governor-General of Nigeria being a Nigerian, was born in the North. (*Applause*).

[ALHAJI SANNI OKIN]

Sir, if everybody is allowed now to speak what he wants to say, I think we will be able to compile a very large book. But for the President, he has now been rightly judged by God according to his character. Well, to come out frankly, we have been able to get the Nigerian Constitution through the efforts of our President. The reason I am saying so is that to-day is the last day we have to address him as the President of the Senate.

Now, I could remember when news came to people in Nigeria, with particular reference to the people in Ilorin, that a Nigerian was to be appointed as the Governor-General of the Federation of Nigeria the people in Ilorin said that the best man they would like was Dr Azikiwe. The reason is this—I could remember—when about two years ago, our President, a man who normally respects tradition, came to the Emir's palace he put off his shoes and then saluted the chiefs in the customary way and that created a lot of surprise to the people of Ilorin. As you all know him, he has met his ups and downs in the world but he has been able to succeed. But my fear at the moment is that I do not know whether the President, when he becomes the Governor-General, will be as approachable as we are now approaching him.

The President, as you know, is also a prophet. I could remember in this particular House when he wanted to call me to speak he addressed me by mistake as Alhaji Sani Okin. Then I told him that I had not been able to go on pilgrimage but his prayers have been accepted and I am happy to inform him that I have performed my pilgrimage this year. Therefore I would like you in that respect to pray for us and I believe God will guide you.

I have to congratulate you now that you have been rightly judged according to your character.

Well, Mr President, my advice to you is this. As Chief Fagbenro-Beyioku has said before, you know Nigeria; the father knows his son; he knows what his son wants and what the child requires of the father is his blessing and I believe that before you leave this House to-day you are going to bless us and pray for our success in life.

Briefly, I have to congratulate you and to pray that God may guide you and give you wisdom to rule this great country of ours. Thank you, Sir.

Senator Chief Z. C. Obi : Mr President, Sir, in associating my humble self with most of the things said here about your career in this country, I do not want to attempt to go into any detail because it would be impossible to do so.

We in this House, and I might say for that matter every Nigerian, should count ourselves very fortunate to have lived in an era that brings into existence a figure known as 'Zik'. We are living witnesses of all that you have done for Nigeria and Africa as a whole. You are God-sent. I have not the slightest doubt that you will do well as the Governor-General of Nigeria. I hope that in expressing the appreciation of what you have done for this country the Members of this hon. House will decide on a sort of concrete demonstration of their appreciation of all your efforts. In that connection, Mr President, I would suggest and would request the Members of this House to consider the possibility of erecting a life-sized statue of your figure.

The President : Order, order. Would it not have been better if you discuss that in camera with your colleagues?

Senator Chief Obi : Well, Mr President, I thank you for advising me on that and I shall do so.

In bringing my short speech to an end, I pray that the God of Africa that you have served so well will continue to direct and guide you.

Senator Chief J. S. Olayeye : Mr President, Sir, I am happy to rise and congratulate you because you are going to be appointed as the Governor-General and Commander-in-Chief of the Federation of Nigeria.

I will not say much because a lot has been said already. But I would like to say one thing since most of the former speakers have said nothing about it. I can recollect that Senator Chief Beyioku has said something about the treatment given to us. We senators have been looked down upon. I wonder what would happen if you are no more with us; no importance will be attached to the Senate.

Your going away will be a great loss to us because you are the best man in that position and it will be difficult to find somebody of similar qualifications and character to take the Chair.

Sir, I can foresee the treatment that will be given us and I would like us to bear in mind that we are not given good respect especially by the Ministers who are really very selfish.

The President : Order, order. May I remind the hon. Senator that it is out of order to discuss the conduct of any Minister in this Legislature.

Senator Chief Olayeye : The President used to be my guest when he came to Okitipupa. I remember on a certain occasion when you came to Okitipupa and I lodged you. When you left there was a great trouble for me made by the then D.O., who sent a telegram to the Resident informing him that I housed you. On hearing that I went to the D.O. and we discussed this matter and he told me they did not like you because you were trying to bring something like Independence into Nigeria and trying to drive them away. I said that you are a Nigerian having my own colour, so I cannot just see you in the street without giving you lodging when you want it despite the fact that on this occasion I had no previous information. He told me that he heard that I arranged to receive you and that I arranged to accommodate you. I said that was not the truth.

On another occasion when you came to Okitipupa a certain D.O. who was your friend and has now retired hearing that you were coming told me he did not want to get into trouble and hid himself in the interior of the district. As an appreciation of your labours towards Nigerian independence and of all your troubles you are being appointed as Governor-General and Commander-in-Chief of Nigeria.

We thank God for the time you have been with us here. We enjoy your co-operation and how you treat Members. I want to remind you that everytime you salute me you have never greeted me without doffing your hat—an indication of your respect to me as a Chief. You are the sort of man that can lead as Governor-General and Commander-in-Chief. I would advise you that you should try to forget political differences. You have been placed at the top. You are the father of all the people. As the father of all the people you are expected to treat all your children alike. You belong to the East. People say you were born in the North. But you received

your education in the West. So you belong to the three Regions of Nigeria. I pray that your service as the Governor-General may be of importance and will help Nigeria further and the people will have to record that you have done more than the expatriates who were Governors before you.

In brief, I pray that God will help you and enable you to do your work to an end when it will please God to see that your time in life will not be forgotten. Thank you for the time you have given me to say these few words, and I wish you every blessing from above.

Senator A. S. Yusifu : Mr President, Sir, my first knowing you, or when I first heard of you was in 1937 when I was a school-boy. Now, your political student in the area, that was in Okene, who was then the Headmaster of the Middle School, which is now a Secondary School, was telling us of your dynamic speeches as a politician or as the first nationalist in this country, and I obtained a copy of your article, and while trying to show the class this invaluable thing the then Education Officer was inspecting the compound and what he had to do was to wrap this paper into his pocket because surely the Education Officer was not interested in it. Then nine years later, after my demobilisation from the Army, that was in 1946, you made a country-wide tour. Then I was working in the General Hospital, Lokoja, and then in your team was the late Herbert Macaulay and some others I cannot remember. Your address then was such a thing which alerted the Europeans and what happened before you left Lokoja to Okene was that a messenger was asked to go hastily to speak to the District Officer to debar you from getting an accommodation in the Rest House. Now, what happened was that the then Supervisor of Works, Mr I. W. Peters, who was more or less an independent man, because of his academic qualifications, was the only person who was bold enough to accommodate you.

Well, I have very much to say about your achievement in the liberation of the country as a whole. Now, having heard the feelings, expressions, impressions of the individuals in this hon. Senate about your future career I wish to fill the memorable gap left by the Senators, and that is I humbly request Your Excellency—I hope I shall not be regarded as seeing it wrong because it is going to happen—on

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behalf of the entire Senators to have a group photograph with you which will always serve as a commemoration of your great role in this segment of Nigerian Parliaments.

I end by saying that God will guide you in all your undertakings. Amen.

Senator S. Eytayo : Mr President, Sir, truth is truth whether spoken by a friend or foe. All the good things that have been said about you whether they have come from friends or foes remain the truth, and therefore I stand to ally myself with those views. It was only in 1947 that I came to know you although I have read much about you and heard much about you, and I remember that before 1947 I have read several books about you, especially *Re nascent Africa*. I was a member of the group, and the one who was patronising the book was living at Awe. You came to Oyo in the year 1946. I was a teacher at one Baptist School in that area, and when we heard about your coming I came all the way from my home-town to meet you at Oyo. Then you gave an address on that day, and after you finished there I went with you all along to Awe, and I believe that it was at Awe you lodged on that day. And then on that day I returned home ; so, as for knowing you I knew you personally in that year although I have read about you and heard much about you.

As has been expressed by former speakers your new position is a very great one, and all that you need to do here is to pray that God may give you the wisdom so that you may be able to go in and come out as God may like you to go in and come out before all these people to whom you are now the father. Therefore it is my prayer that God will give you all the wisdom that you need and all the strength and energy that you need for the arduous work that will soon fall upon you by the grace of God, and that when you reach that coveted position we believe that God will guide you so that you will know what to do. I like to agree with the last hon. speaker, that before you leave this august House all the Members of this Senate will be very happy to have a group photograph with you. Mr President, Sir, I congratulate you.

Senator M. G. Ejai fe : Mr President, Sir, I would like to join in the congratulations which have been expressed by all hon. Members here this morning on your appointment to the

Headship of State. This appointment has not come to us as a surprise because as we all know it is the fruit of your labours. There is a great temptation to repeat oneself but I would like as much as possible to resist that temptation although I am sure I shall not succeed. There are one or two points I would like to make. Several hon. Members tried to advise that the new Governor-General should forget politics. That seems to me presumptuous because the man is being appointed because of his ripeness and maturity and wisdom. I think the matter has been settled long ago by our hon. President of the Senate himself when he said that he would measure up to his great and high office. We cannot agree more and I think it is needless to give any advice of that kind.

We are very very gratified on this appointment for many reasons. One of them is that from now on every child in this country will know that if he conducts himself properly there is nothing that will stand between him and any office in this country. In the past Governor-Generals and Governors used to be drawn from overseas and it almost became a tradition for Governor-Generals and Governors to be expatriate. This myth has now been broken and we now know that an African is eligible for this very high office. I think this is very reassuring indeed. But we also know that not any African can attain this office. It is by dint of effort and sheer force of character not only by erudition but by appreciation of his love for this country that one can reach the high post of Governor-General. I sounded this note of warning not very long ago when one child was behaving rather presumptuously. I drew his attention to the other great leaders of this country and said to him, "These are very great men to-day ; do you think these people were always great ?" I tried to point out to him their condition when they were children and in the lower walks of life and then I turned to him and asked, "Who do you think is going to be Governor-General next week ?" He answered "Dr Azikiwe" and then I asked him again "Do you think he was always a great man ?" and I tried to point out some of the toils and sufferings and vicissitudes of his life. I tried to remember some of the points raised in his Odyssey. I reminded him of these things. Here is a very great African, so great that he is going to occupy no less a position than that of the Governor-General. I think the mere fact

that the Governor-General of this country is going to be a revered African is a great inspiration to many young Africans.

Another thing is this. The whole world looks to Nigeria as a great leading country in Africa. To lead Africa, Nigeria requires the greatest possible leader also and I think that at this point in the history of Nigeria we want people with capacity to steer the ship of State for long so that the whole world will not look in vain for that leadership in Africa for which the rest of Africa has been looking. I think there is very special advantage of the Governor-General of Nigeria being an African and one of calibre as our present President of the Senate. Governors have come and Governors have gone but with this case, with the exception of very recently the Western Region, in future the position in Nigeria is that Heads of State will be Africans. I think this is a very wise step indeed because although Governor-Generals do not take part in politics they stand to advise the politicians, and it is one who has studied the nature of the people of the various parts of the country, one who has travelled as widely as our present President of the Senate, who will be best fitted for the post. An expatriate Governor-General generally must be somewhat afraid because if he does not give certain advice he is afraid of being sacked.

I think in this case we are having a Governor-General who is not only respected but also loved by his former colleagues. It is not a question of fear or somebody from outside who is just trying to keep up during his five years of office but we have one who has the love of Nigeria at heart and who has worked continuously and indefatigably until Nigeria has attained independence. I am sure that he wishes Nigeria to be in peace and to prosper, and therefore any assistance that he may be called upon to give will be always such as will ensure that Nigeria will advance from strength to strength in education, in commerce and in other fields of prosperity.

I am also sure that a Governor-General of the calibre of our present revered and honoured President is one that will be able to put a break, if necessary, on any rash legislation or measures; and the fact that he has been able to see all the country will, I think, enable him to appreciate the difficulties which beset the various parts of the country, and he will be able to show that there is calm in the country. I

think we are all very very happy indeed that our present President has been appointed Governor-General, and I would like to give the assurance here that we will all co-operate and wish the Governor-General a very very happy and prosperous tenure of office.

I do not want to sit down without associating myself also with the expressions that we shall not be happy if there is nothing like a group photograph to remind us of the good association we have had with the President of the Senate and I think that the sooner that is done the better. I thank the President for the opportunity given to me and I would like to extend my best wishes to the consort of the new Governor-General as from Wednesday, Her Excellency Mrs Azikiwe.

Senator Chief R. A. Umoh : Mr President, I rise to associate myself with the ideas expressed by other hon. Senators who have spoken and have enumerated very widely the past noble works that you have done in the country. When such things are said they are not only delightful to the ears but they almost bring tears to the eyes of the listeners. I thank God for the privilege he has given to me on this very occasion as I think this is the most momentous occasion in the annals of my political life that I should say a bit and contribute my little quota. It is true that you have laid the foundation of very many things in this country. In political matters you have laid the foundation. You have given rise too to educational emancipation. As a matter of fact, your ideas have been taken all through the country and we have not relaxed any of them till to-day. These ideas as we know have been influential throughout the whole country like the waters of the rivers along the country; and this has been the case in very many things in Nigeria to-day.

You have toed the line with other countries. We have seen that as regards territorial boundaries. You are the first President, and you have played a very splendid part. This part we are sure others will have to follow. As a matter of fact the honourable qualities that have been enumerated about your person are nothing but truth. You have that spirit of tolerance which is really a virtue difficult to achieve. You are fatherly in all your ways that is true, and as a matter of fact in this new position, the Governor-General and Com-

[SENATOR CHIEF UMOH]
 mander-in-Chief of Nigeria, that you are going to take, I believe that God works in a mysterious way. We have no fitter person to take this position except he whom God has kept as the person to take that position. I am very very happy that the whole country has realised that you are most capable to take this position. This high position will befit not only your intelligence, it befits your wide experience, it also befits your noble person. Well, as we can see you have the spirit, the real burning spirit of a President; you have the spirit of philanthropy, you have the love of this country at heart, and I pray, I earnestly pray to God that you should have the furtherance and the continuance of these virtues in your high position. So I congratulate you in the new position that you are going to take and I wish you all tolerance, loving and fatherly to everybody.

The President : For the benefit of the hon. Senators who wish to speak, I would appeal to them to be brief because the Treasury Bench is ready now to wind up.

Senator E. A. Lagunju : Mr President, Sir, in congratulating you on your new appointment as Governor-General, I associate myself with others who have spoken. Yours is a special privilege in this wise. There are others who in different walks of life have fought at one time or the other but may not be privileged to witness this particular occasion in Nigerian politics. Others have fought with you and are not privileged even to witness our independence. You have fought bravely with others and you have been called upon not merely to witness but to participate and this I consider a special privilege, Sir.

I first met you in 1947 when you came to Ile-Ife. You were then going round on a special mission and that was in connection with the London Delegation. Even though the Delegation failed to achieve what you set for it, nevertheless your spirit remained indomitable and you kept on fighting till to-day you are a member of a free Nigeria. Mr President, Sir, I am very happy that somebody has spoken about you as holding a bat. Well, I am happy he did not say you had a sledge-hammer or a cudgel. We know what the sledge-hammer will do. It will only shatter or break into pieces. But with a bat, and again with a ruler, I am sure

you will pilot our ship of State to a satisfactory haven.

I am sure that when the Senate was first set up it was regarded as an experiment but you took over the post of the President, and you have comported yourself in such a fine way that you have now given this House a tradition. You are now going to a new post, Sir, which to us as Nigerians, is an experiment, and I am sure you will use your bat to weld together the different groups and show people that they can have unity in diversity. I wish you God speed.

Senator Chief S. T. Hunponu-Wusu : Mr President, Sir, I rise to associate myself with the previous speakers. I will be very brief as the time is far spent. Mr President, we Senators should try to copy certain things from you and, for one, I have observed that since the inception of this hon. House what it is—your simplicity. I remember round about 1938 when we were forming the swimming group. Here is a photograph in my hand with your very self in the middle at the swimming pool with Mr Bank-Anthony, Mr H. O. Davies, myself, Mr John Okwesa and with your simplicity in your Harvard University swimming costume when we were swimming together forming one Nigeria. You will all agree with me that such a person is the one that God has sent to guide this our great Nigeria. See a man so diligent in his work, not only will he stand before Kings but before God and man. Here he is to-day, he is standing in front of us as the leader of great Nigeria. We read a lot about Dr Aggrey. Here, we are with the greater Dr Nnamdi Azikiwe, the Governor-General of Nigeria. (*Hear, hear*).

We must be grateful. At first, when we were reading of Dr Aggrey, we said then that perhaps Nigeria will come to that stage but to-day we are grateful to our Creator that a son, a Nigerian, not only Dr Azikiwe, not only the President of the Senate but now the Governor-General of the Federation of Nigeria. It is a thing we must be grateful for and thank God. With the great number of people that form Nigeria to-day he has shown us the light, according to him in those days. Now the light is before us. How are we going to keep the light burning? Are we going to be guided with one side in darkness and the other with the light? The President of the Senate

has shown us the light and we shall try to copy from him. I am happy he has laid the foundation—true and sound foundation for Nigeria which we must all try to emulate and copy. In a few days' time, he will be installed as the Governor-General of Nigeria. The foundation has been laid, and I hope and pray that God may grant you strength and wisdom to discharge that faithful duty that it has pleased God to place you on, not by your words, not by your actions, but your diligence. You have been so diligent in all your actions and in all your words.

A few minutes ago, one of our Chiefs said you never saluted him without taking off your hat. How many of us can do that? Oh! because I am this. Oh! because I am a Doctor. Oh! because I am a Lawyer, then we start to abuse, lose our prestige and forget all our traditions. Hon. Senators, our President has laid the foundation for everyone of us to copy. He is worthy of emulation and we must try to copy him. We pray that God may give you strength and wisdom to guide Nigeria aright. Thank you, Mr President.

Senator Chief P. C. Ndu : Mr President, Sir, I will be brief. I would like to associate myself with the previous speakers. In fact, God is paying you now in your own coins. You brought light to Nigeria. Before 1930, nobody was able to speak to a whiteman in his face even though he was right. You had better be with the light, because the light is burning in everybody's home. The whole of Nigeria is inspired by the light and the light came from you. I came to know you more closely around 1949 when you came to Jos and it was thought fit for you to stay in my house. I concluded within myself then that the great height which you are going to attain is yet to come. I think we should thank God for giving you this honour as the first African Governor-General of Nigeria.

Thank you very much.

The President : I do not feel that we should break because I thought that the debate was coming to a close. When I saw only a few Senators standing up that was why I called on the Deputy President to wind up. Assuming that you will be very very brief, I think my eyes first caught the eyes of Senator Nzerem.

Senator J. K. Nzerem : Mr President, Sir, I think I am laughing last and I am going to laugh best.

The President : In that case you had better allow Senator Esangbedo to speak.

Senator Chief S. O. Esangbedo : Mr President, Sir, I rise to associate myself with the previous speakers for the special luck you have among other people who merit the appointment of Governor-General. I hope you will discharge your obligation faithfully without fear or favour. Sir, I congratulate you.

Senator Chief Mrs Wuraola Esan : Mr President, Sir, I am sorry I was a bit late this morning so I do not know whether all the men have spoken because a woman should not speak until all the men have spoken. I would like to add my own voice to those who have already congratulated you. We are all pleased that you have got this exalted post and as a woman we are always sounding the alarm, so I would like to warn you, Sir, that the unity of Nigeria is in your hands. (*Hear, hear*). It is in safe hands. Knowing you and what you have done, we know that now that you are not going to participate actively in any form of politics you are going to be a very good adviser and a good father for the Parliaments of Nigeria. We hope that as we all pray we may not have anything to do with crises or unrest or upheavals in Nigeria. We also pray that you may be given all the wisdom you require now to keep Nigeria a safe place for everybody and because of this we women are very pleased that an elderly statesman has been put in an illustrious position. We want the unity of Nigeria and we shall continue praying for you because it is a very heavy burden and being heavy, we know that you will always give all due consideration and all due thought to every matter brought before you and see both the wrong and the right side, and pray very hard that God may give you the sense of justice that you may steer the ship of Nigeria clear from any trouble.

Senator J. K. Nzerem : Mr President, Sir, as I said before I think I am laughing last and therefore laughing best but I am going to be extremely brief. Mr President, Sir, your name is a household word in Nigeria. I think that nobody in Nigeria is better qualified than yourself to be the first African Governor-

[SENATOR NZEREM]

General of this great country. Some people have spoken about the unity of Nigeria. You have made very great sacrifice about the unity of Nigeria; at one time, I said to myself is this man Zik—is he a wise man or a foolish man to undergo all this struggle for the sake of maintaining the unity of this country. But now I realise the good of Nigeria being united and being strong. It is now that I come to the conclusion that you must have got some divine inspiration because the suffering that this man underwent could not have been for nothing. So it is a thing of pride and I think of joy for all of us who have watched you and watched all that you did in order to get this country to the state that it is in to-day. We are very proud of you and are looking forward to seeing you cementing that unity that you have always preached.

I said I was going to be brief; a lot has been said and a lot remains to be said. We cannot say all that is to be said but we have one thing to say and that is that God has brought you to this country, God has made you what you are and we are looking forward to your good work—we hope your good work will continue to grow and lead to the country's prosperity and eventually become one of the greatest nations of the world. I congratulate you on your achievement and wish you the best of luck.

Senator Chief T. A. Doherty: Mr President, I beg your pardon, I like to be the last speaker!

The President: Nobody has pointed out to the Chair any breach of Point of Order, so I think the hon. Senator is in order.

Senator Chief Doherty: I rise to congratulate you and I associate myself with what previous speakers have said already. In this life we have no control over our destiny. People say there is destiny but I know that we cannot account for things as they happen but we find ourselves in it. When you started your political life, you were an eye-opener in this country and we followed you with great interest. You started a paper, you published a Sunday edition of that paper, and in that paper you wrote a series of articles, one of which was captioned—"If I were the Governor". That is why I say destiny follows us all our life; nobody thought of you becoming a Governor much less a Governor-General. You did not

think of it yourself. You wrote that article but that is the work of the divine guidance. It is a fact that we would very much have liked to have you as the Prime Minister of the Federation but God wants you for higher purpose and that purpose is the unity of Nigeria.

The unity of Nigeria—that is the sole purpose of my coming to this Senate. I have not come here to criticise the activities of heads of departments or the estimates—I have done that years ago. We have reached a stage in this country when unity must be given prominence. With your appointment as the Governor-General I like to realise that you are the symbol of unity in Nigeria now. You have withdrawn from politics as I have done myself—we both have done politics together in the past years—but you are now the symbol of the unity of Nigeria. I pray to God that he may guide you to fulfil the highest expectations of all sections of Nigeria and I may say all sections in the continent of Africa. Mr President, I congratulate you.

The President: I will now call upon the hon. Minister of State to wind up the debate.

The Minister of State (Senator the hon. Dr E. A. Esin): Mr President, Sir, there is an old adage which says "others are the mirrors upon which we reflect ourselves". In this House to-day the primary object of the debate which has been going on all morning has been in respect of your new appointment—it has pleased God to raise you to be the head of the Nigerian State—the Governor-General and not only that, the Commander-in-chief of the people of Nigeria. All your good works have been recounted and all your history has in a nutshell been put to you and I can assure you, Sir, that your appointment as the Governor-General of Nigeria is very pleasing to every Nigerian. In this House this morning, we have placed one solitary request before you and that is to galvanize and make into one the diverse tribes and the multitudes of people of Nigeria.

In my telegram to you in Rome I think I stated that the first sphere of our battle was over. We have taken Nigeria back for Nigerians and that our duty now is to create one citizenship and I expressed to you how delighted I was because I can see the stability of this country in your acceptance of the office of Governor-General. As I have said already,

we cannot recount your good work ; we cannot recount the labour that you have put in for the salvation of this country ; we cannot recount your achievements. It was just the other day that I went to Nsukka for the first time to see a dream that you and I had had come true in the Eastern Region. I was so gratified that in my life-time you can raise a monument of learning—I mean the University of Nigeria.

Now that you are to take office as the Governor-General of the Federation of Nigeria, you do not belong to the East ; you would not belong to the West or North. You are purely and simply a Nigerian at the head of the affairs of Nigerian people. As a father you will distribute whatever you can for the benefit of every Nigerian citizen. I am confident after years of close friendship and association with you, you will never let us down. I congratulate you and we pray God that in fulfilling this wonderful destiny of yours He may give you knowledge, protect and guide you and give you wisdom in the discharge of your duties as head of the Nigerian State and to be fair with every one in this country.

And now, Sir, I look forward to Wednesday as a day of the fulfilment of the struggle of those of us who have been on the vanguard of the struggle for the salvation of this country. Those of us who have been spared to see this day would be thankful to our God—we will receive you—we will extol you because you deserve it. You have been one of our greatest sons ; you have gone through thick and thin ; you have gone through everything but you still carried on. I can remember in this very House a great Tribunal was held over you when we were called in as witnesses. Some of us thought you would be destroyed but the God of Africa never allowed you to be destroyed. These experiences, Sir, ripen you into what you are to-day and we certainly are gratified that you have been appointed Governor-General. Senators—everyone of them have told you how happy they are ; they have congratulated you ; they have advised you and told you what they expect of you. I am sure you will measure up to that expectation. I feel very happy to have been a Senator during the period of your Presidentship. The debates in this House have proceeded without any trace of partisanship ; Senators spoke as Nigerians wishing their country well and I am happy that a

Senator—a man from the Upper House, ripe with experience, full of fight will occupy the office of Governor-General. We are very happy indeed that you are going to occupy what was formerly known as the Government House. (*Hear, hear*). We would pray at all times that God may guide you.

You know you have been asked to pose for a group photograph and may be you may like to say the last words before you leave us behind. We would have been very much obliged to have you here all the time as the head of the Senate but you are being called unto a higher service. We send you off with all goodwill and we hope you will occupy the Government House with the satisfaction that you are there because Nigerian people are happy that you should be there.

With these few remarks, Sir, I wish you Godspeed and we pray for you at all times that you guide the destiny of our people to success. May God bless you.

The President : Hon. Senators, before I put the question that the House do now adjourn, I wish to reciprocate the kind sentiments expressed by many speakers in connection with my association with this august body as its first President. I have often felt that I was highly honoured when you unanimously elected me to preside over your deliberations and I have always tried to serve you to the best of my ability. It has not been an easy task to satisfy the exacting demands of a body whose Members represent different walks of life but I think that we have all succeeded in working together by sharing our parliamentary experience with a sense of humour. We can justly claim that since the inception of this Upper House of Parliament, we have maintained the highest standard of demeanour. While at the outset, some of us did not have the faintest idea of parliamentary procedure under our standing order yet the experience gained during these ten months have been invaluable. I must confess that I have personally enjoyed my association with you. Although it has been short nevertheless we have worked together like a team of delegated law makers who are conscious of their responsibility to the nation. As an Upper House we have maintained parliamentary decorum and our deliberations have been exemplary.

(THE PRESIDENT).

You will recall that on my assumption of office, during my salutatory, I implored you to realise that you are elder statesmen of the nation and as such you should approach your task with objectivity. I am happy to testify publicly that I have been favourably impressed with the way you have handled all the Bills and Motions referred to you from the Lower House and those which originated here. On examining our *Hansard*, it will be found that our debates have been of the highest standard, thanks to the restraining influence of age and experience which favourably affected our approach to the issues before us. True to our exaltation to God before the starting of our public business, we have not allowed partial affections and private prejudices to sway our judgment. We have given support when necessary, we have criticised constructively and we have not obstructed Legislation. In my humble efforts to serve this hon. House, I have constantly kept before me the welfare of the nation and the supreme need to preserve its essential oneness and unity of purpose. Consequently, I have imperceptibly allowed a convention to be established as a result and I hope that hon. Senators will allow me to disclose one secret. I am not sure whether hon. Senators have perceived or recognised the way my eyes catch the eyes of those who desire to speak. My practice is to catch their eyes on a rotational basis from the Northern, Western, Eastern Regions and the Federal Territory (*Laughter*). This device has acted as a weather-cock to indicate the trend of senatorial opinion throughout the nation.

I am most grateful to hon. Senators for the kind words said about me and for the good

wishes extended to me in my new office. I assure you that I will assume that office with the same zest and spirit of dedication which have characterised my association with you in my present capacity. I appreciate the many courtesies and kindnesses you have extended to me from time to time, and I hope that you will continue to set the example of dignified restraint, objective approach, calm assessment and, of course, elderly pontification, in expressing your views on any matter which is brought before the Senate for deliberation. That is the only way to give constructive leadership in this sphere of political activity in our young country.

Finally, may I thank hon. Senators for their fellowship with me all these months. And may I also take the opportunity to express my appreciation of the co-operation which I received from the officers of our Parliament since my assumption of office as President of the Senate. As I bid you farewell, I pray to God to continue to guide the deliberations of this hon. House and may God bless you all.

I will now put the question, but before doing so, may I remind hon. Senators that your request for a group photograph has been considered by the Treasury Bench and that a group photograph will be taken this afternoon immediately after the adjournment of the House. The Ministry of Information photographers will be in attendance.

Question put and agreed to.

Resolved, that this House do now adjourn.
Adjourned accordingly at 12.20 p.m. until Thursday at 10 a.m.

SENATE OF THE FEDERATION OF NIGERIA

Thursday, 17th November, 1960

The Senate met

VACATION OF OFFICE BY PRESIDENT

The Minister of State (Senator Dr the hon. M. A. Majekodunmi): Clerk of the Parliaments, I have to acquaint the Senate of the vacation of the office of President by the hon. Dr Nnamdi Azikiwe on his being appointed Governor-General of the Federation, and that it is necessary to proceed forthwith to the choice of a new President.

ELECTION OF PRESIDENT

Senator Zanna M. Sheriff: Clerk of the Parliaments, I have the honour of proposing that Chief the hon. Dennis Chukwude Osadebay be the President of the Senate. I have a few reasons for making my proposal. As you know, he has high academic qualifications and has long experience in parliamentary business. I think that the hon. Senators here know more about him than anybody else.

His activities in parliamentary procedure and the way he handles his business is very remarkable, and I personally feel that he should be the figure that should lead us and guide us in this hon. House. So, with these points, I propose him to be the President of the Senate. *(Applause)*.

Senator Chief Z. C. Obi: I am prompted by my long knowledge and close association with Chief the hon. Chukwude Osadebay to second the nomination. Chief the hon. Osadebay, as I know him, is a cool and level-headed gentleman. Most of us have watched his career as the Leader of the Opposition in the Western House of Assembly and will testify to the fact that he has always been constructive and very co-operative with the Western Government. I am sure that, having such a man to lead this House, the tradition that this House has already established will continue.

I have very great pleasure in seconding the nomination.

Senator Dr Nwafor Orizu: In supporting the previous speakers I must say that I have four reasons for supporting Chief Osadebay as the President of this House. Firstly, he is an energetic man; secondly, he is an energetic parliamentarian with experience; thirdly, he is an energetic Opposition Leader where he

showed the quality of a gentleman by being agreeable in disagreement, fourthly, I am perfectly satisfied that he will carry this consistent energy into furthering the welfare of this House.

I am aware that he is not a Member of this House, but it is true also that most of the Members of the Senate have thrown away the garb of politicians and become statesmen. Among the sons of Nigeria Chief Osadebay stands as an edifice of honesty and integrity which I am sure will attract this House in combination with his little knowledge which will enable us as time goes on to start a good and well planned resistance, that is the well planned, thoughtful opposition to what we do not like in the Lower House and then be agreeable in disagreement. I beg to support.

Senator E. A. Lagunju: Clerk of the Parliaments, I am rising to make a counter Motion to nominate Senator Somolu as the President of this hon. House. In rising to do this I am not doing it from—

Senator A. E. Ukattah: Clerk of the Parliaments, point of order. I do not think it is in order parliamentarily speaking to make a second Motion when a Motion is on the Floor.

Senator Lagunju: Clerk of the Parliaments, I am doing so not from sentiment but from a national point of view. The Senate, being a non-party political body, can have its President from within, and we all know that Senator Somolu has carried himself in a fine way in this House. He is unassuming, but very business-like. He is a celebrated legal practitioner. He is respectful and diligent, and we all know him; he is a non-partisan politician but a dogged fighter for fundamental human rights. He has always been unflinching in the course of our national struggle and without mincing words.

I nominate Senator Somolu.

Senator P. A. Ogundipe: I second the Motion. I have very little to add to the Motion already proposed, that Senator Somolu be nominated as the new President of this House. We all know him and his worth. We know too that he is a legal practitioner and he knows everything about organising this kind of assembly. We all know his contribution since this House came into existence from our deliberations here. He has been very constructive and co-operative with the previous President of the House and we have all gained very much

[SENATOR OGUNDIPE]

from his contribution to the debates in this House.

As Members of the House, and as this House has already established a tradition and since all our deliberations have been praised by people outside, it would be condemning ourselves if we do not consider anybody worthy of that honourable post from among us. I therefore heartily second the Motion.

Senator A. E. Ukattah : Clerk of the Parliaments, I rise to speak in support of the first nomination, that Chief the hon. Chukwude Osadebay be appointed President of this Senate. There can be no doubt that the gentleman is one of the most illustrious sons of Nigeria. He is a lawyer by profession and as a lawyer he has had a country-wide and lucrative practice and proved to be one of the best lawyers of the Nigerian Bar. He has carried out his legal practice in an honest and God-fearing manner. As an erudite personality, his poems have proved to be a very worthy contribution to the literature of our days. Recently, you read a series of poems published in the Nigerian dailies written by Chief Osadebay.

As a politician, he has been in the vanguard of the struggle for our national liberation, the struggle which culminated in our recently won national independence. It is therefore true to say that to make Chief Osadebay the President of this Senate is an apt choice. It is my earnest hope that he will be able to measure up to the responsibility of guiding this Senate.

Clerk of the Parliaments, I wholeheartedly uphold his nomination and I call upon every Senator here, since I know you are all interested in the welfare of this nation, to support his nomination.

Senator Chief T. A. Doherty : Mr Clerk of the House, I should like to make a suggestion that this matter should be delayed for a day or two so that we can consider it. I have nothing against Mr Osadebay, I am not against Mr Somolu, but I do not think that it is fair to Members of this Senate that a political appointment should be made to the Chair of this House. I think that, as Members of the Senate and as elder statesmen, we should have been given the chance to consider any nomination the Government wishes to put before us, or as intelligent and experienced men, to choose whom we should make the President of the

Senate. I do not think we should start the new Nigeria with this kind of political squabble.

I think that as the Senate we are above politics. I do not mind who we put in the Chair—I do not want to be in the Chair—but I think that we should all meet as brothers and elect our own President, and not make it a political appointment. I therefore seriously suggest that we leave this matter, say, until tomorrow, and we meet sometime this evening or here in the afternoon, between ourselves as brothers, and select any man we want to be our President. It may even be Chief Osadebay that we select, but I do not think the Government should just nominate a political successor.

Senator Mallam O. B. Sanni Okin : Clerk of the Parliaments, I rise to support the first nomination on the ground that, although I have never met Chief Osadebay personally, I have been keenly watching his debates in the Western House of Assembly. He is a good debater and he is a man of his own personal conviction. I know that if he comes here to be the President of the Senate he will be able to guide us.

One thing is that this appointment has come to us as a surprise packet, but nevertheless those who have been able to watch the proceedings in the Western House of Assembly will come to the conclusion that Chief Osadebay is the best man to preside over the Senate.

With regard to the suggestion made by the last speaker to leave this matter until this afternoon or tomorrow, there will be no good result from it and the position will be made worse. As we know, according to the London Conference, the President of the Senate can be appointed from within the Senate or from outside the Senate, and so Chief Osadebay's appointment is quite in order.

As we all know from the Western House of Assembly, if Chief Osadebay disagrees with any debate he makes other people know about it. That is the kind of man we want to preside over the Senate. But, so far as I know, this is not a political appointment. He knows how he is going to be appointed and he knows what he is going to do in this House. Anything about politics must be set aside and I know Chief Osadebay is a man who will take wise advice.

Clerk of the Parliaments, let us forget about our political feelings. Although I have told you that I have never met Chief Osadebay before, it is not only until you have met a man

or have had contact with him that you can know what he can do. A man's daily activities prove what he can do to-day and what he can do in future. So I am just appealing to all the Members of this Senate to agree that Chief Osadebay is the best man to be the President of the Senate.

Senator Chief T. A. Odutola : Clerk of the Parliaments, I am not rising to oppose the appointment of Chief Osadebay who, for many years, I have always called Dennis. Chief Osadebay is a well-known gentleman to me. We have been together in the Western House of Assembly. The Senator who proposed his election has said that he is sure that there are many Senators in this House who know Chief Osadebay probably better than he does : and I think if people would claim to have known Chief Osadebay better than the gentleman that proposed his appointment, I should be one of them.

Chief Osadebay, as we all know, is one of the most cool headed gentlemen in this country, there is no doubt about that. (*Hear, hear*). I have known him for many years. He is a good fighter and he fights only the right cause. (*Hear, hear*). The trouble here to-day is not that Chief Osadebay is not the right type to be in the Chair. I think Members would observe that even when somebody was proposing Chief Shomolu he himself waved to say *no*. I think the grievance here is that we feel that, as elderly people in this country, we should be treated in the way we are due to be treated.

If Government is going to do anything it will not lower the prestige of the Government to take us into confidence. After all, after fifty, what is one after? There is very little that one is after after fifty. Some of us here have our own children, probably up to twenty or thirty years of age, and who are probably in responsible positions in this country to-day, and when we are called here as elderly people I feel that we should be treated the way we ought to be treated.

It is most unfortunate that Chief Osadebay, who commands so much respect from everybody in this House, should be made to sit down and hear from a section of the House here, that they are objecting to his appointment. Chief Osadebay is not a man of that type. I would only appeal to Government that it has

been said that this House is not a party politicians' House, and I think we should be treated as such. If at any time Government wants to do anything, if we are taken into confidence we would be able to tell Government where to go and where not to go. Where Government is right we are not going to fight against Government. We do not come here to fight we come here to seek after the welfare of the people of this country, but it looks as if the Senate in this House is looked upon as just a mere pack of small children that can be tossed here and there.

The other day we were asked to come and take photographs. I think we were standing outside for about an hour before we had to appeal or beg for chairs for some of us to sit down. I am sure Members of the House of Representatives who could get up and curse Ministers and abuse them, would not be treated like that. We are not people in a position to curse anybody or to abuse anybody. We want to be respected and therefore we should respect other people as well.

I am only appealing to Government that the way we are treated in this matter is not fair and that it is most unfortunate that Chief Osadebay, who is a man with such a very high reputation in this country, should be allowed to come and sit down here and hear any Member of this House saying that his appointment is not welcome. I do not think anybody in this House would disagree with or would refuse Chief Osadebay as President of this House.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh) : Clerk of the Parliaments, I want to say that the speech we have all listened to, made by Senator Chief Odutola, is one of the most sensible speeches in Parliament that I have heard for many years now, and I want to thank him sincerely for the words of wisdom which he has put forth this morning. Naturally we look up to people like Senator Chief Odutola and many of you here hon. Senators to speak your minds and to give advice to us and sometimes, if necessary, to use very stern words of admonition.

After all, Governments are not run by angels ; they are run by human beings and no one would like to say that Ministers of a constituted Government are infallible human beings. But in this connection, I would like

[MINISTER OF FINANCE]

to say that there is no intention on the side of Government to take you by surprise or to show any sign of disrespect.

Senator Chief J. S. Olayeye : I do not believe you.

The Minister of Finance : I am not trying to sugar-coat anything at all. I am quite sincere in what I am saying and maybe by the time I conclude the hon. and respected Chief from Okitipupa will agree with me.

You will agree that your President vacated his seat here only yesterday, if I may say so, officially, and during that period it would have been difficult for us to appoint a President-elect. Presidency of the Senate is not like the Governor-General elect, that you have to get authorities from the United Kingdom. And too, it is not an easy job to find somebody in this country who is completely divorced from politics, and it is also not an easy job to find a suitable person that will command the respect of hon. Senators of your position and standing, in the ordinary walks of life and also in Parliament. Therefore, it has been a herculean task for Government to be able to locate somebody on whose behalf such testimonies as you have—when I say you I refer to hon. Senator Chief Odutola—as you have just given on behalf of Chief Osadebay.

It has taken us some time, and obviously it is difficult to consult individuals in this matter ; but I must say that if we had more time at our disposal, we would have informed you in strict confidence some time before this matter is presented to you. But another trouble is that there has been so much speculation in the press about this appointment and we thought that if we were to say it to one or more people perhaps it would leak and the press might anticipate the Government.

You have all been witnesses of what appeared in the press about two or three days ago. Such speculation can embarrass Government, and that is why we appeal to the press to save us the unnecessary headache of trying to forecast things in such a way that they are almost the real thing that Government perhaps will be thinking. In the circumstances, I sincerely want to assure this House that there is no intention on the side of Government to embarrass you or to show any sign of disrespect, and I am grateful to all of you for speaking

your minds. It will only make us sit tight and squarely and realise that whenever we are bringing anything here, not only that we are going to be criticised strongly, but that sometimes it will even be criticism to the point of asking that we be given twelve strokes of the cane.

I am grateful to hon. Senators and I would still say that the hon. Chief Somolu is a personal friend of mine and has been for many years, and every single Member here could be made the President of the Senate. It is not the preserve of an individual ; every single Member here and every parliamentarian, every Senator—

Senator Mrs W. Esan : With the exception of me.

The Minister of Finance : I do not know about that. I would nominate you if it was in my power to do so, so that I would make some history. I will do so tomorrow. Once again I would say that we are not opposed as such to any nomination by you, but as I say I have given the point of view of Government and appeal to you very strongly that the history that you have created in the past should be maintained by you. If you say that we have not taken you into confidence and you act contrary to the accepted principles and the example that you ought to lay in this House, if you, because of that, throw it aside, you will be surprised what the public will say or the press will say about it. On this point alone, and on the words also expressed by Chief the hon. Senator Odutola, I ask all of you to please accept the nomination made on behalf of Government and allow us to continue, and I can assure you that in future we shall try our possible best in matters of this kind to keep you aware of it before it is ever proposed here.

Thank you.

Senator Olujide Somolu : Clerk of the Parliaments, if you would permit me to say something, I wish to say this, that I rise to speak in this matter with a good deal of embarrassment. It would appear to me that Government has got an idea in this matter. Personally, I should have thought that the Deputy President of this House would be the correct man to be nominated, but Government has a different idea and, in the circumstances, I wish to say this. Chief Osadebay has not only been a professional colleague, but he has

been a personal friend of mine for very many years. Perhaps, so long that he himself might perhaps not remember.

We were first in the vanguard of the fight for the freedom of this country. At that time very many who are now on the crest of the waves dared not come forward; so I know him very well. And, from what you have said, he has been a very decent gentleman, so decent that he is acceptable to every decent politician in this country. (*Hear, hear*). I am not a professional politician. If I chose to be a professional politician may be we might be on the same side or on opposite sides, I cannot say; but I do not want my nomination to be a humbug in the way of his appointment to the Presidency of this House. (*Applause*).

I am very grateful to my friends and others who think that I merit their confidence, but with their permission, I wish to say, Clerk of Parliaments, that I withdraw my nomination (*Hear, hear*).

Question proposed.

Clerk of the Parliaments: The House will proceed to a division. Senators Beyioku and Ukattah have been appointed Tellers for the *Ayes*, and, as there is no Senator willing to act as Teller for the *Noes*, the *Ayes* have it, and Chief Osadebay is declared duly elected President of the Senate. (*Loud Applause*.)

Then Chief Osadebay was taken out of his place in front of the Serjeant-at-Arms and conducted to the Chair by Senator Z. C. Obi and Senator Zanna Medalla Sherifi.

(Mr President in the Chair)

The President (who was received with general cheers and standing on the upper step): Honourable Senators, it is with great humility that I stand before you to thank you for the great honour you have done me by electing me this morning to be the President of this august body. The task is heavy. This is the Upper House of the Federal Parliament and our people in the country look upon it as the highest House of Parliament in the country. The task is not made lighter when one remembers that no less a person than His Excellency, Dr Nnamdi Azikiwe, was occupying this Chair till yesterday. It is not easy to step into his shoes, and so when I look at the seat it strikes awe into me.

I want to thank Senator Chief Odotola the Ogbeni Oja for the kind things he has said about me. I also want to thank my professional colleague Senator Somolu for his kind words. I do remember how long ago we started to be friends. I was a civil servant in this country and when the clarion call rang through the nation for service so that this country may be free, I left the Department of Customs and Excise and joined in the fight. I like to say it here now openly that I do not like party politics. (*Applause*).

It may sound paradoxical. I have been in active politics for a long time. I have been in the Western House of Assembly for nine years. I served in this very Chamber as a Member of the House of Representatives for two years till the House changed its structure and nobody could be a Member of the two Houses, but I have never liked party politics. It is something one is thrust into. You want to fight for your country because you want your country to be free, but you find yourself doing party politics. I am happy that I have come into this House where there is less and less party politics.

Several Senators: None, none.

The President: Well, there is no party politics such as there is in the House from which I come.

With these few words, hon. Senators, I thank you very much; but I will have to rely on your co-operation. It is not the same here as it is in the House from which I have come, so I will have to learn. You are older than I in this House, and I expect to learn from you. I will ask you to forgive my mistakes when I forget names until such a time that I shall have acquainted myself with everybody here. I thank you all. (*Applause*.)

The Minister of State (Senator the hon. Dr M. A. Majekodunmi): Mr President, Sir, I would like to take this opportunity to congratulate you on your appointment as President of this great House. You have come at a time when we all feel very sad indeed because we have lost our President; but we have lost him on a noble cause because he is now father of the whole nation. We have been very possessive here—regarding him as the father of the Senate only. He has gone to serve the country on a larger scale.

[DR MAJEKODUNMI]

Your fame has preceded you to this House and your election without any dissension is a vindication of the ideal for which the Senate has been created. This Senate has, for a long time, created a tradition of non-partisanship and is now regarded as a symbol of the unity of Nigeria. We feel very proud indeed that the good sense and statemanship of the Senators here this morning vindicate the fact that we do not debate the why's and wherefore's here, but we are here to examine all national issues objectively and impassionately and to be able to advise Government on the best line of action, and, as you yourself have seen from the speeches that have come from all sides of the House, the geniality of Members of the Senate is a quality we would very much like to see permeate all the Legislative Houses of this great country.

You have a great task before you and, as you yourself have said, you are stepping into the shoes of a very great person. But as you are one of his disciples (like some of us who followed him when he preached nationalism in this country while we were still very young), we have no doubt whatever that you will carry on the torch where he has left it and, God helping you, you will improve upon the work which he has started.

Mr President, I congratulate you.

Senator Adeniji Adele II (The Oba of Lagos): Mr President, I rise to join in congratulating you for your appointment as President of this House. We have known ourselves for a very long time, particularly when you were the General Secretary of the Civil Service Union in those days when we were fighting for our rights. My only prayer is that God may continue to endow you with wisdom so that you may be able to maintain the high standard established by Dr Azikiwe. I wish you success.

OATH OF ALLEGIANCE

Oath of Allegiance was then administered to the President, Chief the hon. D. C. Osadebay.

The President: Hon. Senators, sitting is suspended for 20 minutes.

Sitting suspended : 11.05 a.m.

Sitting resumed : 11.26 a.m.

ORDER OF THE DAY

PRINCESS ALEXANDRA

The Minister of State (Senator Dr the hon. M. A. Majekodunmi): Mr President, Sir, I move that this House do concur with the honourable the House of Representatives in the Resolution of the 14th of November, that a Message of Thanks expressing the sincere gratitude of this House be sent to Her Royal Highness the Princess Alexandra for coming to Nigeria as the Representative of Her Majesty the Queen, commissioned to open the First Session of Parliament, and for the gracious manner in which she had been pleased to discharge her Commission.

Mr President, Sir, this is a very pleasant reminder of the ceremonies attendant on the attainment of the independence of this country. That great event is now history and it would not have detracted one bit from the importance of the occasion whether the ceremonies had been performed in the Conference Hall where the Instrument of Independence was formally handed over to the Representative of Nigeria as in the case of a marriage in the Registry, or whether the ceremonies were performed with great pomp and pageantry, witnessed by distinguished visitors from all over the world like a society wedding; but we believe that nothing but the best is good enough for Nigeria. And as it was, the birth of our nation was an occasion of great rejoicing with great brilliance and pageantry.

In the middle of this brilliant event came the young Princess Alexandra of Kent like a star shining her brilliance on an already very brilliant setting. She came as a representative of Her Majesty the Queen of Nigeria and Head of the Commonwealth. Those who saw her marvelled that one so young should have discharged her duties with such sense of responsibility, such dignity, and such graciousness. But that was what she did. During the few weeks which she stayed with us she enjoyed herself with millions of our countrymen. Many of us wished that she could stay longer. Indeed there were some who wished that she should stay indefinitely. Such was her charm.

So what this Motion seeks is normal courtesy for saying the formal "thank you" to Her Royal Highness who came here to perform her duty so well, so brilliantly, with such charm. I have no doubt whatsoever that hon. Senators will unanimously accept this Motion so that we can send her our thanks for the brilliant and commendable way in which she performed her duty.

Mr President, Sir, I beg to move.

The Minister of State (Dr the hon. E. A. Esin): Mr President, Sir, I beg to support, and in doing so I associate myself with the wish to convey to Her Royal Highness how very much we appreciate the way in which she discharged her duties. There is one occasion I could remember when the Leader of the House of Representatives handing her a photograph which he took together with the Princess, and having seen the photograph with an inscription on the back of it, in a most charming way she turned round and said: "Let me have a copy and I will sign it for you". I thought she was a most charming figure, highly disciplined, and behaved in a way worthy of her rank.

This House will express to her how very thankful we are for her coming to Nigeria to discharge a duty which she did, and we are very grateful indeed for what she did for Nigeria, and hope that on another occasion she will come back to the House.

Question proposed.

Senator Dr Nwafor Orizu: I beg to support the Motion. In doing so I have a feeling that the Princess, Her Royal Highness Princess Alexandra, had done us a world of good. But we have to thank the British Government itself who considered her the most appropriate person to send to our country. I am sure that since we are in a House of dignity it is really our function more than that the House of Representatives to say that we are dignified in this action and that our thanks come from our hearts.

Mr President, I beg to support.

Senator Chief T. A. Odutola: Mr President, Sir, I rise to support the Motion before this House. We have been very fortunate that the British Government have selected a Member of the Royal Family who carried out the commission assigned to her in a way that we people of this country very much

appreciate. At the same time we are thanking Her Royal Highness for coming on this commission to open the new Parliament. I think I would have to take this opportunity of congratulating the people of this country as well.

The people of this country, as I see it, have set up a standard which I am sure will be difficult for any country in the African continent or perhaps in the world as a whole to emulate. As many have said, we have attained our independence without any bloodshed or any trouble, but apart from that the people of this country behaved themselves in a way that any dignified people in the world would behave. I am sure that Princess Alexandra went back to England perhaps with a very great impression of the people of this country.

We thank the British Government for making this very nice arrangement by sending the Princess Alexandra to come and open the First Parliament, and also thank the Princess for all the very onerous duties she had to carry out when she was here. I think all her time was fully occupied and one would just be wondering how it was possible for people of her age to do all that she did. It is agreed that it is not the age that counts, but at the same time the age is there.

As I said before, Mr President, I support the Motion which has been debated and passed in the House of Representatives that a Message of Thanks should be sent not only to Princess Alexandra but also to the British Government, if possible, for the honour they have accorded us.

Senator Mrs Wuraola Esan: Mr President, Sir, although I see Chief Beyioku fidgeting because we are proposing a Motion to thank a woman, I am very happy to join those who have supported the Motion, because this is the first time many men congregated together to say that a woman has done very well indeed. Men are always ready to criticise women, but on this occasion they have found that women are best ambassadors to send for such occasions. They would conduct themselves in a very dignified and appropriate manner that will merit the respect of all concerned, and for this reason I am at the same time asking the Nigerian Government that whenever they feel that such occasion occurs in other places and we are asked to send somebody they should remember to send women.

[SENATOR MRS ESAN]

We have many of them who are capable. I do not say they have the dignity or the up-bringing of the Princess of Kent, but they too could try as ambassadors of dignity and portray Nigerian women in a very creditable manner overseas. So, I am asking you to remember next time to call on women to do this type of thing.

Mr President, I beg to support.

Senator H. Udoh : Mr President, Sir, in supporting this Motion, I take this opportunity to thank the Nigerian Government for the able way they have presented themselves to the outside world. When you enter into a man's house and you find it neat and lovely, you are compelled to be neat and lovely. The atmosphere which invites to the Nigerian independence celebrations found here I am sure made them feel that this is a good land and they should conduct themselves well to meet up the appearance of the country.

The British Government should also be thanked for the way they have piloted us all along and up to the last moment contributed to the success of our independence. Not only that, everybody who participated in the independence celebrations proved that our independence was a deserving one. The Ministers who were in charge of all aspects of the preparations should also be congratulated.

Senator L. C. Daldry : Mr President, Sir, it is not appropriate for me to say much on this subject which is primarily an occasion for Nigerians themselves to express their satisfaction for the visit of the Princess, but by reason of the fact that I have been associated with Nigeria's Parliament for nearly five years I am virtually a Nigerian myself. (*Applause*) By reason of this, I feel justified in speaking very briefly this morning.

Certainly, I have never felt a stranger here. It was said here this morning in another context that this House is a symbol of the unity of Nigeria. Mr President, Sir, I feel it is much more than that. The fact that Nigeria has allowed me to sit in this House means, to my mind, that this House is not only the symbol of the unity of Nigeria but it is a symbol of the unity and equality of the entire human race. (*Applause*). Sir, if there is one characteristic of the Nigerian people which stands out more than anything else, it is their wonderful courtesy and kindness to visitors. This

was exemplified in a marvellous way at the time of the independence celebrations. The lavish hospitality which was so generously given to the representatives of the whole world is something which I am sure has never been equalled and will never be surpassed.

Mr President, Sir, Britain and Nigeria are now equal partners in the Commonwealth of which the Queen is the Head. The Princess therefore, it seems to me, is just as much Nigeria's Princess as she is Britain's Princess. Anyway, it is a great source of pride and pleasure to the British people that Nigerians have taken the Princess to their hearts and I have very great pleasure in supporting this motion.

Senator Chief Z. C. Obi : Mr President, Sir, I rise to support the Motion of Thanks expressing the sincere gratitude of the people of Nigeria to Her Royal Highness Princess Alexandra for the part she played throughout our independence celebrations. In addition to the good luck which the Nigerian Government had, she brought us additional luck, for throughout the celebrations in the whole country there was no trouble anywhere.

At this stage, Mr President, you might permit me to mention only one instance where the celebration of our independence was not properly carried out, and that was in the Spanish Island of Fernando Po. I would, with your permission, read from a publication in one of the Nigerian newspapers about how our people there were treated. We all know that in Fernando Po we have 35,000 Nigerians, 5000 natives and 1000 Europeans. It was reported that the Nigerians there were denied their enjoyment on the day of the independence celebrations.

I read: "Reports received here from the Nigerians who have recently returned from the Spanish Island of Fernando Po revealed that armed Police Force and Army were set to guard Nigerians there and prevent them from celebrating the independence of their country." On October 1, the great and memorable day, the reports went on, pubs and centres of amusements were closed down and Nigerians prevented from commemorating the day. Movements of Nigerian labourers and traders were restricted on the flimsy excuse that the day was a day for remembering the founding of the Island of Fernando Po. Both the Police

and Army forces patrol from house to house of Nigerian heads to find if they were making private celebrations and in most cases demanding drinks and extorting money from them with impunity. Those Nigerians who tried to remember the day in one way or the other were forced to disperse at gun-point. Even no provision was made for the labourers in transit at the camp in Calabar, despite the fact that the Commissioner announced before independence that all arrangements were being made to enable those at the plantation and townships to celebrate their country's independence.

Mr President, Sir, I want us to remember that the question of Nigerian labourers in Fernando Po has been giving this country a great headache. Our kith and kin over there have not been receiving a square deal from the Spanish Authorities and I feel that the time has come when the Nigerian Government, especially now that we have come into our own, should take decisive action to make our people in Fernando Po free. As I have said, I believe that this was the only instance where the independence celebrations were marred by the non-co-operative attitude of the Spanish Government.

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

Senator Mallam O. B. Sanni Okin : Mr President, Sir, I rise to support the Motion and I will be very brief. Her Royal Highness, Princess Alexandra, when she came here as a representative of the British Government, opened the first Parliament of an independent

Nigeria, but she failed to see the Parliament at work. I feel that in future members of the Royal family who come to Nigeria should see our Parliament at work. With this, Mr President, I beg to support the motion.

Senator Chief E. M. Uka : Mr President, Sir, I rise to support the Motion of thanks to Her Royal Highness, Princess Alexandra of Kent. In doing so, I must first of all thank the Government of Nigeria for the able way they conducted the celebrations, because so many people thought that during the celebrations there must be some sort of outbreaks which would result in loss of life and so on, but when that has not happened, we have shown the British people that we really are ripe to be an independent state. With that view, Sir, I support the Motion.

Question put and agreed to.

Resolved, nemine dissentiente : That this House doth concur with the Honourable House of Representatives in the said Resolution.

ADJOURNMENT

Motion made and Question proposed, That this House do now adjourn till Thursday, 24th November, 1960 : (Minister of State Senator Dr The hon. M. A. Majekodunmi).

Question put and agreed to.

Resolved, That this House do now adjourn till Thursday, 24th November, 1960.

Adjourned accordingly at nine minutes to twelve o'clock.

SENATE OF THE FEDERATION
OF NIGERIA

Thursday, 24th November, 1960

The Senate met at 10 a.m.

PRAYERS

(Mr President in the Chair)

OATHS

Oath of Allegiance was administered to Dr T. O. Elias, Minister of Justice.

PAPERS

The President : The following papers which have been published in the Supplements to *Official Gazette* No. 52 of 1st September, 1960, No. 57 of 22nd September, 1960 and No. 66 of 20th October, 1960, copies of which have already been distributed to Members of the Senate, are deemed to have been laid on the Table :

Customs Tariff (Duties and Exemptions) (No. 5) Order, 1960 (Legal Notice No. 131 of 1960).

Customs Tariff (Duties and Exemptions) (No. 6) Order, 1960 (Legal Notice No. 142 of 1960).

Customs Tariff (Duties and Exemptions) (No. 7) Order, 1960 (Legal Notice No. 169 of 1960).

The following papers, copies of which have already been distributed to Members of the Senate, are deemed to have been laid on the Table :

Draft Second Supplementary Estimates of the Government of the Federation of Nigeria, 1960-61.

Third Report of the Federal Public Service Commission for the period 1st January, 1950 to 31st December, 1960.

Statement of the Guarantees by the Federal Government of Loans made by the Bank of West Africa to the Lagos Executive Development Board, and by Barclays Bank D.C.O. to the Nigerian Railway Corporation.

BUSINESS OF THE SENATE

Minister of State (Senator Dr the hon. M. A. Majekodunmi) : Mr President, Sir, I rise to make the following Business Statement.

Thursday, 24th November, 1960—Motions arising to bring into operation the last two volumes of the Laws of Nigeria. Presentation of the following Bills :—Ports Amendment Bill. Royal Nigerian Army Bill. Royal Nigerian Navy Bill. Supplementary Appropriation (1960-61) (No. 2) Bill. Second Reading of Supplementary Appropriation (1960-61) (No. 2) Bill. Three confirmatory Motions relating to the Customs Tariffs No. 5, No. 6 and No. 7 Orders. Second Reading.

For the information of hon. Senators it is not expected that the Senate will rise before Tuesday, 29th November. Further business statements will be made later.

PRESENTATION OF PUBLIC BILLS

PORTS AMENDMENT BILL

The Minister of Transport and Aviation (The hon. R. A. Njoku) :

Second Reading—This day.

ROYAL NIGERIAN ARMY BILL

The Minister of Defence (Alhaji the hon. Muhammadu Ribadu) :

Second Reading—This day.

ROYAL NIGERIAN NAVY BILL

The Minister of Defence :

Second Reading—This day.

SUPPLEMENTARY APPROPRIATION (1960-61)
(NO. 2) BILL

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh) :

Second Reading—This day.

ORDERS OF THE DAY

REVISED EDITION (LAWS OF THE FEDERATION
AND LAGOS)

The Attorney-General and Minister of Justice (Dr the hon. T. O. Elias) : Mr President, Sir, I rise to move the Motion standing on Order Paper in my name. The Motion is in respect of the revised edition of the laws of the Federation of Nigeria and Lagos "That, in accordance with subsections (2) and (3) of section 10 of the Revised Edition (Laws of the Federation and Lagos) Ordinance, 1958 (No. 25 of 1958), this House authorises the Governor-General to order by Proclamation that the part of the Revised Edition of the Laws of the Federation and Lagos, copies of which were laid before the Senate on 14th November, 1960, and specified in the Schedule

hereto, shall come into force from such date as he may think fit."

Mr President, Sir, hon. Senators will remember that the Minister previously responsible, until recently, for legal and judicial matters in this House brought before you a Motion which I regard as the principal Motion, asking you to approve the intention of Government to bring the first ten volumes of the Laws of Nigeria into force. This was on August 23rd, 1960. The ten volumes which contain the Ordinances and the Subsidiary Legislation had since been brought into force.

The Motion now standing in my name is intended to enable Government to bring the two supplementary volumes which deal with Orders and Acts of the British Parliament as well as the Index of the first nine volumes into operation. The dates on which these will take effect are entirely the discretion of the Governor-General.

This is not really the principal Motion and it is only supplementary to the one which was previously approved. Hon. Senators will understand that the first ten volumes of the Laws of Nigeria are so complicated and so bulky that without the addition of one or two more volumes, which would serve as Index to these by way of summary, it may be very difficult for those who will use these volumes to apply them more readily and conveniently. So I am asking through you, Mr President, that the Motion standing in my name be now approved.

The Minister of Transport and Aviation (Hon. R. A. Njoku): Mr President, Sir, I beg to second.

Question proposed.

Senator H. O. Abaagu: Mr President, Sir I do not think there is any need for any further introduction to the Motion which has just been brought to this House for us to approve, as the Mover of the motion has just said, and I do not think there is any need for any further debate on the Motion except to support the Motion.

Mr President, Sir, I beg to support.

Senator Alhaji Abubakar Bale, Madawakin Bida: Mr President, Sir, I rise to support the Motion which has just been laid on the table. In accordance with the words of the hon. Attorney-General and Minister of Justice, I am saying that without the addition

of these two volumes, it will be very difficult to make much use of the previous volumes. I think it will be very necessary for this House to approve these two volumes so that a complete volume may be got and with this, Sir, I beg to support the Motion.

Senator Chief O. A. Fagbenro-Beyioku: Mr President, Sir, I fully support the Motion, particularly as it relates to jurisprudence, but, this being a matter which has to do with the law of the land, Sir, and being one of the very important Motions our new Attorney-General is placing before us, we will work on it. But, I want to make this explanation, Sir, that when it comes to the general provision of the law of this country, Members of this Senate will be delighted if the Federal Attorney-General and the Regional Attorney-Generals will work closely so as to be able to remove or to discourage any form of Federal or Regional law which has the tendency of oppressing any section of the people of this country.

We cannot live in Nigeria, Sir, and find that when we are in a section of Nigeria, we enjoy what is law and order, we enjoy legal protection, we enjoy our civic rights, but when we move to another section of the country, we find life so unbearable and we find people unduly oppressed for political reasons; we find the Regional Houses and Legislatures promulgating laws purposely to get people scared and to create for them an atmosphere not conducive to satisfaction.

So, with these few remarks, Sir, I feel that our new Attorney-General will take notice of this situation throughout the Federation of Nigeria.

Senator Sani O. B. Okin: Mr President, Sir, first of all, I have to congratulate our new Minister of Justice. Now that we have the new Attorney-General, law will be made by him because in the whole House of Representatives, Members were criticising most parts of the laws of Nigeria on the ground that a layman cannot simply quote the law because laws are always quoted with references and unless Members are in possession of those laws, it will be very, very difficult for any Member to criticise or say something about the law.

Let us now hope that our new Minister of Justice will try his best possible to see that laws of the Federation of Nigeria are brought up-to-date and by so doing everybody will be able to

[SENATOR SANNNI O. B. OKIN]
know where we are going, what to be done and what not to be done.

Mr President, Sir, I beg to support.

Senator O. Somolu : Mr President, Sir, like other Senators, I take this opportunity to congratulate and to welcome back to this country our Attorney-General and Minister of Justice of the Federation. For long we have missed him in this country. Now that the Federal Government has devised a way of bringing him back, I am sure he is going to be of very much use to us in this country. (*Hear, hear.*) I remember that towards the end of last year and early this year, we met at the Conference on the Future of Law in Africa and I remember still the very able contributions he made to that Conference. We missed him very badly at the Constitutional Seminar, but now that he is back I hope he will be back finally and put in his quota to the progress of this country.

Now, Mr President, Sir, on this question of the Motion moved by him, I think that there is very little one can say at this moment because it would appear as if the new Attorney-General is himself not entirely responsible for the presentation of this Motion, so that whatever one may like to say would have to be shelved till some other time when he has had time to sift things and has ably given real guidance to the Federal Government.

As one hon. Senator has already said, Volume XII of the Laws of the Federation and Lagos is not contentious at all. It is just an index. But when it comes to Volume XI which contains Imperial Acts and Royal Orders in Council, I would appeal to the Federal Minister of Justice and Attorney-General to look closely into these things. Now we are being asked to pass a whole Volume of Laws containing Imperial Acts and Royal Orders in Council. There is no effort made by the Government to co-opt a committee to sit down to decide on what Imperial Acts or Royal Orders in Council we are being asked to adopt. Everything is just bundled into one volume and passed into law. I think this is a most deplorable way of doing things, with very great respect to my learned Friends constituting the Federal Government.

Are we going to inherit everything that had been in our law as Imperial Act and Royal Orders in Council or are we going to sit

down and sift them to know what we want and what we do not want? There is no attempt made in this respect, and I think that the new Federal Minister of Justice will look into these things.

It is not my practice to be obstructive because, as Senator Okin has said, this is a Motion which deals with a technical matter upon which perhaps a few are involved. But I think the Attorney-General himself will be the first to admit that for this country to adopt *en masse* without discrimination and without any consultation every Act of Parliament, Imperial Act and Royal Orders in Council, is a most unsatisfactory step, and I think he will try and correct it as soon as he can.

And in this respect I will also appeal to him, and I think he will give it very due consideration, to see that as we have it in the East, as we have it in the West, we ought to have in the Federation a law revision committee. There is no reason why that mass of laws that is embodied in these twelve volumes should pass; a good many of them have been made out-of-date because of several amendments. The amendments are going faster than the law itself, and I am sure the Attorney-General would like to consider these.

As I say, I do not want to be obstructive. I support the Motion but, in respect of these points I have made, most reluctantly.

Question put and agreed to.

Resolved : That, in accordance with subsections (2) and (3) of section 10 of the Revised Edition (Laws of the Federation and Lagos) Ordinance, 1958 (No. 25 of 1958), this House authorises the Governor-General to order by Proclamation that the part of the Revised Edition of the Laws of the Federation and Lagos, copies of which were laid before the Senate on 14th November, 1960 and specified in the Schedule hereto, shall come into force from such date as he may think fit.

SUPPLEMENTARY APPROPRIATION
(1960-61) (No. 2) BILL

Order for Second Reading read.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh) : Mr President, Sir, I beg to move that a Bill entitled a Bill for an Act to make Supplementary Provision for the service of Nigeria for the year ended 31st March, one

thousand nine hundred and sixty-one be read a second time.

Sir, this Supplementary Appropriation Bill provides for additional expenditure of £729,060. The effect of the Bill will be to reduce the surplus shown in the draft estimates to £445,750. Senators will, however, be glad to know that I confidently expect the actual surplus for the year to exceed this amount substantially.

When the Senate considered the Supplementary Appropriation Bill last August, I said that provided revenue came up to expectations, the surplus for the year would be about £1.2 million. The latest reports on revenue prospects are encouraging. It is expected that the final results will be much more favourable than the figures shown in the estimates. Expenditure also will probably fall below the total appropriations made by Parliament. So, Sir, I believe that when we get to the end of the year we shall find that the surplus will be no less than the £1.2 million I estimated last August.

This will be a most satisfactory outcome of the financial year. It is an indication of the sound planning which goes into our estimates. I should add that the surplus of £1.2 million does not take into account any major windfalls of a non-recurrent nature. I refer, in particular to the sum of £7½ million which we have received as our share of the distribution of the surplus and reserves of the former Commonwealth African Currency Board.

The presentation of Supplementary Estimates is a normal feature of the Parliamentary calendar. As the year progresses, it is inevitable that new needs should arise which were not foreseen when the original estimates for the year were prepared. In these circumstances, it is both right and proper that Parliament should be invited to provide the money required to meet these additional needs.

There is nothing extraordinary in the Supplementary Estimates before the Senate and I do not propose to trouble Senators with a detailed explanation as to their content. Some of the additional items arise from our new position in the world as an independent country. For example, upon independence a new Ministry of Justice was created and a number of other changes were made in the

composition of the Council of Ministers. These changes are properly reflected in the Supplementary Estimates. Then again, we have had to make provision for our membership of the United Nations Organisation; a provisional amount of £50,000 has been included in the estimates.

As an independent country, it is now our privilege to be the host for international gatherings. An item has, therefore, been included in the Supplementary Estimates to provide for the cost of the important International Labour Organisation Conference which will shortly be held in Lagos.

I must also refer very briefly to the Supplementary Estimates of capital expenditure, although these do not, in fact, form part of the Appropriation Bill.

I think Senators will find that the items in the capital estimates explain themselves. Over all their effect upon the expenditure being incurred by the Federal Government under the economic programme is negligible. They increase the gap between commitments and resources by as little as only £20.

This, Mr President, Sir, is all I need say at this stage about the Supplementary Estimates. Members will, I am sure, agree with me that they are extremely modest. I would also like to assure them that before any Supplementary Estimates proposals are put to Parliament they have to survive most rigorous scrutiny in the Ministry of Finance. I am always concerned to ensure that public funds are spent with the maximum of economy, and that no item is put to Parliament unless it is absolutely unavoidable for the good government of Nigeria.

Much has been said in the past few weeks about the problems of nationalisation and the place of strangers in our Civil Service and, indeed in our community generally, I do not wish to dwell at length on these subjects this morning. I do, however, want to make it quite clear to the Senate that both these subjects have an important bearing upon our economic well-being. Ill-considered comment upon them can have a most damaging effect upon the progress of the country.

In the case of nationalisation I am sure that the critics of the Government are confused. The dangerous policy of nationalisation which

[MINISTER OF FINANCE]

I deplore is the one which threatens existing business with public ownership. In other words, the State takes over entirely private enterprise of one sort or another. Apart from the question of whether or not Nigeria can afford the large amounts of compensation which would be involved, this is a line of policy, which, in my view, is objectionable anyway. It can only lead to the stifling of private endeavour and initiative.

Certain public utilities are already placed on a national basis and I do not think that any of us wish to disturb that position. It is, however, the extension of the principle of public ownership to other industry and business which must be resisted.

If, however, my critics mean by nationalisation Nigerian ownership of and participation in private enterprise, then I have no disagreement with them. It is the policy of this Government to encourage Nigerians on as wide a basis as possible to take up shares in local industry. It is also the policy of the Government in appropriate circumstances to participate itself in the capital of industrial and other enterprises. Sometimes this is necessary to generate support for a new industry. For example, the Government participated in the initial investment in the Nigeria Cement Company. These, Mr President, are forms of Nigerian participation in industry which we applaud. I repeat, however, that what my colleagues and I object to is dangerous talk which creates the impression that private enterprise is in danger of being taken over by the State.

As I have said before, I do not see how the irresponsible comments which we have heard lately on nationalisation and other matters are going to advance the fortune of this Federation one iota. They represent destructive forces rather than constructive ones. I therefore call upon each and everyone of you to work as this Government is doing for the peace and unity of a democratic Nigeria.

Mr President, Sir, I beg to move.

The Minister of Transport and Aviation (Hon. R. A. Njoku): Sir, I beg to second.

Question proposed.

The President: Pursuant to Standing Order 64, the debate stands adjourned till tomorrow.

PORTS (AMENDMENT) BILL

Order for Second Reading read.

The Minister of Transport and Aviation (Hon. R. A. Njoku): Mr President, Sir, I rise to move that a Bill for an Act to amend the Ports Ordinance of 1954 be now read a second time.

Sir, for the proper understanding of this Bill, it is necessary that it should be read together with the main Ordinance, that is the Ports Ordinance of 1954. The Bill before hon. Senators seeks to amend the borrowing powers or borrowing provision in the Ports Ordinance in order to facilitate possible borrowing by the authority both inside and outside Nigeria from sources other than the Federal Government. Up to the present time, Sir, the Ports Authority has obtained the loans necessary for its development from the Federal Government, but it is now considered that the time has come when it should be given authority to borrow from other sources. In particular, this Bill is designed to define the relationship for the purpose of repayment of interest and repayment of capital, between sums borrowed from the Government and those borrowed from other sources.

Sir, hon. Senators will be aware from previous statements which I have made that the Ports Authority is at present engaged in negotiation for the raising of capital outside Nigeria. It is hoped that the Authority will be able to borrow on the London market or New York market or possibly from both markets, and this loan which is primarily meant to finance further expansion of the Authority, is likely to take the form of a public loan which will be raised from the public at large and, therefore, it may come from individuals whose names are yet unknown. As the law stands at present, section 30 provides, *inter alia*—"that money may be borrowed only from such persons as the Minister may approve..." which means that such persons must be persons known to the Minister and it is not conceivable that Ministers should know the general public in America or in London.

I have, therefore, Sir, been advised that as the law now stands it would preclude public loans being raised by the Authority. I think, Sir, that this is manifestly undesirable. It is not in the interest of the Authority that their power of borrowing for necessary development should be restricted in this way. It is

essential that our public authorities, such as the Ports Authority, should be in a position to raise public loans in the money markets of the world.

The purpose of the Bill, therefore, is to amend the Ports Ordinance, so that possible borrowing by it, both inside and outside Nigeria, from sources other than the Federal Government, will not be impeded and indeed by general rationalisation of the financial position of the Ordinance, this should be facilitated.

The Bill is fairly short; but perhaps I may be permitted to refer to some of the Clauses of it.

Clause 3 of the Bill proposes a new section 27, which states what shall be charged on the Authority's revenue. The Section has the effect of defining the objects of the Authority's financial policy, since this must be designed to meet these charges, taking one year with another. In other words, this Section shows exactly what the Authority should be able to place as security for the loans which it raises.

Clause 4 of the Bill proposes the repeal and replacement of Section 28 of the principal Ordinance. Now, this particular Section deals with reserve funds and in particular it rationalises earlier legislation on this subject. It gives effect to the principle that specific reserve funds must be established subject to the authority of the Minister.

Sir, it will be observed that the new Section 28A is proposed by Clause 5 of the Bill. This new Section defines the use to which funds may be put which are surplus after the meeting of proper charges against revenue, as defined by Section 27 to which I have already alluded.

Clause 6 of the Bill proposes the repeal and replacement of Section 29 of the principal Ordinance, and Clause 7 introduces a new Section 29A. These new Sections embody new provisions relating to the same subject of borrowing. Section 29 deals with borrowing other than from the Federal Government and 29A with borrowing from that Government. Section 29A defines the way in which money may be borrowed and embodies the new principle that all outside borrowing shall rank equally with other outside borrowing but that

all borrowing from Government shall rank for payment and payment of interest after outside borrowing. I think this is the usual provision for such matters.

The Government of the Federation has to guarantee all outside borrowing by the Authority and it is only fair that any loans which the Authority itself may raise from the Federal Government, since the Authority is in fact an arm of the Federal Government, should rank only second to borrowing from other sources. If this were not the case, outside capital would be difficult to attract.

Section 29 also defines the ways in which money may be borrowed and embodies the new principle which I have already referred to. Sir, the only exception to this principle is where the Federal Government borrows money specifically for the purpose of re-lending it to the Authority. Such a loan is, in fact, outside borrowing. An example of this type of transaction is found in the loan which was raised from the International Bank for Reconstruction and Development. In that particular case, the International Bank lent the money to the Federal Government and the Federal Government in turn lent it to the Railway Corporation.

Section 29A gives the Authority power to borrow from the Government. The terms of such borrowing will be arranged by me, that is by the Minister, although, in practice, my powers in this respect will be exercised in consultation with the Minister of Finance, who has general responsibility for the financial policy of the Federal Government.

The amendment of Section 30 of the principal Ordinance proposed by Clause 8 of the Bill is designed to clarify the fact that this Section refers only to temporary borrowing. Clause 9 of the Bill amends the Fourth Schedule to the principal Ordinance by the addition, after paragraph 14, of a new paragraph 14A to provide for the use of a facsimile of the Authority's seal outside Nigeria, that is an exact copy of the Authority's seal outside Nigeria. This provision should be of particular benefit if the Authority borrows in the United States of America, because if this new paragraph

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is not enacted the Authority's seal will have to be affixed by hand to numerous documents, a procedure which is tedious and time-wasting.

Sir, these are the main provisions of the Bill, but before I commend the Bill to this hon. House, it is only fair that I should pay a special tribute to the Chairman of the Authority for the way in which he has conducted negotiations for the purpose of raising necessary funds for the further development of the Authority. I know, Sir, that during his last leave, Mr Dove gave a large part of his time to this important business and I think it is only right that when a public officer goes out of his way and uses his own time to serve the Government, he should be congratulated for so doing.

One other point I would like to mention is that it is my intention in the very near future to appoint a Nigerian as Chairman of the Authority, in accordance with the Nigerianisation policy of the Government (*Hear, hear*) and in this connection I think I ought to mention that I have already had discussions with the present Chairman and he is willing and ready to relinquish his present post of Chairman as soon as the law is amended to enable me to appoint a Nigerian (*Applause*).

Sir, it is a fitting testimony to the good name and the financial stability of Nigeria that a public utility corporation like the Nigerian Ports Authority can go to the world market to raise public loans with which to finance its development. This practice is not peculiar to Nigeria. I say this because it has been mentioned in the other House that there has been too much borrowing. It is very well known that every big business in the world from time to time has to borrow in order to advance its development. The important thing is that the business should be properly run and should be able to liquidate all such debts incurred. It is a common practice among public corporations all over the world.

I can assure this hon. House that the financial position of the Authority is fundamentally sound and that any loan raised under the powers to be conferred by this legislation should be repaid without difficulty.

As I said, Sir, this is a simple and short amending Bill; I think it is very clearly stated and, therefore, it is now my very great pleasure to commend it to this House.

Sir, I beg to move.

The Minister of State (Senator Dr the hon. Majekodunmi): Sir, I beg to second.

Question proposed.

Senator Chief O. A. Fagbenro-Beyioku: Mr President, Sir, as far as the Nigerian Ports Authority is concerned, every Senator and every Parliamentarian in this country stands proud of that great Corporation of Nigeria. The Bill before us to amend a section of the Ports Ordinance to allow the Nigerian Ports Authority as such to borrow from outside is welcome.

The Ports Authority, as we know, has done a lot and those of us who have taken the trouble to read the Fifth Annual Report for the year ended 31st March, 1960 have been highly impressed and we have come to the conclusion that such a public corporation, with such a great spirit of determination to develop and to promote the port industry of this country, should be given every encouragement it deserves.

But what will make me support the amendment to this Bill is that I feel sure that the members of the Ports Authority are responsible enough as not to abuse this privilege which this hon. House will now give its blessing. Nevertheless, I will hold the strong view that the Federal Ministry of Transport and Aviation should still have a lot to do in determining the type, the size and the form of loans which will be raised, particularly where such loans may have to be bonded by the general assets of the Nigerian Ports Authority—I am not quite sure about that—or the loans may have to be secured by the Federation of Nigeria.

Sir, there is a section in the Ordinance which deals with the facsimile of the Seal. It confuses me somehow and, Sir, permit me to quote: "Clause 9—The Authority may have for use in any territory, district or place not situate in Nigeria, an official seal which shall be a facsimile of the Seal of the Authority, and such seal may be affixed manually or may be engraved, lithographed, printed or mechanically reproduced upon any contract". Well, if it comes to the question of affixing manually then I feel concerned because here in this particular Amendment, Sir, there is no provision for an Agent or Agent-General or somebody who will take care of this Seal and I would want

to be assured that where we have a facsimile Seal and it can be applied manually outside Nigeria by whom and under what circumstances. Well, if it is engraved, lithographed or otherwise, we know that they are all done here under the supervision of the Board of the Nigerian Ports Authority. But let us say, for instance if somebody in the United States is to affix it manually on a document, who is that somebody? I want to be quite clear on that, Sir, if I am quite clear on that I will have some rest of mind.

Sir, the hon. the Minister of Transport has taken opportunity of this occasion to mention that he proposes very soon, or at an early stage, to introduce an Amendment to the Ports Authority Ordinance so as to allow for the appointment of a Nigerian as the Chairman of the Nigerian Ports Authority. I am sure, Sir, that when that was announced every hon. Senator felt very happy and we have to congratulate the Minister for taking such a decision. I know that of late there have been so much pressure from within and from without and it is not very easy for the Minister to take his decision in this matter, particularly where the present Chairman of the Nigerian Ports Authority is concerned.

As somebody who has been very close to the Chairman I stand without apology on the Floor of this House to pay my respect to the general ability of that Englishman. (*Hear, hear.*) He has developed the Ports Authority from nothing to something which now commands international respect. I should think our own Port stands next to those of the best in the world and all these have been achieved through the persistent effort of Mr Dove. Mr Dove arrived in Nigeria in 1954 to study the exploratory stages of the Nigerian Ports Authority and since 1954 I have been closely connected with him. I have sat with him; I have discussed with him; we planned the Ports Authority together; he took my advice and I took his advice and I think I am very happy.

Now, Sir, referring to some sections of the Report of the Ports Authority, we observe that the Authority handled over £2 million of imports for the period ended 31st March, 1960 and about £952,000 of exports. I feel that that is a figure for which we must have to be proud and this has been due to the efficient organisation of the Management. Never-

theless, we feel that we can still do more and I am sure Mr Dove and the staff will be prepared to put in more effort in order to win for this country more confidence from the shipping world.

Sir, we have to congratulate the Ports Authority also for its training scheme because that is one thing which agitates our minds in Nigeria to-day. When we talk of Nigerianisation, we cannot Nigerianise without the materials being available. And if what Mr Dove has done with Nigerian Ports Authority within a period of six years had been done by the Government for the past sixty years on the question of having to appoint Permanent Secretaries or people to take up managerial posts in this country no difficulty would have arisen. Mr Dove came and what he set ahead of him was the training scheme and according to the Report there are over 100 people in the United Kingdom training to take up senior service appointments. Sir, I feel that if that had been the policy of the Government in the past we should not have been faced with the present difficulty with which we are faced to-day.

Also there have been progressive appointments to top posts in the Nigerian Ports Authority, according to the Report. Mr President, Sir, permit me to refer to paragraph 54 of the Report which actually interests me. It says, "The most significant feature of the staff side was the promotion of 6 indigenous Traffic Officers to the post of Senior Traffic Officers, that is to the Assistant Dock Superintendent status. Other senior service staff promotions include the elevation of 12 Assistant Traffic Officers to the post of Traffic Officers and 11 Junior Staff to the post of Assistant Traffic Officers."

Apart from this Report, Sir, in a further Report we are made to understand that there are Nigerians in the Nigerian Ports Authority holding such posts as Assistant General-Managers. No less than two Nigerians are holding the post of Deputy Dockyard Managers. Deputy Port Engineers—all very high posts in the Nigerian Ports Authority—and there are Nigerians also as Deputy Chief Harbour Master. This sort of thing gives one confidence, and I feel sure that if that Nigerianisation policy will continue in the Nigerian Ports

[CHIEF BEVIOKU]

Authority within the next four or five years that Authority will be completely Nigerianised and all the glory will go to Mr Dove.

I also have to refer to industrial relations in the Nigerian Ports Authority as one of the main secrets which has made the Ports Authority to be successful. Mr Dove is very wise. He is paying particular attention to industrial relations, and I should say that during his period of office since 1954 there have not been more than four major strikes in the whole of the Ports Authority. That is wonderful.

The relationship between the workers' organisation and the management in the Nigerian Ports Authority, even though it cannot be hundred per cent satisfactory, there should always be room for improvement, I would say it is not as bad as in other Corporations and Government Departments. So, for that, I have to congratulate the Nigerian Ports Authority for what they have been able to do so far. They have done a lot to place Nigeria on the map as far as the shipping industry and ports facilities are concerned.

I still feel they could do more and improve upon the standard which they have now set.

With these remarks, Mr President, I beg to support.

Senator J. K. Nzerem : Mr President, Sir, in supporting this Motion by the Minister of Transport and Aviation I think we have to pay a deserving tribute to all those who are concerned with the ports of this country. Those of us who have made use of the ports sometime in the past and are making use of them now will readily realise that a great deal of effort had been put into improving our ports, and one cannot pay sufficient tribute to all those who have had a hand in this great work.

In presenting the Bill to the House the hon. Minister of Transport and Aviation has said he is considering bringing in legislation to enable him to appoint a Nigerian to this very high post of the Chairman of the Ports Authority. This is very welcome. As has already been pointed out by the last speaker, a good training scheme has made it possible for many Nigerians to hold posts of great responsibility in the Ports Authority. I do hope that when the time comes when somebody is to be appointed a Chairman of this Authority that the Minister will no doubt look around the country and

appoint a man of very high integrity, a man who knows what he is doing. We do not Nigerianise simply because we want to see a Nigerian in a place. We want to get a very efficient Nigerian and one of a very high moral standard.

There is one thing about the borrowing power which is being sought. The Railway Corporation recently borrowed a large sum of money. Perhaps the Electricity Corporation may be wishing to borrow some time. Other Corporations may borrow money. They wish to borrow money from either this country or from abroad. I wonder whether this may not lead to some chaos. Would it not be better for the Federal Government to borrow this money and then lend to the various Corporations instead of the Corporations being given authority to borrow outside?

Although we praise the present Chairman of the Ports Authority, what guarantee have we that we can get somebody who is as responsible as the present Chairman, and the result may be that loans may be taken from places without due consideration. I think the Government will have to look into that very seriously. I think it is easy for the Federal Government to borrow money from abroad and then re-lend to such Corporations as are in need of money. But we cannot stop this Bill from passing, because I know that both the Minister of Transport and Aviation and the present Chairman of the Corporation are responsible enough to see that money will be borrowed only when it is really necessary.

I think we must congratulate both the Minister of Transport and Aviation and the Chairman of the Ports Authority for the very good work that has been done in our ports, and we are looking forward to improvement in the future. I beg to support.

Senator A. E. Ukattah : Mr President, Sir, most of the points I had wanted to touch upon have been handled by the earlier speakers. Well, a great tribute has been paid to the Chairman of the Ports Authority, and I think the greatest testimony to his goodness is the fact that he is prepared to relinquish his post as soon as a suitable Nigerian is found. Well, that goes to his credit, too.

Now, Mr President, this Bill brings in a number of Amendments including facility to borrow money within and outside Nigeria from sources other than the Federal Government.

To my mind this is the most significant point, a most significant Amendment, and but for the safety valve provided I would have felt ready to oppose this, and that is the fact that before they can go out to look for money they would have to get the approval of the appropriate Minister and also the Governor-General-in-Council. This is a point I wish to hammer forcibly upon, because we may not continue to have a Chairman that is as good as the present one, and I would advise that before the Minister and the Governor-General-in-Council give approval for money to be borrowed they should be very careful and scrutinise properly before giving approval. This is a point I wish to emphasise.

Now, secondly, much as I am very optimistic of the Authority surviving in every respect, I think I have to seek an explanation here as to what will happen if moneys borrowed, particularly from outside Nigeria, cannot be repaid by the Authority? What part has the Federal Government to play in order to repay the loan? I want an answer to that, and with that I support the Bill.

Senator Dahilton O. Asemota : Mr President, Sir, I have very few remarks to make. I certainly feel like congratulating the Ports Authority for the valuable work that has been done, but I think others who have spoken are really concerned with Port Harcourt, Lagos, Calabar, and other places, but if the Minister of Transport will only have time to pay a visit to Sapele Port probably he will change his mind. The jetty of Sapele Port, I must say, is giving way on its approach this side, and it is so bad that anybody visiting Sapele Port will certainly have something to say about the Ports Authority.

I know that there is some new building going on in the Customs Shed but the port itself, Sir, is so vast that I think a great deal of attention is required there. Now, although I have a copy of this report which I am sure you may have not read but, going through it now, I see there is nothing said about Sapele here and Sapele is supposed to be one of the most important ports in the mid-west area.

It is true that something is said of Burutu, but Burutu is quite a different thing from Sapele because the bulk of the produce from Benin Province all go to Sapele Port and the

jetty is now giving way. Unless immediate attention is given to that, I doubt if we will be able to ship anything from Sapele Port within the next few months, so that the borrowing of money or not is such that if the money borrowed is to be used exclusively in the important parts of the country, Sir, then I am afraid I do not think we will be very happy to contribute it.

Whatever happens, I do hope that the Minister of Transport, as he said, will have time to pay a visit to that part of the country and Mr Dove, with all the nice things that have been said about him will, before he relinquishes his office to his successor, see that something is done to remedy the very, very deplorable state of Sapele Port. I support the Bill.

Senator O. B. Okin : Mr President, although many Senators have made important points there is one point I would like to raise. In the past the Nigerian Ports Authority was not properly run, but now Mr Dove has done his possible best to put it on a proper footing. As I said, there is one thing I would like the Minister to take note of, and that is the granting of the power of borrowing.

During the course of his speech the Minister said that the Nigerian Ports Authority was financially sound. If a Corporation is financially sound, what is the use of borrowing money? Attention must be paid to this matter. We have many corporations in Nigeria now and there must be some restriction on their powers of borrowing.

Also the Minister did not tell us whether the Ports Authority is being differently treated from other corporations. Otherwise, the other corporations may in future come forward wishing to be granted power to borrow. Therefore, if any corporation wishes in the future to go outside Nigeria to borrow money they should work out their commitments so that we shall see what they are going to do with the money and it will be for the Federal Government to decide how much is to be borrowed abroad on their behalf. But if all these corporations are allowed to go outside Nigeria to borrow money I am afraid that the financial position of the country may not be safe.

[SENATOR OKIN]

There is another thing. The Minister also said during the course of his speech that arrangements for borrowing will be made by him in due course. Are we not entitled to know the nature of these arrangements? I hope that in due course any arrangements that the Minister wishes to make he should let Senators know about them. Mr President, I beg to support.

Chief S. J. Hunponu-Wusu : Mr President, I rise to support the last speakers who were speaking on the Ports Authority, but I would like to remind this House that there was a debate here some time ago when the question of Regions came up, the question of borrowing money. It was decided then that the Regions should borrow from the Federal Government and now it appears that the Ports Authority is asking their permission now to go out to borrow money. When it has been decided that the Regions could borrow from the Federal Government and the Federal Government could go out to borrow money and lend it to the Regions, why cannot the Ports Authority do the same thing?

It has been said by some Members here this morning that the Electricity Corporation could come up and the Railway could similarly go out to borrow. Where shall we be? So, Mr President, I feel that serious consideration must be given to this matter. Although the Ports Authority have been doing very well—according to the last speaker but once they are financially sound—if they are financially sound, what is the necessity for going out to borrow money? I feel that the Federal Government should be the Mother and the Federal Government is the Mother.

Any of these corporations who need money should borrow from the Federal Government directly instead of going out by themselves to borrow. It may be from America or from England. The Railway Corporation or E.C.N. or some other corporations may soon follow their suit; they too need money, and once we allow the Ports Authority to go out and borrow, it will appear to them that we have created a precedent and they will also wish to go out and borrow money, but I feel they are not doing justice to the Federal Government.

And so, Mr President, I want this particular point to be considered by the Minister in charge

that if we allow this thing to pass we are establishing a precedent which some other corporations would like to follow.

Senator Mrs W. Esan : Mr President, Sir, I would like to support some of the speakers who said the Ports Authority is doing good work, as we all know and appreciate the good work the Members of the Ports Authority are doing. As someone said, they might have been somewhat planless, but now that they have plans I think we should support them to find money.

But what I would like to stress upon is this habit of going a-borrowing every time. Now we here are giving authority to our Federal Government to borrow money, but we are also called upon to give authority to corporations one by one to go out again and borrow. When are we going to stop this habit of borrowing simply because we want to develop this and develop that?

Another thing I would like to say is about what the Minister said this morning about the use of seal. I should think it is very open to argument that this use of the seal should be looked into. I think when the Minister gets up to reply he will give us the satisfaction that this seal will not be mis-used in any way whatsoever.

Another thing that I would like to touch upon is what happens when we go out borrowing. We just go out to borrow from the government of a country, now we are being told that we are going out to borrow from individuals. Well, we are getting on nicely with this borrowing palaver and we seem to be improving on borrowing and borrowing. The next thing about this borrowing is to go out into the market place and ask the market women to collect money for us to borrow in order to develop Nigeria, and these markets may not even be our own, but foreign markets, because we think that all the money in this world is being given to certain particular nations of the world because God is unjust to us in Africa and we cannot borrow from Nigeria. If we need to borrow money I think quite a lot of money is in circulation in Nigeria and really if we must invest, let us invest our own individual capital instead of going out now.

If a Corporation must go out and borrow, why not in Nigeria? Are these people very, very, rich so that they can give us money and then, in the long run, put in their own conditions? Before we know what we are doing, we shall be putting Nigeria into a position that we will all regret later on. I think if we must borrow because we have started with borrowing, so long as we start with borrowing, we must have a strict rule to the method and ways of borrowing, or else there will not be a stop.

With these few remarks, I beg to say that, although I support the improvement or the progress being made by the Ports Authority, I do not support this attitude of going a-borrowing.

Sitting suspended : 11.35 a.m.

Sitting resumed : 11.50 a.m.

Senator Chief P. I. Acholonu : Mr President, Sir, I am not arguing with the previous speakers but I rise simply to ask a question because during the last Budget Session it was in this very House that Members were asking why the Federal Government should be borrowing money for the Regional Governments. We were made to know that the East, West and North are autonomous and can do anything themselves without any authorisation from the Federal Government but they were not allowed by law, according to the explanation given us at the time, to borrow directly without going through the Federal Government. But the Federal Corporations, which are part and parcel of the Federal Government, are asking for special permission of this hon. House to allow them to borrow separately. That is why some of the Members in this House were quite indifferent in associating themselves with some others in passing the Motion.

I am not opposing the Motion but I am trying to know, through the hon. President, from the Minister concerned the difference between the Regional Governments in not being able to borrow directly by themselves outside the country and the Corporation under the control of Federal Government who now have power to borrow direct from overseas.

With this, Sir, I beg to support.

Senator Abdul Salami Yusufu : Mr President, Sir, I support the Bill in principle but nevertheless, I have a few comments to make and this is in respect of the giving of authority by the Federal Government to a Corporation to borrow money. In this case I feel it is a matter of contradiction or a matter which brings about complication. I say this because the Regional Governments which are autonomous have not been given such facilities of borrowing money direct and at the same time I feel that we have several other Corporations, as a Member of this Senate has just explained. In my own opinion, therefore, it would be wise that things should be uniform throughout.

However, all being well and if the Corporation will invest such money in accordance with its expressed intention, that is, if the money will be invested properly and the Corporation will be able to repay this loan in accordance with the agreement, well, the Authority may be authorised to borrow.

Now about the tribute to the Chairman of the Ports Authority, I wish to associate myself with the rest of the hon. Senators to congratulate him for the period he has stayed in this country and the memorable services he has rendered to the country. I hope that we shall have a relief—which I do not intend to oppose—but I shall be very happy if his relief is not going to be a square peg in a round hole. I hope that as we build our country, now that we have reached our last stage of political aspiration, which is independence, I hope that whatever we do, we shall do it in such a way as to set a good example to countries that are still dependent and to prove to the outside world that we can manage our affairs properly.

With these few remarks, I support the Bill

The Minister of Transport and Aviation (Hon. R. A. Njoku) : Mr President, Sir, I would like to thank all hon. Members for the very constructive way in which they have contributed to this debate. I shall try very briefly to answer some of the points raised during the debate.

Senator Chief Beyioku spoke about the facsimile Seal and the affixing of it and wanted an assurance that the Seal would only be affixed by somebody duly authorised. Sir, this assurance is indeed contained in Clause 9 of the

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 Bill which says—"The provisions of this Schedule shall apply in respect of such official seal as they apply in respect of the Seal of the Authority". In other words, the provision which governs the use of the official seal also applies in the case of Facsimile Seal and that provision is found in paragraph 14 of the First Schedule which says—"That the affixing of the Seal of the Authority shall be authenticated by the signature of the Chairman or some other Member of the Authority authorised either generally or specifically by the Authority to act in his stead for the purpose."

I would like to inform hon. Senators that this job is generally done by the Secretary of the Authority. He is the man that affixes the seal; so that if the facsimile of the seal is used in America or in the United Kingdom, the Secretary will have to affix the seal, and there will be no question of any abuse of it.

Senator Nzerem spoke about the quality of the Chairman to be appointed. I would like to assure him that in making the appointment, I shall have due regard to the integrity of the individual. We realise that the Ports Authority is a very important Corporation and that anybody we place at the head of it should be a person of high moral calibre.

Now, the question of the borrowing powers being conferred by this Bill on the Authority has been raised by many hon. Senators. They have asked why the Federal Government should not in the first instance borrow the money and re-lend it to the Ports Authority, as was the case regarding the Railway Corporation. Now, before a public authority can borrow, it must show that it can repay, that it is properly managed, that its finances are sound and that it can repay. I think it is true to say that the Ports Authority has so conducted its business in the last few years that foreign visitors and businessmen have been really impressed and some of them have ventured to suggest that the Authority was so very well run that there would not be much difficulty in raising external loans to continue the good work which it has been doing.

The Federal Government, through the Minister of Finance, is trying to narrow the gap between the funds which we have to cover the entire Economic Programme and the funds which are required. In other words, the

Federal Government has still got to borrow many millions of pounds before we have sufficient money to carry out the entire Programme which ends on the 31st of March, 1962. For that reason, the Federal Government feels that if any of our public Corporations has a good chance of attracting investment from outside on its own and thereby narrowing the gap in the Economic Programme, that it should be authorised to do so, otherwise it would mean that the Minister of Finance will spend most of his time going abroad trying to raise this money.

It is considered that if, for instance, the Ports Authority because of the way in which it carries on its business, can borrow money or attract investment from outside and thereby give some relief to the Minister of Finance in finding such funds for the whole country, it should be allowed to do so. But I would like to add that the borrowing powers are controlled centrally; there is the Loans Advisory Council for the whole Federation on which the Federal Government is represented, and it is in this Council that decisions are taken as to how much money should be borrowed and by whom it should be borrowed.

It is true that the Regional Governments, according to our Constitution, have not got the power of external borrowing—raising money from abroad—without the legislative sanction of the Federal Legislature. The Regional Government can borrow if the House of Representatives and this hon. House empower such a Regional Government to borrow, and I think that in one instance that power has already been exercised. So, the same thing applies to the public Corporations.

But, as I said, this power of borrowing and the use of this power of borrowing have to be controlled. It is not a question of giving a blank cheque to the Authority to go and borrow whenever they like, to go out tomorrow and borrow £30. As hon. Senators are aware, in Clause 6 of the Bill, it is proposed that any such loan to be raised by the Ports Authority must be authorised by the Minister of Transport and Aviation and by the Governor-General-in-Council. They cannot go out on their own to borrow any amount of money they like, which would upset the economy of this country. So that the only reason why they are being

given the power of borrowing from abroad is that we are sure that they will be able to repay the money and also that they would be able to attract investment and if they do so, they would be minimising the work in that respect of the Minister of Finance, and in that way help the Government as a whole to finance the general development of the country.

Senator Ukatta asked who would pay if the Authority defaults. My answer is that we are quite sure that the Authority will not default. But the outside lender wants more than that. The outside lender demands that any such external loan should be guaranteed by the Federal Government, and this is always the case. The Federal Government guarantees the loans and, according to law, if the principal debtor does not pay, then the guarantor is bound to pay. But we are quite sure that the Authority would always be able to pay both the interest and the principal according to the terms of the Agreement.

Senator Asemota drew my attention to the fact that there are many more ports in Nigeria apart from Lagos and Port Harcourt. I entirely agree with him but I would like to assure him that the Government, especially the Ports Authority and my Ministry, are at the moment very busy improving three ports in the Mid-West area: the Port of Warri—we are spending over half a million pounds there at the moment improving it and building a dockyard; Sapele—we are building a new jetty there, the contract has been given out and contractors are on the site. (*Hear, hear*).

Senator Asemota : So the contractors are there ?

The Minister of Transport and Aviation : Yes, they are there. I do not think the hon. Senator has been there for the past three months ! And even at Koko, which is near Sapele, work is going on. In that area three ports are being built up and you may also be interested to hear that I propose to leave on a tour of inspection of these Ports on the 1st of December (*Hear, hear*).

Senator Asemota : I hope to be at home then ! (*Laughter*).

The Minister of Transport and Aviation : Senator Sanni Okin has asked a question which was asked in the other House—why the Ports Authority should borrow when it had a

surplus. I am glad that hon. Senator Daldry is here present—he is the financial wizard we have in the Federal Legislature—but I think you will agree with me when I say that it is only a body like the Ports Authority, or any firm or business which can show a surplus that would be able to borrow any large sum of money from the bank. If any business cannot show a surplus—if you are running a private business and you do not make a profit, you cannot go to Barclays Bank to borrow money, they will not lend you money (*Laughter*). It is only when you show the surplus with which you can repay your debt that any banking house will be prepared to lend you money. That is why in this case we have great hopes that the Ports Authority will be able to raise the money which they want from the world market.

I think I have answered the point about Regions not being allowed to borrow and also of the Corporations seeking authority to borrow. The Regions, like the Corporations, are not allowed to borrow externally but this Legislature can authorise them and I think in one instance already we have done so. The same thing applies to the public corporations; they have no authority to borrow without the legislative sanction of this Parliament and that is what is being sought.

Sir, Senator Mrs Esan has asked why we should not raise money locally; why do we not borrow from the public here; why must we borrow from the public abroad. I think she will be interested to hear that legislation will soon be passed in this country establishing a 'Stock Exchange', that is, a money market where the public can invest their money in buying stocks and shares. And when that happens the Ports Authority or any other corporation in this country can borrow from the Nigerian public. If I may say so, to raise a public loan does not show that the country is bankrupt or that the country is extravagant. I think it is a sign of maturity in the commercial and industrial fields. It is only when a country has matured sufficiently in the fields of commerce and industry that it can raise public loans; that it can have a money market.

So, it is not a bad sign for our economic development in this country that we are raising loans from the public and raising loans from abroad. That has happened in many

[MINISTER OF TRANSPORT]
parts of the world; in the United Kingdom there are a number of Stock Exchanges and the position is the same in the United States and people in the United Kingdom can buy stocks from America and people in America can buy stocks from the London market and other money markets in the United Kingdom. It is a sign of commercial and industrial maturity when a nation or a country have got a money market from which people who belong to that nation or to some other nations or countries of the world can raise loans.

Sir, I think these were the main points which were raised by the various speakers. Once more, I would like to thank all those who contributed to the Debate for the very responsible and constructive way in which they have done so.

Question put and agreed to.

Bill accordingly read a Second Time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1 to 10 agreed to.

Enactment agreed to.

Bill to be reported.

(Mr President resumed the Chair)

Bill reported without amendment, read the Third Time and passed.

ROYAL NIGERIAN ARMY BILL

Order for second reading read.

Minister of State (Senator Dr the hon. M. A. Majekodunmi): Mr President, Sir, I rise to move the second reading of the Bill to make provision for a change of designation of the Nigerian Military Forces and for other purposes connected therewith.

This Bill, Sir, seeks to give statutory recognition to the change of designation of the Royal Nigerian Military Forces. The new designation is a necessary consequence of our independent status. Our Armed Forces were originally raised to expand and to protect the interest of the imperial power in this country. It was, as hon. Senators will recall, a component part of the old Royal West African Frontier Forces, which in turn was an overseas arm of the British Army and was controlled from the War Office in London.

In 1958, the United Kingdom Government ceased to be responsible for our Armed Forces but control was exercised by the Governor-General in his absolute discretion until shortly before independence. It is only fitting, therefore, that on the attainment of the status of an independent sovereign state, Nigeria should emphasise the fact of having an army of her own with appropriate designation in conformity with international usage in sovereign states.

Our Armed Forces are no longer an instrument of a foreign power; we have now the peoples' Army owing loyalty to Her Majesty as the Constitutional Queen of Nigeria and to the lawfully constituted Authority of the Nigerian State. It is an Army well suited by training and equipment for the protection of our sovereignty and for the implementation of our policy of maintaining world peace in co-operation with our fellow members of the United Nation Organisation.

When this Bill becomes Law, it is our intention to change the designation of the formation and unit of the Army. For instance, in place of "districts" we shall have "brigades".

This is a very short Bill, Sir, and I know that it is non-contentious. I therefore very warmly commend it to hon. Senators.

Minister of State (Senator Dr the hon. E. A. Esin): Mr President, Sir, I beg to second.

Question proposed.

Senator Chief Ezeogo Ugwuocha: Mr President, I wish to associate myself with the support of this Bill. In doing so I wish to cite a publication of two days ago about certain high officials in our Military Forces shirking their responsibilities during the inauguration of the Governor-General, and I was baffled myself when I saw what happened during the inauguration ceremony. I thought, as we have been preaching in this House, that Nigerianisation of the Civil Service has taken place, but when I read this publication I found that this is not so. I wish to know from this Government whether a query has been issued to the expatriate officers who failed in their duties and I desire to be informed of their replies.

I am surprised that at this time of our independence we could still be dribbled by these expatriate officers when these people really tormented us when we were a colonial territory. Therefore, I have a little amendment to make to this Bill. Why should we still hold the idea of still calling our Military Forces "The Royal Nigerian Army". It boils down that we are copying from the United Kingdom Government. We should have a little Amendment. Nigerian Army is quite sufficient rather than attaching the word "Royal" to the Nigerian Army.

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

Senator A. E. Ukattah : Mr President, Sir, this is a very narrow Bill, and it is non-contentious. All that it seeks to do is to substitute the word "Army" for the phrase "Military Forces". There is nothing bad in that, but I feel that the Amendment should have gone a little further to remove the word "Royal". I, personally, do not think that the word "Royal" if taken away will have something to do with our present relations with the Government of Great Britain.

There is too much liking for that word "Royal"—Royal Nigerian Navy, Royal Military Forces, Royal everything, and, perhaps Royal Food. I feel that it is too much for that word. It should not be done. The thing could be Nigerian Army. Take away the word "Royal".

Senator M. G. Ejaije : Mr President, Sir, at the risk of repeating I would like to associate myself with other speakers in respect of this word "Royal". First of all, I would like to congratulate the Council of Ministers for their initiative and for their readiness to acquiesce in public opinion. I think they have taken initiative to make several amendments in conformity with our new status as a self-governing and independent nation. They have made several amendments and several changes externally, internally, formally and materially.

I think it is a very good thing starting this legislation to make an Amendment again in the change from the Military Forces to Army. I get up to repeat what others have said to show that the feeling is widespread that the amendment is not fully carried out. Along the road is the Armel's lorry normally carrying letters. It used to be named the "Royal Mail" When

I was going round I thought they were going to keep on "Royal Mail" so that they could provide a target for my criticism, but behold they have themselves taken the initiative to remove the word "Royal" and put in "Nigerian Mail". I think that should be a lesson to us, and I was expecting that in a Bill like this we should take the opportunity of removing the word "Royal".

I hope that the removal will not constitute a disloyalty to the Queen, and as we all know, we ourselves know how much attachment there is between us and Great Britain, and particularly to the Queen, and I think it does not constitute disloyalty. I think we should remove the word "Royal". Unless satisfactory explanation is forthcoming it is my feeling, and possibly the feelings of many others, that the word "Royal" should at this time be removed, otherwise it will be the subject of widespread resentment and talk, and we do not want in course of time to be forced by public opinion to remove it.

About Nigerianisation, I know that it must be very difficult to make any changes overnight, particularly as military matters are so technical, requiring particular training, but I think it is up to us now to put in our whole weight into the training of our own men, so that as soon as possible we shall intensify and bring about a near complete Nigerianisation in our Military Forces. I beg to support.

Senator Sani O. B. Okin : Mr President, I have very few words to say about the word "Royal". To me, personally, I do not see anything wrong with the word "Royal". Really when you go into the history, even in the olden days, we have something to remember. There are seven days in the week. Now, when one reads the history of England you see that the old people were once pagans, but when they became Christians and brought in other religions they still remembered they have their Sunday, Monday, Tuesday, Wednesday, and so on.

The word "Royal" does not really mean that the Army belongs to Great Britain, and at present we are having the Prince of Wales. The Welsh people did not say they do not like the word Prince of Wales to be used and only to be called the Prince of Great Britain. Well, I do not see anything wrong with the

[SENATOR OKIN]
word "Royal". We departed with these people peacefully. We did not fight. Well, I suggest that there is nothing wrong with the word "Royal" and that it is not indicating that our Armed Forces belong to Great Britain.

Mr President, I beg to support that the word "Royal" should remain.

Senator Abdul Salami Yesufu : Mr President, in supporting the Bill, well, I am indifferent as to what title should be applied to our Military Forces. What I like to complain about is the standard of our Military Forces. It is circulated around this country that truly speaking we cannot beat Ghana, which is less populated than this country, because of their strategic armaments.

Now I think Military Forces are the backbone of any nation and the fact is that I say that the Government should be awakened so as to increase the number of forces and introduce new scientific armaments, and I do not think there is anything wrong.

I come back to that question of title, the application of the word "Royal". During the Second World War, and while the West African Frontier Forces were fighting side by side with the British Army in Burma, well there our military forces did actually learn a lot from the United Kingdom forces. Well, for that reason I do not see anything wrong if we can keep something to commemorate the past deeds and the culture of the United Kingdom forces especially as to-day we use the Queen as the head of the Commonwealth. Personally, I do not see anything wrong with that word "Royal".

With these few remarks, Mr President, I beg to support the Bill.

Chief J. S. Olayeye : I am opposed to the word "Royal". If we are not careful this House will automatically become the Royal Senate (*Laughter*). There is no difficulty if you call it Nigerian Army which is more appropriate and preferable than 'Royal' Nigerian Army. If we leave it as Royal Nigerian Army it will appear as if that army is being dictated to by the British and not the Nigerian Army. So I am absolutely opposed to the prefix "Royal".

Apart from that, Mr President, I support.

Senator Alhaji Abubakar Bale : Mr President, Sir. We have won our Independ-

ence and it means a lot. It has brought many changes. The educated elements of this country will understand a lot without any explanation what independence means. But there are still a lot who are not educated and will not know really what is meant by independence. What has it brought to them ?

There is one thing. The Governor-General is no more an expatriate. The Speaker is no more an expatriate. The President is a Nigerian. All these things we have got. That is what independence means : we rule ourselves ; we take part in all our affairs. That is what it means.

What about the Army ? What change has it brought with independence ? They say it is a "Royal Nigerian Army" ! Do they still belong to the British ? You know we are taking part in the Commonwealth of which the Queen is Head. We do not cut a part of Nigeria and separate it and give it to the British Government. If we have achieved independence, our Army should be "Nigerian Army" and not anything "Royal". That word, I feel, should go back to the House of Representatives and be amended because this is not acceptable to the Upper House.

Senator D. Asemota : In associating myself with the previous speakers about this word "Royal" I think the word "Royal" was attached to it not very long ago. It was an honour which one of the Princesses or one of the Kings bestowed on the Nigerian Army. It is just a kind of special recognition during one of the visits of one of the Royalties, a sort of conferment. But now that we are on our own I do not think it is anything discourteous if that word "Royal" is taken out both from the Military and the Navy.

To save time, I would say that I am strongly of the opinion that the word "Royal" both in the Nigerian Army and in the Nigerian Navy should be removed because, as it is, we are on our own and, naturally, everybody expects us to enjoy our independence to the full. As such, anything considered to be Colonial should be eliminated, gradually if not immediately.

That also goes to the prayer that is said in both Houses of Parliament. Actually, it is a prayer for the Queen. Although I do not want to be disrespectful to Her Majesty, but it is something that should start to occupy the

minds of Legislators, the sort of prayer that should be said in the House in future. I am not elaborating on that at this moment. There will be another time for me to do that.

Coming to this Army, I would like the Government to give consideration to recruiting our boys into our Army, that is to include it in the school curriculum as is done in other parts of the world. In every secondary school in the U.K. at a certain age they draft boys from secondary schools to the Army.

An hon. Senator : All secondary schools ?

Senator Asemota : All secondary schools. This is the time for us in Nigeria to do something on those lines when we should send our boys from secondary schools into the Army. We do not know what is going to happen. This is the time for us to start training them, otherwise we might one day find ourselves behind time.

So I am putting it very strongly to the Government, Sir, that before the next Budget Session provision should be made in the Estimates to cover this sort of training to our boys in the secondary schools. Both Federal and Regional secondary schoolboys should be drafted to train in the Army and in the Navy. It will help us a great deal, Mr President. The sooner we start thinking about this the better.

I would have spoken on this the other day but, on looking through the Estimates, there was nothing about the Military or the Navy, so I seize this opportunity to do so, that consideration can be given to it while preparing the Estimates for next year.

Sir, I beg to support.

Senator H. N. Udoh : Mr President, Sir, I associate myself with the previous speakers both in the amendment and in the designation of the Army, but one other point is that, in making the amendment, I feel the amendment should not only be of literal point.

I heard once that arrangements had been made to recruit boys into the Army. Such obligations are usually very effective in townships and the rural areas are always allowed to follow the wind. Demonstrations should be sent to such out of the way places.

Coming along-side of what the last speaker

has just said, in the time-table or the curriculum in the secondary schools in the Federation, military training should be included; of course, not to take their whole time because they are not in the Army, but they should have an idea of the Army. Before a child finishes a secondary course, a period should be stipulated where that child should cover up military training and probably during the short period that may be stipulated, the child may find a way of his calling.

Some pressure should be brought to bear and encouragement should be given to young men that they should forget the meaning that they attached to the army of yesterday. The native man feels anybody who goes to the army will soon be shot dead the next moment. The army is just as good as being in the office now-a-days. People in the rural areas like to see a clerk neatly dressed up. Things like that, propaganda of that type should be extended to the rural areas.

Mr President, with these few words, I support the Bill.

Senator Chief R. A. Umoh : Mr President, Sir, in supporting the Bill placed on the table, I would like to point out that our participation in the British Commonwealth of Nations does not mean that our internal organisation should be influenced by our association with the Commonwealth. If we have to change the name of the Army, it is proper that we change the name of the Royal Nigerian Army to the Nigerian Army. The very change of the name means absolute control of the Army by the Nigerian Government.

This is a constitutional body and we are out to observe even the movement of the Army which is in Nigeria. It has been said by a previous speaker that something was observed a few days ago and we are fortunate the Minister in charge of the Army is the Member of this House. One is apt to question why such an attitude took place on that very important occasion. This even goes to show that the name should be such that makes every Tom, Dick and Harry understand that the Nigerian Army should be controlled by the Government of Nigeria.

I would very much like this to be done and I would also like the Minister in charge of the Army to try, if necessary, to reprimand who

[SENATOR ASEMOTA]

might have been the person ; for one should not fail to pay due honour to those whom honour is due.

With this, Mr President, I should like to support.

Senator Chief Z. C. Obi: Mr President, Sir, I rise to support the change of designation as it is recommended by the Council of Ministers. Personally, I do not feel that there should be anything controversial on this matter. I believe very much in the saying "make haste slowly" and I think it pays to be realistic. I do not think that as soon as we change this word "Royal", then everything is complete with us as an independent nation. I am not saying that those who suggest that the word "Royal" should be changed do not know what they are talking about, but my opinion is that there is still time for us to do these things.

I am happy, Mr President, that the authority of this House is sought over this issue. I say this because some months ago or some weeks ago, an announcement was made that a contingent of the Nigerian Army was being sent to the Congo. When this announcement was made, a Member of this House in Lagos sounded a note of warning. He was under the impression that before any section of the Nigerian Army is sent abroad for any action, it should receive the prior approval of the Nigerian Parliaments.

I should say that some of us in the provinces were in sympathy with this warning, but in spite of that, a contingent of the Nigerian Army had already been sent to the Congo. I hope that the Minister responsible will be in a position to educate us as to where the authority of this House ends in such matters.

Mr President, Sir, I support the amendment.

Senator H. O. Abaagu : Mr President, Sir, I also rise to support the amendment for the change of the name of the Nigerian Army. In fact, I see no reason why this word "Royal" should raise any controversial issue at all.

Before I go on, I should like to say that in Nigeria we have a few names like King Jaja of Opobo, we have the King of Sokoto, the King of Orlu and so on. I think the word "Royal" is not out of place because in Nigeria we still have certain institutions or places which still go by foreign names, if you choose to call them foreign. For example, we have King George V

Stadium there which does not mean that King George V Stadium is the personal property of that King. We have Kano Street. It does not belong to Kano, it belongs to Lagos.

Mr President, Sir, for an amendment to be referred to the Lower House it should be an amendment which involves a sort of technical matter or a constitutional matter. This word "Royal" I do not think involves any strange element in this Bill at all, and for this reason I think it proper that this word "Royal" should still stand part of this Bill.

Again, when we have accepted the Queen as our Constitutional Head of State, I do not see any reason why we should object to this word. The mere calling of our Army "The Royal Nigerian Army" does not mean that if we want to command our Army the Queen will intervene. I do not think so. Therefore this question should not raise any controversy. I beg hon. Senators to weigh this matter and pass the Bill.

Minister of State (Senator Dr. the hon. M. A. Majekodunmi): Mr President, Sir, I wish to thank hon. Senators who have contributed to this debate. Unfortunately, it has covered a much wider scope than was envisaged in the Bill itself.

First of all, I would like, very briefly, to reply to a point which was made by Senator Ugwuocha about the high-ranking officers of the Army who, it was alleged, showed some discourtesy to His Excellency. This would be a very, very serious matter indeed if it were true. But the Government naturally was much concerned after such a report, and immediately investigated and found that the Heads of our three Services were exactly in the same place as they were when the first Governor-General of an independent Nigeria Nigeria was sworn in, His Excellency Sir James Robertson. They were on the Grand Stand and they had no function to perform on the parade ground.

When His Excellency the Rt. Hon. Dr. Nnamdi Azikiwe was sworn in, these same officers were on the Grand Stand where they had to sit, and they had no function to perform on the parade ground. But I wish to assure hon. Senators that if the Government got the slightest impression that these officers

deliberately showed any discourtesy to our Head of State, the Government would certainly take a very poor view of it and appropriate disciplinary action would be taken. But His Excellency himself has already issued a release that he has implicit confidence in the loyalty of these heads of our Services. I think it is an unfortunate misunderstanding which I do not think should worry hon. Senators.

Unfortunately, a great play has been made about the word "Royal". The word "Royal" is a distinction which is given to our Army, and the Army itself regards this as a distinction. Hon. Senators will appreciate that during the Constitutional Conference all the members of the delegation freely expressed the wish to remain in the Commonwealth of Nations after independence. When we adopted the independence Motion in this House early this year, we all expressed the wish to remain in the British Commonwealth of Nations as equal partners. And if you read the Independence Constitution, you will find here in chapter V that "There shall be a Parliament of the Federation which shall consist of Her Majesty, the Senate and the House of Representatives".

Now, Her Majesty is part and parcel of Parliament. We have accepted Her not as Queen of Britain, but as Queen of Nigeria, and I think most of the criticisms which have come from hon. Senators have arisen out of a misunderstanding of the situation, because I know that hon. Senators will not wish to say anything which might be construed as showing disrespect or disloyalty to Her Majesty as Queen of Nigeria and Head of the Commonwealth. Therefore, we as the Government accept the word "Royal" as an honour done to our Armed Forces and I feel sure that all the members of our Armed Forces would not wish us to discard that word.

I hope hon. Senators will be satisfied with this explanation I have given with regard to the use of this word "Royal". Once we have agreed to remain in the Commonwealth, I think we have also agreed to accept the honour of the word "Royal" when it is given to our Army. It is not confined to the Nigerian Army. We have the Royal Australian Army, the Royal Canadian Army, the Royal Commonwealth Society, and so many other societies, who regard themselves as being honoured by the grant of that title, and so long as we decide

to remain in the Commonwealth I think that hon. Senators will agree that we shall accept the title and appreciate the fact that it is an honour for our Army to bear the title "Royal" because it is not usually lightly given.

The hon. Senator Asemota pointed out that we should try and recruit cadets to our Forces. We are indeed trying to establish Cadet Forces in our secondary schools, but these things do cost money. We have many calls on our resources and, as I said once in this House, we have to try and work out our commitments as far as the military forces are concerned, and balance it with our commitments on other services.

We cannot afford to spend all our money on raising an army. As it is, we have a very powerful and efficient Army, and I was very disappointed that Senator Yusufu said that our Army is inferior to that of our neighbour. I happen to know that we have the finest Army in the whole of Central Africa. Our Army is a much larger Army than the Army of Ghana, and it is very highly mobile and efficient Force and it has been recognised as such by all the experts who have taken time to study this Force. I think it is a disservice to our Army that it should be discredited on the Floor of this House as being inferior to any other Army within the continent of Africa.

Mr President, Sir, I think I have tried to answer the many points which were made by the Senators and, as it is getting very near to the time for closure, I would like to move that the Question be now put.

Question, That the Question be now put, put and agreed to.

Main Question put accordingly and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Senator Chief Ezeogo Ugwuocha rose in his place and claimed to move, "That the Senate do now adjourn" since it was already 1 o'clock.

The Chairman : The hon. Senator is not entitled to move that Motion.

Clauses 1 and 2 agreed to.

Bill to be reported.

(Mr President resumed the Chair)

Bill reported without amendment.

Motion made and Question proposed, That the Bill be now read the third time.

Senator A. E. Ukattah : Mr President, Sir, in spite of the Minister's explanation on the use of the word "Royal", it is quite evident from the debate in this House that many of us, in fact four out of every five, are opposed to the use of the word "Royal". We are going to pass this Motion because ours is not to obstruct the passage of Motions, but I hope the Government will take notice of this—

Mr President : Order, order. The hon. Senator is out of order.

Bill accordingly read the third time and passed.

Sitting suspended : 1.03 p.m.

Sitting resumed : 3 p.m.

ROYAL NIGERIAN NAVY BILL

Order for Second Reading read.

The Minister of State (Senator the hon. Dr M. A. Majekodunmi) : Mr President, Sir, I rise to move that a Bill for an Act to make provision for the establishment, government and discipline of the Royal Nigerian Navy and to provide for the maintenance of a Naval Reserve Force, for appeals from Courts-martial and for purposes connected therewith and ancillary thereto, be read a second time.

As hon. Senators will have seen from their copies of the Parliamentary Debates, the hon. Minister of Defence, when moving the second reading of this Bill in the House of Representatives dealt at length with the achievement of the Royal Nigerian Navy and the objects underlying this Bill. It will suffice, therefore, for me merely to outline the main objects and reasons for this legislation.

This enactment has been made necessary principally by the constitutional changes which have occurred since the Navy was established on the 1st of May, 1958 and in particular the handing over in February of this year by the then Governor-General to the hon. Prime Minister of the responsibility for defence. Secondly, until independence, the control of the Navy, in common with other defence matters, rested with the Governor-General in accordance with the constitution and with the Nigerian Naval Ordinance of 1956, which

came into force on the 1st of May, 1958. But in the new circumstance it is appropriate that such matters as administration, conditions of service and promotions should be the responsibility of a Minister responsible to Parliament assisted on the technical side by a Commodore in command of the Navy and on the civil side by the Permanent Secretary.

Sir, in view of the misunderstanding which was expressed by certain hon. Members in the Lower House over the position which it is intended that the Navy Board should occupy, I feel I should say a little on this subject.

The main point I wish to make is that the Navy Board would be an internal domestic Board within the structure of the Ministry. As you will see from section 6, the Board will be presided over by the Minister of Defence himself and another Minister, who is likely to be a Minister of State for the Navy, will assist him as a Member and will act as Chairman in his absence. Also sitting on the Board will be the Naval Technical Adviser—the Commodore and the Minister's civil adviser—the Permanent Secretary.

This Board will settle all internal matters concerning the Navy—administration, interpretation of regulations, discipline, promotions and so forth, and will also initiate policies relating to the organisation and development of the Navy for consideration by the Government.

It is not to be confused with the Defence Council which is an advisory Body with broad membership, including the Premiers of the Regions or their representatives which sit normally at six-monthly intervals to discuss matters on organisation and development of the Arms Forces generally.

The constitution of the Navy Board is taken from the Board of Admiralty in London and ensures that the control of the Navy is invested in the Government rather than in the hands of the senior Naval Officers. On the other hand, you will note from Section 52 that the Navy Board's responsibility does not extend to the operational use of the Navy, which is, subject to general direction, the responsibility of the Governor-General-in-Council, or, in other words, the Council of Ministers. This clearly has to be so. The operational use of the Military Forces has to be invested in one person and cannot be run

by a committee. The Council of Ministers, will be able, however, from this provision, to ensure that the operational use of the Navy is in furtherance of the policy of the Government of the day.

Hon. Senators will know that it is the intention of the Government as a result of the state of development which the Navy has now reached to remove it from the Public Service.

Pension rights and Retiring Benefits for Naval personnel is at present provided for under the Civil Pension Ordinance. Sections 12 and 13 of this Bill continue that arrangement. In order to complete the break-away from the Public Service, however, a separate Bill providing for Pension rights and other Benefits for Naval personnel will be laid before the Legislature in due course and thereafter clauses 12 and 13 will be deleted from this Act.

Hon. Senators would wish to note the distinction between these two clauses. Clause 12 refers to ordinary retiring benefit whereas clause 13 refers to payment which may be made additional to this ordinary retiring benefit in the event of injury and illness.

Hon. Senators may take notice that during the debate of this Bill in the House of Representatives, amendment of clause 2 with consequential amendment of clause 5 was proposed by an hon. Member. This amendment touched solely on the question of draughtsmanship of the Bill and were, therefore, accepted by Government.

I would like finally to remind hon. Senators that the Royal Nigerian Navy came into existence only two and a half years ago and I believe that the House would wish to express its satisfaction with the progress which has been made since then. In May 1958, the Navy was doing little more than the routine hydrographic survey work. It now has a growing fleet of warships which, in the event of hostility would be capable of undertaking the anti-submarine operation necessary to keep open the sea lane for merchant ships coming to and from Nigerian Ports. Without this, the economy of Nigeria during hostility would receive a severe blow resulting from the possible restriction of import and export.

Sir, by accepting this Bill, this hon. House will be assisting the Royal Nigerian Navy in its development to ultimate ability to perform this most important task.

Mr President, Sir, I beg to move.

The Minister of State (Senator the hon. Dr E. A. Esin): Sir, I beg to second.

Question proposed.

Senator M. B. Chukwubike: Mr President, Sir, in supporting this Bill, I have a few observations to make but before then I have to congratulate the hon. Minister of Defence for all his plans to make our Navy as strong as and as good as if not better than, any other in the world.

Sir, permit me to refer this hon. House to section 19 (b) of this Bill and with your permission, I read: "An appeal against a decision involving a sentence of death shall not be entertained by the Federal Supreme Court unless the appeal is lodged by or on behalf of the appellant, within ten days of the date of promulgation of the finding of the court-martial in respect of which the appeal is brought with the Registrar of the Federal Supreme Court in the prescribed manner."

Sir, this provision is very hard on anybody who may be a victim. I feel very strongly that a person who falls victim to such an awful situation should be given enough time to plan how to defend himself. Sir, all I am trying to point out is that ten days' notice is not enough. I wish to say that the period of the notice of appeal should be extended from ten days to one month. This will give such a person, whom, I am sure, would be behind the bar, an opportunity to plan how to argue his appeal.

With regard to the recruitment of members of the Nigerian Navy, I must say here that this should be carried out only after due publication of advertisements and that the recruitment should be extended to all the corners of the country. I must say that you sometimes have more brilliant boys in the rural areas.

If I am permitted, Sir, I would say that the uniform of our Navy men make them look very dull. Something very smart would be very much better and at this juncture, I must say that during the independence march-past, the Navy came last in smartness but I am sure that the hon. Minister of State will do all he can to make our Navy look more attractive.

[SENATOR CHUKWUBIKE]

With this, Sir, I beg to support the Bill.

Senator Chief Z. C. Obi : Mr President, Sir, in rising to support the Bill, I feel it is more or less a technical matter and it is only yesterday that I got the Bill ; all the same, I feel I should speak in support of the Bill. I praise the effort of the Minister and the Government to improve our Navy and I hope they will continue to work hard so that our Navy will have no comparison in the whole world.

Mr President, I support the Bill.

Senator O. Somolu : Mr President, Sir. I rise to speak in support of this Bill and I think it would be right to say that the provisions of this Bill are not very much different from those of the Royal Nigerian Army which we debated in this House some time ago, but there are a few sections which I wish to draw the attention of this House to, and with respect I would demand explanation from the hon. Minister of State about certain sections in this Bill which is now before this hon. House.

First of all, I would like to call attention of the House to Section 15 of the Bill. I am not trying to split a hair but I think that when a Bill comes before this House it should come before it with some form of thoroughness. This Section says, and with your permission, Sir, I quote—"Every officer and rating of the Navy and the reserve shall be subject to the provisions, as modified in accordance with the provisions of subsection (2) and of the First Schedule, of the Naval Discipline Act, 1957. . ." "Also the first line of subsection 2—"In the application of the Naval Discipline Act, 1957. . ." Which Naval Discipline Act are we talking about ? So far as I am aware, there is no Naval Discipline Act of 1957 in this country. If it is the United Kingdom Naval Discipline Act of 1957, I think it should be said with clarity so that when a man falls victim, he knows where to turn to for his lot, but I do not know about this Act of 1957; whether it is the one of Switzerland, Germany or United States of America.

Now the other section to which I wish to call the attention of the hon. Senators is Section 16 and I think this is very, very important. It demands the attention of the Government because it touches upon the people who are going to form this Navy—deals with their discipline and their grievances.

With your permission, Sir, I wish to read subsection one of this particular section—"If any officer or rating of the Navy or the reserve thinks he had suffered any personal oppression, injustice or other ill-treatment he may make a complaint in accordance with such procedure as may be determined by the Navy Board, and, if the complainant is not satisfied with the decision of the authority to whom his complaint is made as aforesaid and that authority neglects or refuses when requested to do so to forward the complaint to the next superior authority, the complainant shall be entitled to make his complaint direct to the next superior authority, and so on up to the Navy Board whose decision shall be final." I have never seen a provision for getting a redress which is more cumbersome than this. To say the very least of it, it is a provision that dampens every enthusiasm to get redress worthwhile because when you report to 'A' who does not do anything then you have to move up to 'B', then 'C' and then to 'D' and up and up like that !

I think that this provision very much smacks of trying to curtail any step which any member of the Navy may wish to take to obtain redress.

Now, this Section also provides that the complaints shall be made in accordance with such procedure as may be determined by the Navy Board. And what is that procedure ? We are being asked in this House to pass a legislation which is going to be subject to what some other body is going to do later on and whether that procedure is going to please this House or not we are not in a position to say.

Sir, when we turn to Section 8 of this Bill, we find that the Navy Board is not even given the power to promulgate procedure in respect of complaints for redress. The nearest to it is Section 8 Subsection (d) which says that "The Navy Board may provide for all or any of the following matters the procedure to be followed by the Board in conducting its business." It is not empowered under this Bill to provide procedure for the obtaining of redress by members of the Navy and yet in Section 16 we see any complaint that is to be made has to be made in accordance with such procedure as may be determined by the Navy

Board, a procedure which the Board itself has no power to make—that is what we are being called upon to pass in this House.

Section 17 is the close approach to anything which looks like providing a procedure for the redress of complaints where it says, "The Governor-General in Council may make regulations generally for the better carrying into effect of the provisions of this Act and for the government, control, organisation and administration of the Navy and the reserve." If Section 16 had said that the procedure was to be made by the Governor-General in Council that would be understandable, but instead of saying that it says the "Navy Board". When one turns to Section 8 the Navy Board has no such power. I think this is a very serious matter and for myself I demand an explanation from the hon. Minister of State who is sponsoring the Bill in this House.

Now, Sir, the next is Section 18 which deals with appeals from courts-martial. It says, "Subject to the following provisions of this Part, an appeal shall lie from decisions of a court-martial to the Federal Supreme Court with the leave of the Federal Supreme Court." Now, this is referring to an appeal from a court-martial. I have looked in vain through the whole of the Bill to know what a court-martial is. It is not defined there. We do not know what it is; who are going to be the members. What is going to be the procedure? There is not a word said here in this Bill and yet an appeal is going to lie from this nebulous body to the Federal Supreme Court. I think the Government owes this House an explanation on that point.

Sir, something has already been said about an appeal in respect of sentence of death. Now, I will join the hon. Senator who raised this point because I raised it also in respect of the Royal Army Bill when it came before this House. An appeal in respect of ordinary punishment for ordinary offence, according to Section 19, lies within forty days; maybe fine, maybe demotion or maybe imprisonment whoever comes under that has forty days within which to appeal but if a man is sentenced to death he has only forty days.

I think this is a very grave matter.

As has been pointed out, a man who is sentenced to death, and is in confinement pending the result of whatever step is going

to be taken certainly, needs more than forty days to seek redress. I hope the Minister will be able to answer to these few observations.

The only other point which I want to call attention to is that in Section 25. It is in pursuance of this same point about giving an accused person or somebody convicted under the provisions of this Bill an opportunity of having a proper defence that I will call attention to this Section. It says, "It shall be the duty of the Attorney-General of the Federation on an appeal against a decision of a court-martial to undertake the defence of the appeal." Now, that is so far as the Federation is concerned. But who is going to represent a man who is aggrieved by the decision of a court-martial? Is any provision here for the defence of a poor man? None whatsoever and we are being asked to pass this Bill.

Sir, I am not being sentimental about it but our children are going to suffer under the provision of this Bill if something is not done to correct these few points and many others which one has not got the time to call attention to because of the way these things have been thrust into the pigeon-hole. I do hope that the Government will look into all these things and try to satisfy this House.

Minister of State (Senator Dr the hon. M. A. Majekodunmi): Mr President, Sir, I am always very grateful to the hon. Senator Somolu for the very constructive and informed criticisms he has always given us on this side of the Senate. Senator Somolu, has, in fact, gone into the technical aspect of this Bill, and, as a lawyer, I think he has every right to do so.

He has found faults with the phrase used in this Bill—"the Naval Discipline Act, 1957"—and wanted to know which Naval Discipline Act. Is it the Naval Discipline Act of Ceylon or England? I think if he has taken the trouble to look at Section 2 where there is the interpretation, he will find that the Naval Discipline Act in this Ordinance means the Naval Discipline Act, 1957 of the United Kingdom.

Sir, another serious objection to which the hon. Senator drew my attention is section 16 which deals with complaints. I think, Sir,

[DR MAJEKODUNMI]

that this section is the surest safeguard which the rating has in ensuring that his complaints are adequately dealt with, and in fact, that they finally reach the court of appeal, because it says that when a complainant feels that his complaints are not being properly looked into that complainant will have an opportunity of submitting his complaints direct to the next superior authority and so on to the Naval Board. It does not preclude a rating from going over and above the superior officers and it is a very democratic and a very satisfactory way of ensuring that no injustice is done to a rating.

The hon. Senator also has some complaints about the question of the procedure. Now, Sir, he says the procedure is not defined and that even the Navy Board has no right to make the procedure in this Ordinance. Well, it is admitted that the Navy Board has no right to draw up its procedure. But under this Act, the procedure and the regulations are drawn up by the Governor-General in Council and the Governor-General in Council naturally is advised by the Navy Board in formulating the regulations governing the Navy.

As hon. Senators will recall, when I was introducing the second reading of this Bill, I said that on the Navy Board we have the Commodore, who is the technical officer; we have the Civilian Adviser to the Minister as well as the Minister of Defence himself. These people are responsible for the administration, the discipline, and the organisation of the Navy, and before the Regulation becomes part of the law it is to be passed through this Navy Board to the Council of Ministers, who when they are satisfied that it is in the best interest of the Navy, will approve of it in the name of the Governor-General and then it becomes the Governor-General's regulation of Her Majesty's Service in the Nigerian Navy.

So, all the objections which have been raised really are not very serious and it is very gratifying to note that they are not, in fact, serious at all. The only one which might appear serious is this question of ten days leave in which a person given a sentence of death is given to appeal. Well, hon. Senators might feel that this is rather cruel when an ordinary accused has 40 days in which to appeal.

Well, the procedure for appeal as far as I know in this instance is not really as cumber-

some as all that. All that is required to be done is for the counsel of the accused person or the condemned person to say. "I give notice of appeal." It does not mean that even where the condemned person has not been able to make up his mind within the ten days he could not appeal or apply to have the ten days to be extended, but it is certainly undesirable if a person is going to be sentenced to death and is going to be killed if there is no possibility of his being repealed, and that is why this number of days which the condemned person has to appeal is reduced to ten days.

There is no inherent injustice. This is only an act of mercy to ensure that in that case the sentence can definitely not be carried out until the ten days is over, and so that the individual even if he finds that he has no case whatsoever and even if he does appeal he will never win, will hang on for 40 days, because he cannot be killed until 40 days is over. If we make it 60 days it means that he will be hanging on for days, so that it is only merciful that the man should be given the minimum of time in which to suffer expecting his execution. That is why I feel that this number of days is reduced in the case of a condemned person.

But I assure you that Government has no particular vested interest in ensuring the early execution of any condemned person, and as far as we are concerned, as the Government, all we are interested in is to ensure that justice is done and that an accused person is given every opportunity to defend himself and that even when he has been condemned that if it is possible that clemency should be shown, that the Head of State, the Governor-General, would be able to use his prerogative of clemency.

Now, Sir, that, I think, disposes of the more serious objections which we have received on this Bill. The other suggestions which have been made by hon. Senators are by way of advice to us which we are happy to accept in very good spirit. Senators have suggested that we should enlarge our field of recruitment to the Navy and recruit from the rural areas. Certainly we are doing that because when we want to have the best Force we want to ensure that it is fully representative of the whole country, and we recruit from the East, we recruit from the North, and we recruit from the West. The composition of the Navy is evenly balanced and is repre-

sentative of the peoples of the Federation, and I would like hon. Senators absolutely to be assured on that point.

Now, hon. Senator Chukwubike suggested that the uniform of the Navy is very dull. This, I am sure, is a question of opinion, and I would not like to disagree with him very vehemently on this, and if it is the general feeling that we should brighten up the uniform we certainly have no objection. The brightening up of uniforms is always very appealing to the womenfolk, but we have certainly not received any protest from members of the Navy that their uniform is dull, so obviously they have not found it to a disadvantage when they go round in this uniform.

They are a very disciplined Force. We have to give them an opportunity of making their grievances. Senators have already drawn our attention to this section of the Ordinance which gives them permission and every opportunity of bringing forward any grievances which they may have. So, Mr President, Sir, I think I have certainly disposed of the criticisms against this Bill, and I ask that the Bill be read a second time.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1 to 4 agreed to.

Clause 5.

Senator Alhaji Abubakar Bale : It is stated here that there shall be a Nigerian Navy Board. I want to know when.

Senator the hon. Dr M. A. Majekodunmi (Minister of State): When this Ordinance comes into force.

Clause 5 agreed to.

Clauses 6 to 43 agreed to.

First Schedule agreed to.

Second Schedule agreed to.

Bill to be reported.

(The President resumed the Chair)

Bill reported without amendment, read the third time and passed.

ADJOURNMENT

Motion made and Question proposed, That the Senate do now adjourn—(Minister of State, Senator Dr the hon. M. A. Majekodunmi)

ELECTION OF THE PRESIDENT

Senator M. G. Ejaife : Mr President, Sir, I was not present when you were elected here and when you were sworn in, although I was here in spirit. I would like to crave your indulgence to offer my congratulations personally now.

I know what speculations preceded your appointment to this House. I know that before you were appointed to this place quite a number of Members had hoped that our Deputy President would be appointed for various reasons. But since your appointment the joy of the country has been unanimous all over the country.

I had the privilege of being in the gallery in Ibadan yesterday when the Western House of Assembly was sitting, and I recalled the encomiums showered on you even from the Government side of the Legislature of which you were the Leader of the Opposition. All and sundry have noted with satisfaction the appointment of your good self to the House here.

As I said, my efforts probably are belated and that was because I was not here in person. I like to seize this opportunity to congratulate you from the bottom of my heart on your appointment to this very high office. I look forward judging from your past records to your maintaining the dignity and the precision and the efficiency which have characterized your predecessor in office. I like once more to offer my congratulations.

GOVERNOR-GENERAL'S INSTALLATION

Senator Chief P. I. Acholonu : Mr President, Sir. I have a certain observation to make with regard to the installation of His Excellency the Governor-General and Commander-in-Chief of the Federation. The undue treatment which the Members of the House have been receiving has reached its limit. Unless we keep on complaining from day to day, the matter will not receive the attention of the Government.

[SENATOR ACHOLONU]

For example, Sir, the few invitations we got for the Installation, we got them by going from room to room and asking where we could get our invitation cards. Worse still, the speech of His Excellency, the most welcome, the most historic, the one which caught the headlines of world newspapers was not made available to us. The respect and human dignity of Members of Parliament has not been adhered to.

We do not know who is responsible, but what I know is that we, the Members of the Senate, do not receive the due honour or the dignity that rules this House in our capacity as the Members of the Upper House of the Federation of Nigeria. We do not get anything here unless we make a special application and put it through the hon. Minister of State who sometimes makes excuses and says that our requests will be given immediate attention.

I feel that we must work in close co-operation and with respect which each and everyone of us deserves. Everybody claims to be the most righteous man. We regard ourselves as the most elderly men in this Parliament and we must be given our due respect which we in turn must offer to other people, both young and old.

So we are lodging an appeal that whenever any function is being held we have good and honourable representatives whom we are proud of, that is the two Ministers of State. If our

invitation cards are given to them they could be distributed to us when we come here, or they could be put into our pigeon-holes. But it beats my imagination why we should be made to go from room to room looking for our papers. One goes to room 24 and he is referred to room 23 and then to room 30, and so on. That is how one is tossed about until one becomes frustrated and goes away. I pray that something should be done through the President and the Ministers of State.

So, with this, Sir, I would pray that some co-operation be given to the hon. President, the Ministers of State and the Members of Parliament.

Mr President: Order, order. First, I want to thank Senator Ejaife for his kind words, but I want to draw your attention to the procedure—Notice of Motion. Notice must be given to the Minister of State if a Senator wishes to raise a matter on adjournment so that Government may be able to answer, and so I would ask you hon. Senators not to raise any more matters this evening unless you have given notice.

The usual procedure is to give notice to the Minister and to the Clerk at the Table.

Question put and agreed to.

Resolved: That this House do now adjourn.

Adjourned accordingly at ten minutes to four o'clock.

SENATE OF THE FEDERATION
OF NIGERIA

Friday, 25th November, 1960

The Senate met at 9 a.m.

PRAYERS

(The President in the Chair)

OATHS

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

Hon. J. C. Obande, Minister of State.

Mr L. T. Olamijulo.

Chief the hon. H. Omo-Osagie, Minister of State.

PAPERS

The President : Order, the following paper already distributed to Members of the Senate is deemed to have been laid on the table: The Establishment of Oil Refinery in Nigeria, Sessional Paper No. 5 of 1960.

ORDER OF THE DAY AND NOTICES
OF MOTIONS

SUPPLEMENTARY APPROPRIATION (1960-61)
(No. 2) BILL

The President : On instruction from the Member in charge of the Supplementary Appropriation (1960-61) Bill the Second Reading of the Appropriation Bill stands adjourned till tomorrow.

CUSTOMS TARIFF (DUTIES AND EXEMPTIONS)

Minister of State (The hon. Chief H. Omo-Osagie) : Mr President, Sir, I rise to move the Motion standing in my name, that in accordance with Section 7 (2) of the Customs Tariff Ordinance, 1958, the Customs Tariff (Duties and Exemptions) (No. 5) Order, 1960, (Legal Notice No. 131 of 1960), be confirmed.

This Order imposes a duty of £1 per ton on columbite exported. This duty has been imposed in order to raise the sum of £2,000 per annum which the columbite industry is to contribute to the proposed columbite research scheme. As hon. Senators will no doubt be aware, Nigeria is the world's principal producer of columbite, but since 1956 when the United States Government ceased to stock-pile this

metal our production and sales have declined sharply. In the period between 1954 and 1956 when the U.S.A. Government was stock-piling this metal the average price per ton rose to £2,500, but after 1956, the world price collapsed to the low figure of £500 per ton.

Since 1959, however, consumers have begun to revive their interest in columbite. Expert opinion is that a very large potential market for the metal exists, and in order to stimulate this market, it is proposed that a Research Project on the lines of the International Tin Research Council should be established to popularise and find new commercial uses for the metal.

Mr President, Sir, the Government feels that a research project of this nature, combining publicity and advisory services with pure research will give considerable impetus to the growth of the market and consequently benefit the country's economy. The cost of establishing this Research Project is estimated to be £75,000 spread over five years; this works out at £15,000 per annum. It is proposed, Sir, that Nigeria as the world's principal producer should give the lead by contributing eighty per cent of the total cost, that is £60,000; and that the balance of £15,000 representing 20 per cent of the total estimated cost should be borne by other producing countries.

The overall share of Nigeria is not an arbitrary figure, it is almost proportional to her production expressed as a proportion of the total world production of columbite. Informal discussions have already taken place with other producing countries and it is apparent that if Nigeria wishes to lead in this way they will willingly contribute to the project.

Mr President, Sir, having decided to establish a Research Project on the lines outlined above, my Government have to decide on how to find the £60,000 which Nigeria should contribute to the project. It is my Government's view that all those who have a stake in the columbite industry in Nigeria should each bear a portion of the financial burden. It is proposed, therefore, that the Federal Government should provide £50,000 and that the balance of £10,000 should be borne by the columbite miners. These sums, as I said earlier, will be spread over a period of five years; this means that the miners will have to provide £2,000 per annum, and the imposition of this duty is designed to raise this sum.

[CHIEF OMO-OSAGIE]

Columbite miners both expatriate and Nigerian have expressed complete satisfaction with this arrangement. However, the Nigerian contribution, both by Government and by producers, is conditional upon other producing countries paying their own share. Final agreement has not yet been reached but it is likely that the scheme will come into force on the 1st of January, 1961. Until other producing countries are formally committed to the scheme, and until the agreement comes into force any amount which columbite exporters may pay by way of this excess will be refunded to them.

Mr President, Sir, I beg to move.

Minister of State (Senator Dr the hon. E. A. Esin) : Mr President, Sir, I beg to second.

Question proposed.

Question put and agreed to.

Resolved, That the Customs Tariff (Duties and Exemptions) (No. 5) Order, 1960 (Legal Notice No. 131 of 1960), a copy of which was laid before the Senate on 24th November, 1960, be confirmed.

CUSTOMS TARIFF (DUTIES AND EXEMPTIONS)

Minister of State (The hon. Chief Omo Osagie) : Mr President, Sir, I wish to move the resolution standing in my name, that the Customs Tariff (Duties and Exemptions) (No. 6) Order, 1960 (Legal Notice 143 of 1960), be confirmed.

This Order imposes a duty of 10s per lb on fur, dressed or undressed. Mr President, Sir, it will be recalled that in April this year the Government imposed a duty of 1s per lb or part thereof on reptile skins, of which about 2429 lbs at a value of £170,048 were exported last year. After the imposition of this duty my attention was drawn to the fact that undressed fur-skins exported during the year 1959 totalled 19,600 lbs at a value of £105,013. The bulk of these skins were leopard skins with some cerval cat and cheetah.

The figure suggested that this trade was fairly steady and might be on the increase. As the annual value of these exports approaches that of reptile skins on which Government recently applied an export duty, Government considered it appropriate to impose an export duty on these skins.

As the duty applied to reptile skins valued on export at 12s-6d per lb was 1s per lb or part thereof, and as fur skins—valued at 135s per lb—appear to be approximately eleven times more valuable weight for weight, Government decided to impose a duty ten times greater, that is 10s per lb or part thereof.

The very high prices paid show that this is a luxury trade which can well afford such a rate of duty. This duty, it is hoped, will yield an estimated revenue of £10,000 per annum.

Like reptile skins, revenue from fur skins will be allocated 100 per cent to the Region of origin or purchase as prescribed by the Constitution.

With these few words, Mr President, I beg to move.

Question proposed.

Senator J. K. Nzerem : Mr President, Sir, desirable as it is that this export duty should be imposed, one cannot but wonder whether Government has considered the effect which the imposition of this export duty might have on the trade. I am inclined to believe that an imposition of a very high rate of export duty may frighten the exporters away, but if a reasonable export duty of, say, 5s is imposed it might have the effect of encouraging the exporters. We have inflated the duty so high at this initial stage when the trade could be said to be finding its way that it appears to be unwise.

However, I do agree that it is necessary to levy an export duty on this trade but I submit, Sir, for the consideration of the Minister, that the amount should be reduced.

Senator Alhaji Abubakar Bale : Mr President, before supporting this Motion I have to draw the attention of the Government to the fact that it is the will of Government to see that they do everything required to seek revenue everywhere, wherever possible, but in trying to seek these duties I do not think that it will encourage the trade so much. I associate myself with the last speaker that this increase be reduced to 5s instead of 10s as at the moment, and, gradually, with more experience and as revenue accrues, it will be seen whether it will be desirable to increase further. At the moment, 10s I think is very high and I am of the opinion that the increase should be reduced to 5s.

Senator H. O. Abaagu : Mr President, Sir, these legal notices should have been made in the Cabinet and not at all brought to this House. In any case, I am not quarrelling with the Government in their efforts to increase the revenue of the country. Taking into account the slender amount of money we have at the moment throughout the country, I think I will be the first man to support any Government Motion in the way of raising our revenue.

I think the Minister who moved the Motion has rightly said that the exportation of these articles seems to be a very lucrative trade. I therefore have no quarrel with the duty of 10s if it is really an improvement to trade. I support it.

The Minister of State (Chief the hon. H. Omo-Osagie) : I am very grateful to the hon. Senators who have supported this Motion. Someone says the imposition of 10s duty per lb. is too much. I do not agree, Sir. Reptile skins export is 12s-6d and we impose only 1s. Taken in proportion you will find that it is exactly 1s too, if reckoned in pounds. This is one side of it.

Another Senator says the imposition might scare people from engaging in this trade. I have different view, Mr President, Sir, that, rather than scaring people away or reducing the volume of trade in this line, I think it will stimulate interest and competition. I have stated when moving the Motion that this kind of trade is a luxury and anybody who can afford luxury, I think, too, he can pay something to the Government of the country that protects him and his trade.

Question put and agreed to.

Resolved :—That the Customs Tariff (Duties and Exemptions) (No. 6) Order, 1960 (Legal Notice No. 143 of 1960), a copy of which was laid before the Senate on 24th November, 1960, be confirmed.

CUSTOMS TARIFF (DUTIES AND EXEMPTIONS)

Minister of State (Chief the hon. H. Omo-Osagie) : Mr President, Sir, I move that the Customs Tariff (Duties and Exemptions) (No. 7) Order, 1960, (Legal Notice 169 of 1960, be confirmed.

This Order exempts crude, washed and ground asbestos from duty in order to encourage the manufacture of asbestos products.

Two companies have shown interest in the manufacture of asbestos products and applied for import duty relief under the Industrial Development (Import Duties Relief) Ordinance 1958 on raw materials which the companies will import for use in the industry.

The relief sought is estimated at £90,000 annually. Their applications were carefully examined in my Ministry and by the Minister of Commerce and Industry; it was found that it would be more appropriate to give the relief sought by an amendment to the Customs Tariff. As asbestos in the raw state is not at the moment imported, the exemption cannot have any immediate adverse effect on revenue. On the other hand local manufacture of asbestos will lead to a gradual reduction in revenue from import duty on the finished products, but the reduction in imports would improve the country's balance of payments.

This order also exempts from duty frits and vitrites which are used mainly in the manufacture of enamel ware, in which two other companies have shown an interest. These companies have applied for duty relief, and as in the case of asbestos it was considered more appropriate to give the necessary relief by exempting from duty frits and vitrites which are used mainly in the manufacture of enamel ware. These materials are not at the moment imported, so that the immediate effect on revenue of this exemption is nil.

Mr President, Sir, with these few words, I beg to move.

Question proposed.

Senator A. E. Ukattah : Mr President, Sir, I am not getting up to oppose the intention of the Government to exempt any firm or any company from payment of any customs duty, but I would have liked to know from the Minister, the Mover of this Motion, how long the exemption will continue to be in operation; it does not have to continue for ever.

Now, if you exempt to encourage the firm, you have to indicate for how long it will continue. To my mind, I do not think that it would remain for ever and, in any case, the Government should indicate how long it intends to allow this exemption to continue.

Mr President, I beg to support.

Senator J. K. Nzerem : Mr President, Sir, I think this is a very welcome gesture on the part of the Government to encourage those who are in any way willing to bring about industrialisation to this country. As the last speaker has said, I think nobody has the intention of opposing the Government in this welcome measure, but I think a time limit should be set for it, otherwise an indefinite exemption of this kind may be abused. With these few words, Mr President, I support.

Senator Sani O. B. Okin : Mr President, Sir, in rising to support the Motion I would like to appeal through the Chair to Ministers that whenever they are bringing any Bill here, sufficient time must be given to Members to read the papers properly because whenever a Minister stands up to speak, I think other Members are not allowed to have a further debate, so I think an appeal ought to be registered to the Council of Ministers possibly as a future guidance.

Mr President, I beg to support.

Minister of State (Chief the hon. M. Omo-Osagie) : Mr President, Sir, I would like to refer to the plea by Senator Sani that sufficient time should be given to the Senators when Motions come up for discussion. I will bring this to the notice of the Ministers who are responsible for various activities in the working of this House.

Now, with regard to the time limit that hon. Senators have spoken of, you will agree with me, Mr President, Sir, that this product is a new venture in Nigeria and those of us who have travelled outside Nigeria will appreciate the fact that asbestos sheets are more congenial to healthy living than what we have been used to. You will find, if you climb up to my Ministry, on one side of Lagos that iron sheet is almost a shame to a place like Lagos, but when we have asbestos being manufactured by this firm, many Nigerians will be able to use them to cover their buildings.

Well, on the question of time limit, Sir, I do not know that that can be stated at the moment, but as the business progresses, then Government will have to re-consider the position of the state of affairs in that company. Perhaps, in another two, three or four years,

we might get other companies interested in this trade, then Government will be able to re-consider its position.

Question put and agreed to.

Resolved : That the Customs Tariff (Duties and Exemptions) (No. 7) Order, 1960 (Legal Notice No. 169 of 1960), a copy of which was laid before the Senate on 24th November, be confirmed.

DEFENCE AGREEMENT

Minister of State (Senator Dr the hon. M. A. Majekodunmi) : Mr President, Sir, I rise to refer to the Motion passed by the House of Representatives on the 19th of November, 1960, "That this House notes with approval the steps taken by the Government to arrange for the proper training of the armed forces and for the acquisition of the weapons necessary for the defence of Nigeria, and authorises the Government to conclude the Defence Agreement with the Government of the United Kingdom of Great Britain and Northern Ireland in the terms presented to this House in Sessional Paper No. 4 of 1960."

Sir, I beg to move that this House do concur with the honourable House of Representatives in the said Resolution. The Draft Defence Agreement has already generated much controversy both inside and outside Parliament. I do not intend, Sir, to cover the grounds which had already been covered in the other place, but before I go further I would ask your permission, Sir, to quote an extract from the Report of the Resumed Constitutional Conference which took place in London in October 1958, and which was presented to the Parliament of the United Kingdom by Her Majesty's command in November 1958.

Sir, I quote, "Throughout the talks, the conference had been conscious of all the dangers concerning the free world to-day and it recognised that an independent Nigeria will be subject to new and heavy pressures. In this connection, he was glad to tell the conference that the Federal Prime Minister and Premiers were at one with Her Majesty's Government in believing that there would be mutual advantage to Britain and Nigeria in co-operating in the field of defence and that they had exchanged views and reached unanimous agreement on the facilities and help which each country will render to the other after independence."

Now, Mr President, Sir, this is the basis on which this Defence Agreement was drawn up—that is, mutual advantage to Britain and Nigeria in co-operating in the field of defence. If this Defence Agreement was considered necessary in 1958 in the light of the dangers then confronting the free world, it is clear that an agreement of this nature is doubly necessary now because we believe that world tension has increased rather than diminished in the intervening period. The foresight of Nigerian leaders who initiated this discussion of the Defence Agreement is to be commended.

Although we are now an independent sovereign state, there is no doubt that for some time to come we shall need the services of trusted and loyal friends to advise us with regard to the training and equipment of our Army. We shall also need training facilities in establishments abroad for military personnel. In addition to this, Sir, we need military equipment of all kinds—ships, aircraft and other ancillaries of modern warfare—the radar and electronic computer. All these we cannot produce ourselves, and hon. Senators will agree that it is perfectly natural that the then heads of the Nigerian Governments should look to the United Kingdom for assistance and to welcome the United Kingdom's suggestion that an independent Nigeria might wish to continue to co-operate and consult with it on defence matters of mutual interest.

The Defence Agreement as it stands is no more than a formal acknowledgement of the assistance in military and naval matters which Nigeria has been receiving from the United Kingdom since she became responsible for her Armed Forces in 1958. This Defence Agreement is not a military alliance under which Nigeria automatically becomes involved in war if Britain goes to war. It does not make Nigeria a party to the North Atlantic Treaty Organisation, for instance, or the S.E.A.T.O. to which the United Kingdom subscribes, and it does not stop Nigeria from concluding similar agreements with any other country or countries. This, Sir, is an Agreement purely provided for the things we require for training and equipping our Army until such a time as we are able to provide these things ourselves.

We are, as hon. Senators know, pushing ahead with Nigerianisation in the Army so that we can dispense as early as possible with foreign

personnel. But until we can do that, it is necessary for us to enter into this form of agreement.

As an Annex to this Agreement, there is a Status of Forces Agreement which is the usual form of agreement entered into by sovereign Governments to regulate the conduct and privileges of military personnel of the contracting powers in the territories of each other. This is the normal form of international usage and does not in the least affect or derogate from the sovereignty of any country subscribing to such an agreement.

Sir, I would like to appeal to hon. Senators, in considering this Defence Agreement, to look at it objectively and not to allow themselves to be moved by political considerations. The Senate, Sir, has already established for itself a tradition of objectivity. We have here an Agreement which the Government believes is in the best interest of this country. The history of the Agreement is very well known to hon. Senators and, as I pointed out earlier, there has been a lot of controversy with regard to this Agreement. But here, as elder Statesmen and as an Upper House of an independent sovereign state of Nigeria, I think we should view this Agreement objectively and make up our minds whether it was right for our leaders in 1958 to have initiated discussion of this Agreement; whether it was in our interest that such an Agreement should be signed.

We as the Government believe that it is in our interest, it is good for us that we should have training facilities for the personnel of our armed forces, and it is also good for us that we should have a ready source of supply of weapons and all the modern instruments of warfare which we shall need to equip our Army.

Mr President, Sir, I beg to move.

Minister of State (Senator Dr the hon. E. A. Esin) : Mr President, Sir, I beg to second.

Question proposed.

Senator Sani O. B. Okin : Mr President, Sir, I have to congratulate the Council of Ministers. The recent controversy in the Press has given some of us cause to go through the decisions of the London Conference in 1958 and to read very carefully the proposed Agreement with Great Britain and Northern

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Ireland. For me personally, I have gone through them and I have come to the conclusion that there is nothing wrong with the Agreement. The mutual agreement between the Federation of Nigeria and Great Britain is necessary because, as I can see, we cannot be trained unless the British Government helps Nigeria. So, I was surprised to see that there are some politicians here criticising the proposed Agreement.

Some of the people hold a different view about the Agreement, but those who were conversant with what was decided in the Constitutional Conference will readily agree that there is nothing wrong. My suggestion is this. I could see that no serious string has been attached to the Agreement. If Nigeria agrees, I think Great Britain also agrees. There is nothing like saying that we have been forced to accept or to make the Agreement. I could not see that. Nigeria wants modern weapons which will give us sufficient power to stand against any nation in the event of war.

Mr President, Sir, I support the Motion wholeheartedly.

Senator Chief Ezeogo Ugwuocha : Mr President, I rise to support this Defence Agreement between the Federal Government of Nigeria and Great Britain. In doing so, if you go through the clauses in the Bill, you will find a word there. Anybody who reads it will understand the term. The term is, "At the request of Nigeria" that Great Britain would send us personnel to train the Nigerian Army. That word in the whole of the clauses is a word that everybody, even somebody in the other House—I am sorry I am not going to mention him by name—but somebody in the other House put it to the public that the Ministers who are controlling the Federal Government are trying to commit Nigeria. That man was wrong, entirely wrong.

I support this Defence Agreement *in toto*.

Senator Chief J. S. Olayeye : I rise to oppose this Defence Agreement because the Defence Pact is conditional. The object and purpose of our leaders going to the United Kingdom at that material time was to approach the U.K. Government for our freedom from the bondage of the United Kingdom Government. We did not ask them to enter into any Defence Pact with the United Kingdom Government.

All that we in Nigeria wanted was and is that they should go to the U.K. and liberate us or set us free as we did not want to remain servants or slaves under the U.K. Government for ever.

My impression on this delicate subject is that the U.K. Government was unwilling to grant freedom or independence to us, hence the question of initialling this Defence Pact came about and was imposed conditionally upon our leaders to initial. Everyone in this Senate knows that a beggar has no choice. I understand that the U.K. Government maintained that if Nigerians wanted to be free, this conditional Defence Pact must be imposed upon them in order that Nigerians should indirectly remain slaves under the U.K. Government. Here our independence will remain a nominal independence which has no significance in reality at all.

If the Defence Agreement had nothing to do with our independence at that material time, I do not see the reason for asking our leaders to initial it when our independence was the subject matter and a matter dearest to the hearts of our leaders at that time and thus caused it to be included in their discussions while in U.K.

The worst part of this matter is that the Defence Pact was drawn up by the English people and in English language alone, not interpreted into Hausa, Ibo and Yoruba languages for persons of all classes to read and study first and obtain their opinions before bringing such opinions to this hon. Senate for debate and ratification.

There is no hurry about this matter which is rather delicate and need not be passed so quickly. I believe Ghana did not sign a Defence Pact before she attained her independence.

Mr President, I strongly oppose this Defence Pact because it is one-sided and because it is conditional and it is foreign to the people of Nigeria as a whole and, therefore, it must be abrogated without the slightest delay, and even immediately.

Senator Chief Z. C. Obi : Mr President, Sir, I rise to support this Defence Agreement which has already passed through the House of Representatives. In doing so, I am not going to concern myself with what happened at the 1958 constitutional conference and I am con-

vinced that the signing of this Defence Agreement has nothing to do with the policy of non-alignment which our Government has declared.

This is a House of elder statesmen and the House of statesmen who know what our country really needs. Nigeria has got her independence which means many things. We have got to stand on our own feet in respect of many things, such as the Army and economic stability. These things go to make a sovereign country and if we must be a sovereign country we must have these things. We must be frank to admit that we are not and cannot be self-sufficient. There is nothing we can do at this stage yet; we have got to make friends with older nations so that we may be able to develop ourselves and bring ourselves up to date. We must act somehow.

Supposing we went to Japan for such an agreement. Someone might say, well, it is because of the policy of non-alignment. Supposing we go to Russia or America? I think the Government has done the right thing by going to Britain, our old friends.

The only thing one would like to know is whether or not either party to the agreement would have any opportunity to ask for it to be abrogated or reviewed. I see that something has been said about it in the Lower House but I think, in order to satisfy this House, the Minister who has tabled the Motion here can give us some sort of assurance too.

With your permission, Sir, I have to read the appropriate portion of the debate in the Lower House that I am referring to. It is on page 8 of the Debate during the sitting of the 19th of November. It reads—"In any case, in view of the mutual trust and respect for each other's views prevailing among the members of the Commonwealth an agreement between two members of the Commonwealth never provides for its termination. Those who have read about Commonwealth relations should study that or take it from me that that is the practice."

I think we would like that assurance to be confirmed in this House that at any time that either of the parties to this Agreement wants the terms of the agreement to be amended or abrogated, this will be possible.

Mr President, I support the Defence Agreement.

Senator Alhaji Abubakar Garba : Mr President, Sir, Nigeria is a young, independent country which only recently joined the United Nations Organisation, so it is incumbent on Nigeria to shoulder all her responsibilities which all other members of that body, whether big or small, are charged with. That is, we must do all in our power to maintain our independence. In fact Nigeria cannot maintain her independence and position of importance in the world unless she has a well-trained Army and an adequate supply of modern weapons.

Mr President, Sir, an Agreement and a military alliance are quite distinct and separate matters. Any country can enter into a defence agreement with any other country without in the least lowering the prestige and dignity of either country. So, we are not inviting the British troops to come and defend our country, nor are we allowing the British to formulate and carry out our defence policy. We are only preparing to be capable of defending ourselves in case of any eventuality.

After all, Sir, the British were only yesterday our teachers—and very good teachers at that—and we Nigerians are not at all ungrateful. What we must realise, and this is very important, is that even after the conclusion of the Defence Agreement the British Government and the Nigerian Government are not at all in duty bound to fight with anyone in the event of war, as the Minister has already explained. We stick to our independent policy of non-alignment which will, of course, help Nigeria to gain a great deal of national self-respect and honour in the world.

Finally, Mr President, Sir, I am appealing to all our political leaders to forget their differences so as to end our internal debate and argument which will carry us no further, to think more of Nigeria than of our individual rights and demands, and to help build Nigeria into a truly independent country.

Sir, I beg to support.

Senator Mrs Wuraola Esan : Mr President, Sir, as the former speaker has said, Nigeria is a young country. We have been under the guidance of the British. They have been here for such a long time and all this time they have been repeating that they are going to leave one day, and I have never heard it said that they

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have taken any part of our land in order that they may stay here for ever, and they have not built up anything for themselves. Why then do they have to leave it for so long before they take any notice of our defence? Nobody can then say that now that we are independent we do not need help so that our armed forces may be capable to withstand any aggression from anywhere.

We require weapons—modern and good weapons. All parts of the world, or the civilized parts of the world, are always making new weapons, and the British people were still here when those weapons were being made. They could, without even our consent, take some of our revenue or fund to get us this equipment and train our sons to use those weapons even before they leave here, if they have our interest at heart. They knew they would go one day and according to my own view-point, and the view-point of people like me, why they should leave it for so long is a question that I would like the Minister to answer if he could.

Now, Nigeria wants to be friendly with the British and that is why we agree to remain in the Commonwealth of Nations. We know that in the Commonwealth of Nations we shall have the help we need to make Nigeria a great country, yet we go out and say we have a policy of non-alignment; that is good too, because a young child cannot say he wants to remain with his parents for ever. We must be friends. So, if we remain independent of anybody and do not ally ourselves to any nation whatsoever, we will be able to have help right and left. But we should stick to what we see and should not go and do something that will make the common people laugh at us.

Somebody raised the point that someone was telling the world that Government is divided on the question of a defence pact. I would like to state that the common people are not so ignorant as we are apt to think. They know what we do not know. They read from books, they know what is happening to other nations and they know that our Government is trying to do its best, but the Government's best may be poor. Nobody can say that everything is good for everybody. What is good for you may not be good for me. We are not accusing the Government by

telling them that the people know what the Government does not expect or suspect them to know. They know the Government is signing the Defence Pact; they know that we should help the Government but that we should agree with the Government sometimes and that sort of thing. We want to help the Government, but there is no need for us to agree with the Government *in toto*.

Therefore, on this Defence Pact, although we do need the help of the British and they too are willing to help us, there is still a provision there and that provision is that if we give them such and such they are going to give us such and such. If they are our friends and they know we are young and that we are not so versed in world diplomacy as they are, well they should give us an opportunity to grow up. They should not give us a condition that if they give us this they want this. If they want to help us, let them come and help us to train our people and tell us exactly what to do. We will by that always be true to them, because they are our friends.

What the Government is saying now is that all these things were settled at the Constitutional Conference table. Well, in every Constitutional Conference table, there must be compromise. We want independence for Nigeria. There is no need for us to go abroad and wash our dirty linen in public. We must agree to disagree. That does not mean that we have told the Government that we are going to sign the Pact; we have not told them that—by the Government I mean the British Government. We told them that nothing they could do to give us our independence at the right time would be appreciated and we are willing to compromise and settle our own affairs at home. This is our affair now. Our affair is that we do not want any piece of our land to be used as base for anything.

We do not say that the British are going to call on us to come and join them when they want to fight, but if there is any war, but we shall be obliged to help them. When you have defended me at one time you expect me to defend you when you are in need too. But to come and tell us that we are not fighting with the British, and saying that our country is young, and that we are not capable of absorbing what they are doing, or that they will teach us how to do this, and they will make everything all right for us—all that are not relevant to the signing of the pact.

If we are going to sign the Pact and thus agree with the Government that the British should come here, train our own people and give us really modern weapons, then let us know how we are going to do it. But as far as I am concerned, I do not think we really know what we are doing because we are still young. Even most of us, although we are placed in a position to decide for millions of people, are still not even ready to decide for ourselves. If we all go back home and think very carefully and seriously of all the things everybody has said, we will find that there is nobody who is really opposed to the idea of making Nigeria a very strong nation.

After all, we all know the usefulness of good weapons and we know that the whole world is agitating more and more for progressive weapons of war; we know that there is atomic bomb and we do require it and we are going to have it if we are careful. But if we are not careful and we let a certain nation come here and join us or help us in a way that will restrict us from going to other nations for help, well, it is our own palaver whenever we are ready to seek aid from other nations and we do not get the required help.

If we want the British to come here and teach our children so that they will become good Army Officers, that is well and good and nobody is objecting to that. But what we, who probably do not know much, are agitating about is that when they do come and take more than we want to give to them, what are we going to do to them? So, if you can satisfy us on these points and also say that we will not be restricted from getting help from other friends then we will have very little to say. I can assure this House that nobody will say anything against any good suggestion that is brought to this House.

Sir, the last thing I would like to say is that I do not like people to come here and tell us that we should not play politics, or that we should not listen to the talk of one person, or that we should clear our minds from politics and decide on things. Well, everyone here is a politician, whether one likes it or not. We are being sent here by the sentiment of people and we have been sent here to serve the nation. So, whenever a politician raises a point that is well worth studying, whether

you are on the Government Bench or not, you should study it properly before you say anything because, though the people who sent you here do not read some books, they want unity and peace.

We all here want peace and unity and even our Prime Minister has been saying everyday that his prayer is that Nigeria may have unity, progress and peace. Well, if we want all that, we all are going to contribute to achieve these things. So, do not think that when the Government has said something that thing is the only thing that will bring us peace, unity and progress. If we want Nigeria to be truly great any little thing said by common people like me or the people in the street should be noted.

Before I sit down, Sir, I would like to ask our politicians and parliamentarians to please go out and listen to what is being said outside. What we do here is being discussed everywhere and even in the markets and farmplaces. They do not often go out, so they should find time and go out and listen. Touring to distant places will not do us much good in Nigeria. We are still unlettered. Many of us do not know what we are doing here but the little we know can be enlarged by suggestions we gather from outside. So, go out often and listen to people and I am sure that if you do so, you will not come here and tell us, "please do not say this because somebody has said it" and so on.

I will add that if the Opposition Leader in the House of Representatives says something it does not mean that all of us here will agree with him if the thing is not good. But if the Prime Minister says something that is good and we here know that it is good for the majority of the people, even if we do not get up to say that we concur we shall vote to show that we do concur. So, do not come here everytime and tell us, "do not be politicians; do not play politics; do not have your own point of view" because we are going to have our own point of view. And we know that by expressing our own point of view and listening to other people, together with the Government, we shall all make Nigeria the great nation that we hope to make it to become.

Senator M. B. C. Chukwubuike: Mr President, Sir, I have to thank you for giving me this opportunity to speak on the Draft

[SENATOR CHUKWUBUIKE]

Defence Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Federation of Nigeria. Sir, in supporting this Motion I have to register my sincere congratulation to the Minister of Defence for the able way he has presented the Bill and also to the leaders of this country who took part in the Draft.

Sir, there is nothing implicating, although I am a layman, in the whole Agreement and no article therein indicates that Nigeria will go to war if the United Kingdom is involved in a war with another country. We do not pray or hope for war, but if it eventually occurs, we cannot successfully fight rifles and bombs with bows and arrows. Only a crackpot will like to go back to the days of oil lamps and candles. Therefore, the assistance for mutual defence is in order.

Sir, permit me to say that Nigeria needs among other things the manufacture of modern ammunition, without which our Army will not be all that strong. In Nigeria, the high offices in the Army need to be held by the sons of this country.

Sir, with these remarks, I support the Bill.

Senator M. G. Ejaike : Mr President, Sir, I recall in our area a certain gentleman who, though not alive now, used to represent us and the famous thing about him was "I concur". Each time he got up he just said, "I concur" without expressing an opinion of his own. I begin to fear that the time may come when this House will be a concurring House. I hope that will not be so.

Sir, we have been called upon to-day, for instance, to agree with the decision that has been reached in the Lower House. I do not want to anticipate any opposition to the Defence Agreement but I would like to congratulate the Minister of Defence for the able way in which he has placed the matter before us. He has done very well indeed and, as a matter of fact, I think he has done so well that it is very difficult to pick a hole in the Draft. But there are some other things to which, with your permission, Sir, I would like to draw attention.

In 1958, our leaders went to Great Britain to negotiate terms of Independence. At that time nobody knew that something else

transpired. People were commissioned to go and negotiate terms of independence which brought about the achievement of autonomy for this country on the 1st of October this year. For many months no one knew that anything else transpired. It was only very recently that matters were hatched out and we knew that at that time the heads of various Governments had initialled a Defence Pact. I think we are all aware of the controversy which took place outside this House and also on the Floor of this House relative to certain matters concerning this Defence Agreement.

After the 1958 Conference, after the decision had been taken that on the 1st October we shall have our independence, we thought it was unnecessary for our leaders to be called to Great Britain again for anything else, but suddenly they had to go, and we feared the reason they were going there was to be coerced into signing a Defence Pact. Someone said so, and again there was controversy, and because there was plenty of agitation, plenty of hue and cry in this country, I think the hands of both parties were stayed; the hands of Great Britain and the hands of our Leaders were stayed, and no pact was entered into.

We still remember the statement made by the former President in respect of this matter. I took it then that we are going to take our time as far as this Defence Pact is concerned, and that even if our Leaders were going to think of any Defence Pact at all we should give it plenty of time so that the whole country will settle down to the ordinary routine of Government and to progressive measures implementing necessary changes which the Government may certainly look for. Here again we are faced with this Defence Pact.

Why should any suggestion for the initialling of a Defence Pact be made at all in 1958? Is it a coincidence? After all the commission we gave to our people was to go and negotiate for independence, not to go and sign a Pact. My conclusion is that it was at the suggestion of the United Kingdom Government. Certainly, it would not be our own suggestion that we should go there and say to Great Britain "Well now that we are going to have independence shall we have a Defence Agreement?" I think the initiative came from the United Kingdom. They suggested that if you want independence you must enter into some pact with them.

This was suggested at one time on the Floor of this House and it was made fun of. It does appear that that was the position.

It is true now that any country in order to sustain her own status must have a strong Army, strong Navy and a strong Air Force. I do not know that it is essential at this moment to enter into an agreement of this kind. I do not know whether we entered into an agreement with Great Britain with regard to the supply of teachers, or of books, or whether an agreement was entered into for consultations with regard to our higher and lower educational systems. Well, we do get all this help from Great Britain.

An agreement is an agreement. Once the Government of this country enters into an agreement, military or otherwise, they are bound to keep this agreement, and that is the reason why our Leaders refrained from signing this pact earlier than is now being contemplated, and it is being said here that all the terms of the Defence Pact are innocuous. That may be so, but there is a thin edge of a wedge in this. Articles 3 and 4—there is a suggestion that United Kingdom Forces might have bases, Air Force may have a base in Kano or in Lagos for what they call tropicalisation exercises. Now, when learned men have something in view they generally state it in a language which the ordinary people cannot understand.

Tropicalisation exercises—well, there may be more to it than that.

Again and again in the same Pact there is a reference to visiting Forces. In page 4 of the same draft agreement you will first see the definition of visiting Forces. Visiting Forces, I quote Mr President, is any body, contingent, or detachment of the Navy, Military, or Air Force of the contracting party being a body, contingent, or detachment present in the territory of either contracting party under the provisions of this agreement and shall include any such body contingent, or detachment under the provisions of Article 3 or the contingent of any tropicalisation trials under the provisions of Article 4. That is to say any detachment of Navy, Air Force, or Military Force present on the soil of Nigeria.

Now, if in peace time the British, or U.K. Naval detachments, or Military detachments or Air Force detachments, can be present, how much present can it be during war time? If, also, we have an Army detachment of 2,000

troops in peace time it is only to be expected that four times that number will be present during wartime. In other words a visiting Force is an Army of Occupation occupying the soil of Nigeria. Probably, there is no harm in U.K. Army touring the country but it may be a source of provocation to the enemies of the United Kingdom and we must recall the warning being issued by Russia recently to countries like Norway and Great Britain for providing bases for U2 Flights. Russia said that if such countries continue to provide bases for spying planes she, probably, will not hesitate to destroy these bases. I think to provide grounds for armies of occupation during peace time is to do so also during war time, and to do so during war time is to cause trouble.

If we are involved in war I think it ought to be our war, but if you are involved merely because our own friends are involved in war I think it is too much. So if people see anything wrong in the Defence Pact certainly Articles 3 and 4 whereby provision is made for detachments or contingents of Armed Forces to be allowed to occupy certain parts of our own military grounds, I think, is a very big danger.

I would also like to draw attention to the fact that provision is also made for the leasing of a big acreage of land in this country for purposes of military manoeuvre, I understand that owing to agitation, owing to consultations, and owing to expressions of views in this country that has now been withdrawn. Provision made in these two Articles is a thin edge of a wedge.

In Article 2 I think provision is made for the supply of weapons and warships. I think that is very generous indeed of Great Britain to make such provision. It will be very very helpful to the country. It is now in its own right to get a supply of these things which are necessary in these days and I would like to agree with my hon. Friend on the left who says we must not go back to the days of oil lamps and candles and that we cannot win wars now with bows and arrows but, nevertheless, we are very grateful to be assured that we will be able to get sources of supply of modern weapons and, much better still, a supply of warships.

But I do not know whether it is necessary to enter into an agreement in order to be able to get such supplies. If, when the occasion arises

[SENATOR EJAIFE]

for the need of such things that our friends supply to us and they refuse merely because we have not signed an agreement, I do not know whether that is such a very good show of friendship. It is like saying, "Enter, enter, you are my friend. Enter into an agreement with me so that if you pay me in future I will give it to you or if you want a few shillings I will give it to you."

I should think that the mere fact of the long association with Great Britain before we came into our own independence is moral obligation enough or ground for believing that even without entering into an agreement of this kind we can still count on the help of Great Britain for these things. Besides that, nowadays the world is quite open and I think we should not be bound to get help from only one source. I think we ought to be free, for instance, to get military supplies and other things from the United States, from India, from other countries that are able to supply to us on terms acceptable to us.

As I said, it is an agreement, and once we sign this agreement we will be obliged to honour it and I think we ought to be very cautious in these things and I think the mere fact that it has passed through the House of Representatives should not oblige us to concur.

Senator A. E. Ukattah : Mr President, Sir, I do not think that we here concur unnecessarily. We are all politicians but we are not rabid politicians and that is why we do not like to make much ado about nothing. Where something is straightforward we look at it as something straightforward and no more about it.

Now, in the Defence Agreement I do not see anything alarming. I do not see anything threatening. In fact, when I read through it I thought my senses were playing me false. The wording was not in any way what I had expected it to be, so that I am speaking in support of the draft agreement and I have the following reasons for doing so.

First, our own experienced and leading politicians subscribed to the drawing up of that draft agreement. Anybody who comes back now to tell me that he did that so as not to hinder our independence is talking nonsense. If you signed it then, in order to win independ-

ence, why should you come to withdraw your signature now, to disrupt that independence in a moment?

Now, secondly, it is necessary that such an agreement should be drawn up and I do not see the reason in anybody coming to say it is too early and, if it is necessary for us to have such a Defence Agreement, it is wise that that agreement should be drawn up first, with our best friends, and the British are, at the moment, (to the best of my knowledge) our best friends.

Now, thirdly, there is nothing outlandish or humiliating in the provisions of the Draft Agreement. There is nothing at all disparaging about the intelligence of our Nigerian since the wording was something they all clearly understood. They were not hoodwinked and they have come back to say that the thing was so involved and so complicated that there is something lurking behind it; it is really an insult to the intelligence of those who drew it.

Now, fourthly, there was no compulsion. Nigeria was not compelled to enter into that agreement. It was something it entered into of its own volition.

Now, fifthly, the provisions of the agreement are elastic and are therefore subject to revision whenever necessary. I do not see anything bad in that. The provisions are elastic enough.

Now the sixth reason is that the draft agreement is not monopolistic. There is nothing in it that says you are entering into a defence agreement with Britain, and you do not have to do that with Persia; you do not have to do that with America or with any other nations, for that matter.

My seventh reason is that it is not one-sided. It is not conditional, rather it is reciprocal. You receive from me equipment, weapons and I give you necessary advice on military technique. Now, after I come to you, then you provide facilities for tropicalization of aircraft, over-flying and air staging. Why is there this selfishness on the part of this country if we receive from Britain warships, weapons, everything and training facilities for our men and you turn round and say, "you will not get anything out of Nigeria." This is selfishness. I would not support that.

You will see, Sir, that this draft agreement here does not in any way commit Nigeria. It does not sentence us to everlasting bondage; it does not tie us down to accepting Great Britain as the only country or nation with which we can enter into agreement for defence. It is necessary that we should have this agreement and the provisions are such that they can be adjusted whenever necessary. I therefore do not see why anybody should get up, shout and talk and make the country believe that we are bringing in some obnoxious thing.

I say, Sir, that I would want Senators to be reasonable enough to agree with me that there is nothing wrong in this draft agreement and that we support it not because it has passed through the Lower House, but because we find that it is necessary, absolutely necessary, and I think we should support it.

Mr President, Sir, I support it.

Senator L. T. Olamijulo : Mr President, I am very grateful to you that I am given this opportunity. I am not going to keep you long because a lot has been said about this matter, but there are certain points I would like you to note. The first is that we have got a lot of predecessors and the predecessors are those who have come before us in this Commonwealth. How many of them have entered into such a pact? Are these people not wishing to have knowledge and to be great like ourselves? That is my first point.

Another thing that I would like us to note when we enter into the field of Independence is that it should be our duty first to see what we can do to contribute to the peace of the world and not to the disorder of it. Are we to start, after just a month, with such questions, starting on matters that may bring trouble here and there? Are we seeking peace for ourselves, for Nigeria, in such a way?

Another side of it that I would like us to note is that this House is not just to be a touchy stamp. I think we should come here and know our place. In the other House, it is our duty to think and see what we can do to stay action for a time. Another thing that I want us to note is that we are to learn knowledge that we are going to learn to bring us and from other nations will be too expensive.

not go to learn from the Americans, from the British and other places. We are just trying to learn from the British and why should we not go as ordinary learners, why should we seek for this and for that at this initial stage.

I want us to reason together that we are not politicians, though we are partly politicians in that we are brought here by the politicians, but it is our duty to blunt the edges of politics. We are here to do that duty and while doing it we ask for things like that, it will be very, very risky. To me I think we are not prepared to do our duty if we urge matters like this. I want us to note that anything that will bring war into this country is very risky and we should do all in our power to see that when questions like these come up, we have to stay it at least for a time.

It is our duty also to bring the country together and I hope that we are old enough to do that duty. Mr President, I beg to submit.

Senator O. Somolu : Mr President, Sir, I rise to contribute to the debate on this Defence Agreement and in doing so, I have a few observations which I would like to bring to the notice of this House and to the notice of this Government.

First of all, I would like to say that in the sense of Article 2 of this Defence Agreement, I have no complaint whatsoever, but when it comes to Articles 3 and 4, I have very great misgivings. In saying this, Mr President, I am not trying to raise any alarm at all. I am trying to read into the provisions of these Articles what I think the ordinary sensible, reasonable, person will read into them and the consequences which may come thereafter.

I would wish Mr President to say that when we Members of this House take this Draft Defence Agreement and try to debate it, there are two things which I think should be uppermost in our minds. The first, Mr President, is that this Draft Agreement is full of catch phrases and subtle phraseology. We should always remember that the British with whom we are entering into this agreement are known the world over as past masters of diplomacy so much so that even their nearest neighbours of the continent of Europe have an appellation for them: *perfidious albiom*.

The other point I would like to call the attention of this House to in reference to this agreement is that you should always learn to

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fear the Greeks even when they bring you presents. In my view, Mr President, Sir, this Draft Defence Agreement is a trojan horse. Allow it, let the Government of this country allow it to be dragged in, you will have given hostages to fortune; you will have given opportunity to the thin edge of the wedge and it may lead us and our children to a country from which there may be no return.

In respect of Articles 3 and 4, Mr President, Sir, I would like to make a suggestion that these amendments should be noted by the Government. In respect of Article 3, I would like these words to be added to the tail end. It is a suggestion and I hope the Government will take note of it if they have the honour and the good of this country at heart. The words which I suggest should be added at the tail end of Article 3 are: "... But not during the time when either of the parties is in war or engaged in hostilities with another nation or power and such facilities shall not be utilised for espionage purposes." That is in relation to the staging or over-flying of aircrafts.

One hon. Senator has already said that we should remember the warning which the Union of Soviet Russia gave to powers older and greater than Nigeria—"If you allow espionage flights to originate from your base, I shall not hesitate to destroy those bases". Those are pregnant words. And we are not wiser than many people in Great Britain: at one time they raised a hue and cry, "Do not let espionage planes land in this country". Turkey did the same; Norway did the same; Pakistan did the same. Now for us, we are going to give a *carte blanche*: "Over-fly from this; stage your aircraft from this place". For what purpose? Do we know? I think the Members of this House should think twice before they commit not only themselves but their own children to perdition.

As I say, I am not raising an alarm. If the worst comes to the worst, I am not the only one to be affected; my own children are not the only ones to be affected; everyone is going to be affected and their children. But this is giving a blank cheque to the United Kingdom to do whatever they want with this country, and that at a time when we say, "Oh, yes, we are independent", and people say, "Oh yes, the Defence Agreement is innocuous, there is nothing in it".

I would also suggest that, as a last paragraph to Article IV, these words should also be included: "But such trials shall not be carried out during any time the United Kingdom Government shall be engaged in hostilities in which the Federation of Nigeria is not a party". If the Government accepts these suggestions, they will remove whatever danger and whatever horror that may overtake this country. But if they do not, if they steam-roll this Agreement through this House, we would have put our own warning on record for purposes of history.

Now, Mr President, Sir, this is an Agreement the draft of which is placed before us. But it is just one such agreement that I have known for very many years, an agreement where, if there is a dispute between the parties as to the interpretation of what is here, there is no arbitrator. Who is going to arbitrate?

Suppose we say, as is stated here, that the Status of Forces forms part of this Agreement they say "should the necessity arise", who is going to decide when the necessity arises? Suppose Great Britain says the necessity has arisen and we say, "Oh no, the necessity has not arisen", who is going to decide? There is method of arbitration. And that is the type of agreement we are being asked to steam-roll through this House.

It is said in Article I, "... such assistance as may be necessary for mutual defence". Mr President, Sir, who is defending who? Is it being suggested to this House that the Federation of Nigeria is going to defend Great Britain? If there is any nonsense, as a Member has said this morning in debate, if there is any such nonsense that can be suggested, it is that this country is going to defend Great Britain. Great Britain is going to defend us here. "Mutual defence". If it is "mutual defence", must we not sit down and think deeply and see that all the terms in this draft Agreement are to our own advantage? Must we pass this draft Agreement in the form that we have? Must we pass it now? Can we not defer it? Can we not call upon the Government to give this thing more time for consideration?

People say, "The Heads of the Agreement were initialled in 1958", I am not concerned with that. What has ever happened in 1958 has

passed into the limbo of forgotten things. Your predecessor on that Chair told us here, and confirmed it elsewhere outside this House, that the initialling of the draft Agreement in 1958 was not binding. The learned Attorney-General and Minister of Justice has told the Lower House it was not binding. If that was not binding, this is all we have to go by. Must we rush it? Must we say because it was passed by the Lower House therefore we as the elder Statesmen must also pass it? Must we not give it consideration? Must we not consider our own future and the future of our children? If we allow staging facilities to the military forces of the United Kingdom and the over-flying of their aircrafts in this country, even though we may not give them bases? Suppose they bring atomic war-heads, how do we know? How can we prevent it? Suppose they engage in espionage activities from our own country and any other country with which they are not friendly thinks that Nigeria is giving them too many facilities and should be destroyed, what are we going to do?

Mr President, Sir, as I say, I am not raising any alarm at all, but I think this House should give due weight and consideration to the content of this document. When people say, "Oh yes, they are innocuous", it gives me the impression that they have not read this thing.

Now, we have the Annex to this draft Agreement. With your permission, Sir, I shall read quickly through a few paragraphs there. "Section 2 (1) (a) The Service authorities of one contracting party shall have the right to exercise within the territory of the other all criminal and disciplinary jurisdiction conferred on them by the law of their country over persons subject to its Service law;". In other words, if Great Britain brings its ships here and they commit some acts which are punishable by our law, we cannot punish them; they have to do it. And we say we are independent. This is extra-territoriality in International Law. It is this same provision that brought bloodshed in Cyprus, it was this that caused trouble in China and we are being asked to pass this.

They come here—we cannot rule them—they do not come within our jurisdiction—we have to leave other people to do it! It says they shall have exclusive jurisdiction with respect to offences.

Paragraph 3 of the Annex says that we cannot even try or assert our rights in respect of any act of omission done in the performance of their official duties. If my own child is playing along the street, one of their vehicles over-runs it, I cannot sue because it is done in the performance of their official duties and when you turn to paragraph 9, all they have to do is to give a certificate for it, that—"Oh, yes, this act was done in the performance of official duty" and whoever is injured is done for—no remedy. This is the sort of thing that we are being asked to pass.

They say they can come into this country; take money away; they call it official fund. They can take it away, no currency restriction; nothing whatever! All they have to do is to state that it is Official label—Official Form—finish! Even the money which they earn in this country cannot be taxed—everything is free, and we are being told—"Oh, yes, it is for mutual defence!"

Mr President, Sir, I do not like to speak on a matter like this with emotion but I think that we as fathers of the nation, owe a duty to ourselves, to the nation and to posterity to give this draft document the most meticulous examination that we are capable of, and the most careful consideration we can give to its terms, before we say we can give it our blessing—if we do not, if, because of political alignment, if, because of personal feelings, if, because of a feeling that we do not want to offend some people, we say we pass this draft agreement *en bloc* as it is, I wish, to God that history would not condemn us.

Senator J. K. Nzerem : Mr President, Sir, thank you for allowing me to speak, but I consider myself unfortunate to be speaking immediately after so able a lawyer has dealt so exhaustively with this draft Defence Agreement.

I am going to speak from the point of view of a lay-man. Now first and foremost, I think there is some misapprehension as to the difference in meaning between a defence Agreement and a Military Pact, that is the fundamental issue at stake. What is the difference between a Defence Agreement and a Military Pact? Are we signing a Military Pact with Great Britain? I do not think so, Sir. That makes a lot of difference. Well, people have argued—some people have said

[SENATOR NZEREM]

that the signing of this Agreement is incompatible with our avowed policy of non-alignment—but in that way?

Nigeria wants to get the best from any country. If somebody can show me anything in this agreement which precludes Nigeria from signing similar agreement with any other country, then I would say we would not support it. I want somebody to get up to show me anything that precludes this country from negotiating and signing such an agreement with any other nation. That is very important. Now we might wish to put a man into space very soon and looking around we say, well, the Russians are very highly advanced in this science of putting man into space. We could go to Russia to ask them to come and teach us how to do that. I do not think anything is wrong in that.

If the British send their aeroplanes here for tropicalisation and eventually we find it necessary to send our own aeroplanes to England for—I do not know whether to call it—*temperatisation*—we could do that—the whole thing is 'mutual'. The British would be very stupid if they agreed to do all these and required nothing in return. I think it is but reasonable that they should send their soldiers here to tropicalise their planes—that is the advantage they gain by associating with us.

Well, I am afraid, I cannot agree with some of the suggestions made by some of the previous speakers—including the able lady Senator who said that everyone is a politician. I agree that every man is a politician but we are not all partisan politicians. (*Applause*). Every man is a politician and I am myself a politician, but I do not believe in party politics, I am just like our able President. So, while we are to listen to the voice of politicians, we must differentiate between real politics and rabid politics—that, we must eschew.

I think we must not delay this necessary Agreement. We want people to train our military personnel; we want military equipment; Nigeria wants to be great—how can you be great without getting some people to help you to greatness?

If I am convinced that by entering into this Agreement, we shall be precluded from seeking aid from any other country of our choice, then I shall take sides with those who say—do not sign it, but I have read through the Agreement,

from the lay-man's point of view, I see nothing that is inimical or derogatory to the sovereign status of Nigeria and I whole-heartedly support it.

Senator H. O. Abaagu : Mr President, Sir, I always do not agree with people who shout—Wolf! wolf! when there is not even a rat near-by. The last speaker but one said—at least he began by saying that he was not going to raise an alarm but he did.

I just want, Mr President, with your permission, to give a very brief history of this Agreement because I think some people do not seem to understand it, hence there is too much criticism of this Agreement. I think there are some people who are just criticising it just for criticism's sake and/or just because they are not in a position to share the honour or because of democracy, it has not been possible for them to be party to the Agreement.

Mr President, Sir, during the last Federal elections, three major political parties went into campaign. The ideologies of these parties were—one party said it was going to be or rather it was not going to ally the country with any of the two power blocs if it won the election and the other two political parties said they were going to ally the country with the Western bloc if they were voted into power. After the election, the result of the election showed that no one political party was in a position to form the Government. The Government was, therefore, formed in coalition, that is, two political parties had to agree to form the Government with two opposing views on this very matter.

One of the political parties that formed the Coalition Government was for the alignment with the Western bloc while the other one was against—it stood for complete neutrality. On forming the Coalition Government they had to face this question of the country's attitude to foreign countries and, although I am not in the Government but I happen to know that it was because of their compromise on this point that this came about. Then it was the question of trying to please one another and a decision was taken that the Government should maintain a neutral attitude in its foreign affairs.

But then, to find a way of defence, it was suggested that we should approach our friends, and who are our friends? Are the Russians

our friends? Are the people of Yugoslavia and Communist China our friends?

Some hon. Senators : No.

Senator Abaagu : We do not know these people; we have known the English people. We were under them for about 60 years and they are the first people we should go to for aid of this nature. It is always very good to go from the known to the unknown, and for that reason we prefer to sign a pact of this nature with Great Britain, with whom we have enjoyed mutual understanding, and that is why this Pact came about.

Mr President, Sir, if there were any provisions in the Agreement that we could not go to any other power to seek a similar aid, it would be very obnoxious, since we say that we should not align ourselves to any power bloc. But there is nothing in the Agreement to bring this about. Therefore, I see no reason why we should not pass this Agreement.

In fact, let us consider the parties to the Agreement; who is gaining and who is losing? I think it is the British Government that is losing, because they are to supply the weapons and they are to supply the people who are to train our military men. They are losing and we are not losing at all. We are gaining more in the Agreement than the other party. For that reason, I see no reason why we should not pass this Paper. This Paper is worth passing; let us not delay this Paper here because the more we delay it here the more we are throwing away the chances we have or the opportunity and benefit which we are going to get from this Agreement.

I think it is a very genuine document and it is worthy of acceptance and therefore I beg Senators not to be married away by people who are shouting "Wolf" when there is no rat.

Senator Dalton Asemota : Mr President, Sir, I have very few observations to make on this debate. First of all, I want to tell Senators to realise that the destiny of this country to-day is in this Senate; the unity of this country to-day lies in this Senate; the prosperity of this country to-day is in this Senate. So if Senators are carried away by political sentiments we are done for and the country's future is ruined.

In the Lower Houses—Regional and Federal—they talk and do politics. Politicians in many cases do not generally see good in whatever useful points an opposing person puts up. And we Senators come having read from the papers what our fellow men have said in the other House and we want to follow it up in the Senate. Well, the Senate should not be for that at all.

I want Senators to realise that we are not only the Upper House and elder statesmen, but our attitude and our contribution to the Debate is the only way through which we can claim to be deserving of respect as elder statesmen. Now, the Defence Agreement is a case in point. Well, personally, I do not see anything wrong with it.

Why I do not see anything wrong with it is that it does not preclude us from signing similar draft agreements with any other party in the world. And, secondly, as Senator Abaagu said, I think we are more benefited by this draft Agreement than anybody else. It is not only this draft Agreement that will come to this Senate. Other will come. We are just learning, particularly few of us who are just entering the parliamentary world.

This morning has actually shown the dignity of Senators, by the way and manner they tackled the Customs Tariff (Duties and Exemptions) Regulations. We did not waste the time of the House on them unnecessarily since they did not actually deserve an argument. There is no point in trying to criticise things like this, which is a money-making thing and one or two Senators had said something about it. That is exactly the spirit of Senators. We do not want to see anything black in what is good. We have that before us and if we can maintain that principle in this Senate I think we shall be acclaimed by the whole world.

In America and in other parts of the world, the Senate or the Upper House is regarded as a most important and sacred house. People go there with good tongue; no bad language, no nonsense and other things like that. This is the way and manner they conduct themselves. We should not allow debates in this House to deteriorate, otherwise the country is completely ruined.

There are lots and lots of things coming to us on which the people in the Lower House will

[SENATOR ASEMOTA]

have time for serious political debates, but when they come to the Senate, it is for us to show by the way and manner we debate such matters that we are elder statesmen and that the people in the Lower House can copy us. We must comport ourselves as Senators and regard ourselves as elder statesmen and the people who actually have the prosperity and the progress of this country at heart. That is one of the most important things that we should attempt to acquire.

It is not enough saying that we want dignity, that we want to be respected. Let us put away all political idiosyncrasies; let us put away anything political in our minds and let us approach issues in the best way that this country be benefited (*Hear, hear*). Our main purpose is what will benefit Nigeria. Now, if we allow this thing to go, we cannot benefit the Government after all. If we adopt the spirit of tolerance, Senators, I think the progress of our country is assured. But please let us put away all political idiosyncrasies from our minds.

I have no objection to the Draft Agreement.

Senator L. C. Daldry: Mr President, Sir, it seems to me that all of us in Nigeria may one day be profoundly thankful if this Agreement is, in fact, signed. The world is in a very peculiar state and it seems very sensible to me that two old trusted friends who understand one another thoroughly should enter into a mutual defence agreement.

There is nothing here as far as I can see in regard to war. The whole accent in this Paper is on the word "peace", because it starts off by saying that "Whereas the Government of the Federation of Nigeria and the Government of the United Kingdom of Great Britain and Northern Ireland recognise that it is in their common interest to preserve peace. . .". They do not say it is in their common interest to go to war; they say it is in their common interest to preserve peace, and that is the main point. The accent in this whole document is on the preservation of peace, and friendship arrangements of this kind in a world of this type should tend, in my view, to preserve peace.

The accent here also is on mutual defence. Mr President, Sir, it is very difficult for me to envisage any circumstances arising where Nigeria was attacked and Britain did not come to Nigeria's assistance. I cannot envisage such circumstances. But I go further than

that; Sir, Nigeria is now a completely independent country and I also cannot envisage any circumstances in which Britain was attacked and Nigeria would not want to go to Britain's assistance.

It is all very well to say that Britain is much bigger than Nigeria and so on and so forth, but, when it comes to basic matters of this kind Britain could well be in need of help, just as much as Nigeria could well be in need of help.

Mr President, Sir, most of the clauses in this Agreement are conditional ones and they only provide for Britain to do certain things on request. Over and over again it says here that the United Kingdom Government will, on request, do this, that and the other; if so requested by the Government of the Federation will do so and so—at the request of the Government of the Federation. Britain is not trying to ride roughshod over the independence of this country. Not at all. If requested, these things will be done and if they are not requested these things will not be done.

Now, it has been said that there may be some danger in this business of unrestricted over-flying and air staging, but I would point out, Sir, that each Government undertakes to afford these unrestricted overflying and air staging facilities and so not only will Britain be able to over-fly and air-stage here but Nigeria is also permitted to over-fly and air-stage in the United Kingdom. It is not at all impossible that this country might, in future, find it necessary and advantageous to take advantage of those facilities.

Sir, the British have been described in this House this morning as past masters in the art of diplomacy. Well, Sir, I think that Nigeria can hold its own when it comes to diplomacy. I think that Nigeria is not only the equal of Britain in the Commonwealth but Nigeria is also the equal of Britain when it comes to matters of diplomacy.

The word "tropicalisation" has nothing sinister or underhand behind it. After all, two friends have got to trust each other in the world. But you can always read into a word a sinister or underhand meaning if you wish to do so. But it comes down to a basic

question of—do we or do we not trust one another? I am sure that we do understand, like and trust one another.

Sir, it is not for me to say much more about this but a few days ago I described myself, in this House, as virtually a Nigerian. My work is here; my home is here and if there is any danger to this country there is just as much danger to me. That is why I support this Motion and feel glad that there is a suggestion here that two old, well-tryed and trusted friends are going to enter into an agreement for mutual assistance.

Senator Alhaji Abubakar Bale : Mr President, Sir, first of all I thank the hon. Minister of State and his Colleagues for drafting this Agreement between the Great Britain and the Federation of Nigeria. It is very difficult to bring out such a Draft which is bound to be queried from parliamentary view in both Houses. But as far as the Agreement itself is concerned, I have gone through it, as other hon. Senators have done, and found no loop-hole in it but I think, as the last speaker has said, that two mutual friends have come to agree on one way or the other.

We have been under the British rule for so long a time that they know the secrets of our country before the country was handed over to us in October last. Now, with whom are we going to have our first agreement in the world? With those who know our secrets or with those who do not know our secrets? Surely with those who know the secrets and they are the British. Not long ago, in the Independence Speech, we thanked the British for the great work they did in this country in their conquest years until we attained our Independence. Well, what did that mean? It meant that they contributed so much to the progress of this country but at this time they believe that we should now shoulder our own affairs. That does not concern any other country; it only concerns Britain. So, why should we not make this Agreement with Britain? A has already been said, there is nothing in the Draft which does not permit us to make like agreements with other countries. But we must do first with the Great Britain. We have always sent our pupils on scholarship to the United Kingdom and the United States and not so much to other countries. Why is this so? It is because of the existing friendship.

The cord of friendship has bound us together and it is not up to us to break that cord.

The Agreement has now been brought up because we have achieved Independence. But if that is the case, we must get something written between two friends to say, "you keep yours and I keep mine and we will both keep to the Agreement. When the time comes and it is necessary one says, look at your Agreement. What is in your Agreement?" That is to make sure that both parties know exactly what they are doing according to the Agreement. Before Independence we knew what to do—we had to obey orders. That is all.

All these things are now coming out from the London Conference. It is written in the Constitution. I, therefore, see no reason why we should delay the signing of this Agreement. Now, if we leave it to-day, or tomorrow, or for a year, we will sign it, and we are bound to sign it, because we are not strong enough to stand on our feet in any defence which may crop up.

Nigeria is the largest country. Yes, and it is bound to keep the largest Army. If we are strong there will be fear by any other nation which is not very strong to attack us, but if we are big and our size does not make us stronger we will be attacked by smaller nations. We must sign it now and see that this Agreement is signed, and we can do and we are bound to do the same with other countries if we want to do so, because there is nothing in this Agreement to stop us from doing so, and with this, Sir, I support the Defence Agreement.

The Minister of State (Senator Dr the hon. M. A. Majekodunmi): Mr President, Sir, I would like most sincerely to thank hon. senators for the contribution they have made to this Debate. I think it will be agreed throughout the country that this has been a most responsible approach to this problem in the whole legislatures. We in the Government, quite frankly and sincerely appreciate the apprehension expressed by some of the speakers who have spoken on this Debate, and we concede to them their sincerity of purpose in saying that there are certain obnoxious passages in the Draft Agreement which should not be allowed to pass, but at the same time I hope they will concede to us, the Government, and to our supporters our belief that there are no obnoxious passages in this Draft Agreement and that the Draft Agreement is the best thing for this country at this time.

[DR MAJEKODUNMI]

Sir, the main purpose of this Agreement has already been extensively debated, and our attention has been drawn to the fact that the purpose of the whole thing is that it is in the common interest of Nigeria and Great Britain to preserve world peace and to provide for mutual defence. We cannot preserve world peace unless we have mutual understanding and confidence in one another. The great plague which is worrying the world to-day and which is threatening world peace is the suspicion one nation has for another, and we are very anxious in this country that this suspicion is not imported here.

So many accusations have been made of the circumstances under which this Defence Agreements were first initialled. It was said that it was made as a condition precedent to the granting of independence. The majority of the people who were present have denied it, so I do not think we can make any progress, I do not think we can foster the unity of this country if we keep asking whether this man said this or the other man said that. What is important is that we should discard our mutual suspicions, and these suspicions could have very grave consequences in this country.

There are parts of the original Draft Defence Agreement which have been very strongly criticised both inside and outside Parliament, but the most important thing is that I would like hon. Senators to remember that on the 1st of April this year the Prime Minister said in the Lower House that no Defence Agreement will be entered into unless it has been approved by the Parliaments of this Federation. It is in furtherance of this undertaking that we have brought the draft of this Defence Agreement to you for you to examine, to examine them critically and to decide whether they are in the best interest of this country.

I think the majority of our people are agreed that this Defence Agreement is in the best interest of this country. Some Senators have said that there are no provisions in this Defence Agreement for abrogating the Agreement. Well, the whole Agreement is based on goodwill and every clause of this Agreement indicates that before any action is taken at all one country will consult the other.

In Article I of this Agreement you will find the Government of the Federation and the United Kingdom Government each undertakes

to afford to the other such assistance as may be necessary for mutual defence and to consult together. Now, if there is no goodwill supposing we refuse to consult, then the Agreement becomes a dead letter. Again in Article 2 you will find that the two Governments will foster the closest possible co-operation between the Armed Forces of the two countries. In particular, "The United Kingdom Government will on request furnish the Government of the Federation". Now, if there is no goodwill and we no longer have any confidence in the goodwill of Great Britain we need not request, and the Agreement becomes a dead letter.

Now, the most serious objection which has been raised this morning is on Article 3 of the Agreement which affords unrestricted air-staging and over-flying facilities. Now, I can do no better than to quote to you what the hon. Minister of Defence said on this particular subject during the Debate in the Lower House. "The whole basis of the Agreement is the goodwill which exists between Nigeria and the United Kingdom, and I can assure you that no action desired to be taken under it by either side which it was thought might cause embarrassment to the other would, in fact, be taken without full prior consultations between the two Governments, I want to be frank about it—that is the question of overflying and air-staging facilities—under Article 3, this, hon. Members, is essentially a business Agreement between two equal sovereign and independent Commonwealth States and it will be of material advantage to each of them".

That, Sir, is the spirit in which we have entered into this Agreement. We have no doubt whatsoever in our mind that Great Britain will continue to respect our sovereignty, that she will not do anything that will cause any embarrassment. We have gone closely into this Agreement. We have tabled this in the Council of Ministers, and we have modified the original Agreement, and our Leaders again who went to the last Constitutional talks in Great Britain also discussed it at length with the British Government both at the Ministerial level and on the official level, and we are satisfied that what we have got is in the best interest of Nigeria.

The question of tropicalisation tests is really a technical thing. Tropicalisation tests have been going on in this country before we achieved independence.

But it is essential that Britain should ask our permission to continue these tests after we have become independent and what does this test amount to? It is not a secret test. It only means Great Britain will be free to carry out tests on complicated targets. Some of them are of scientific interest, some of them are purely for military uses, which are made and designed for use in temperate climates but it is desired to know what modifications should be made to them to make them useful in tropical countries because, in tropical countries, the relative humidity is very high.

Our air contains a higher proportion of moisture than the air in temperate zones. Therefore, it is desired to expose these very delicate instruments to the tropical climate and see how they stand up to the climate and, what is more, the general results of these tests will be made available to us because, although Britain is benefiting by using our territory to carry out these tests, we also are benefiting from the knowledge which is gained from these tests, and hon. Senators must always remember that our armed forces, for a long time to come, are going to be equipped with some of these instruments which have been tested in our territory, and they wish to be equipped with equipment which will stand up to the climate and which can be used in tropical territories.

Now, those are the concessions which we are giving to Britain and these tests, as has been said very definitely in this House, are an arrangement between friends and I

would like very much to commend it to this Senate. I know the majority of Senators feel and agree with the Government that we are right in entering into this agreement and I have no doubt that those who have been critical will appreciate that although we concede to them their sincerity of purpose, we would also like them to concede to us that we are quite sincere.

We all have a stake in this country. And nobody has a monopoly of patriotism. We all have children and whether we are in Government or out of Government we all love this country very dearly and no-one will consciously enter into an agreement which will ever have any possibility of bringing this country into bondage.

We have just emerged into independence and we hope that by our actions we shall make this country strong and respected throughout the world. Mr President, I would very much like to commend this draft agreement to the Senate for acceptance.

Question put and agreed to.

Resolved: That this House do concur with the honourable House of Representatives in their Resolution.

ADJOURNMENT

Motion made and proposed, That this House do now adjourn—Minister of State (Senator Dr the hon. M. A. Majekodunmi).

Question put and agreed to.

Resolved: That this House do now adjourn.

Adjourned accordingly at twelve minutes to twelve noon.

SENATE OF THE FEDERATION OF
NIGERIA

Saturday, 26th November, 1960

The Senate met at 9 a.m.

PRAYERS

(The President in the Chair)

PAPERS

The President: The following paper already distributed to Members of the Senate is deemed to have been laid on the Table:—

Trade Report for the year 1958.

MINISTERIAL STATEMENT

Minister of State (Senator Dr the hon. M. A. Majekodunmi): Mr President, Sir, I rise to make the following business statement. On Monday the 28th of November, 1960, it is expected that the Senate will consider the following Bills which will have been concluded in the House of Representatives:

- Land (Perpetual Succession) Bill;
- Public Archives (Amendment) Bill;
- St Saviour's Church Bill;
- Labour Code (Amendment) Bill.

After that, the House will go on to consider the Foreign Affairs Motion from the House of Representatives.

NOTICE OF MOTION

SUPPLEMENTARY APPROPRIATION (1960-61)
(No. 2) BILL

Minister of State (Senator Dr the hon. M. A. Majekodunmi): Mr President, Sir, I rise to move the Motion standing in my name on the Order Paper, that, notwithstanding anything contained in Standing Orders, the Debate, when resumed, on the Second Reading of the Supplementary Appropriation (1960-61) (No. 2) Bill shall be concluded this day, and shall not be committed but shall be read the third time.

Sir, I beg to move.

Minister of State (Senator Dr the hon. E. A. Esin): Sir, I beg to second.

Question proposed.

Senator J. K. Nzerem: Mr President, Sir, the rather modest Supplementary Appropriation Bill before the House is one which, in my humble opinion, will have easy passage. Its provisions are straightforward and reflect our newly-acquired sovereign status.

The President: Order, order. This Motion calls for the suspension of Standing Orders so that the Supplementary Appropriation Bill should not be committed to the Committee of Supply. I hope the hon. Senator bears that in mind.

Senator Nzerem: Yes, Sir, I do. To have succeeded in keeping down to a relatively small sum of £53,000 supplementary provision under Head 25, Ministry of Foreign Affairs and Commonwealth Relations, must have entailed tremendous arithmetical exercises on the part of the Ministry of Finance. The immense responsibility of this new Ministry and the role it is destined to play in world politics—

The President: Order, order. I am afraid the hon. Senator is out of order. The question is: "Are we going to suspend the Standing Orders and not commit the Supplementary Appropriation Bill to the Committee, or not?"

Senator Nzerem: Mr President, Sir, that is the usual procedure in this House. I do not think it is a new thing. We usually do not commit—

The President: If that is so, I am afraid the hon. Senator's remarks now are irrelevant.

Question put and agreed to.

Resolved, That, notwithstanding anything contained in Standing Orders, the Debate, when resumed, on the Second Reading of the Supplementary Appropriation (1960-61) (No. 2) Bill shall be concluded this day, and shall not be committed but shall be read the third time.

ORDER OF THE DAY

SUPPLEMENTARY APPROPRIATION
(1960-61) (No. 2) BILL

*Adjourned Debate on Second
November) and Reading (24th*

Question again proposed, That the Bill be

Senator J. K.
sorry, Sir, that in **Nzerem** (laughter): I am to make speedy anxiety to get the House the time that I progress I have anticipated could speak.

Sir, the rather modest Supplementary Appropriation Bill before the House will have easy passage. Its provisions are straightforward and reflect our newly acquired sovereign status.

To have succeeded in keeping down to a relatively small sum of £53,000 supplementary provision under Head 25—Ministry of Foreign Affairs and Commonwealth Relations must have entailed tremendous arithmetical exercises on the part of the Ministry of Finance. The immense responsibility of this new Ministry and the part it is destined to play in world politics cannot be gainsaid.

In this connection, one feels bound to pay deserving tribute to the able manner in which our Prime Minister acquitted himself at the recent meeting of the United Nations General Assembly in New York. In his maiden speech in that august World Assembly of Nations he performed so creditably that he covered himself, nay Nigeria and Africa with a bright ray of glory, thus giving convincing proof once again that the African, given the necessary opportunity, can hold his own even in the comparatively new field of international politics and diplomacy. The team which the Prime Minister left behind in New York under the leadership of that dynamic and much respected countryman of ours, Mr Jaja Anucha Wachuku, has kept up the good performance. We are proud of them and wish them well.

To the uninformed casual observer the sum of £50,000 which Nigeria is called upon to subscribe for her membership of the United Nations Organisation may appear unreasonably large. But when one considers the size and population of Nigeria and the influence which she is bound to wield in world affairs one cannot but agree that the amount is quite justified.

While on this matter of contribution to the United Nations Fund let me congratulate the Prime Minister for including some Senators in the first delegation to the United Nations General Assembly in New York. This act reflects the bi-cameral nature of our Legislature and goes to prove the esteem in which the Upper House of our Federal Legislature is held by the Government. May I appeal to the Government to make it possible in the near future for members of the Upper House to go abroad, particularly to the United Kingdom

and other Commonwealth countries which have two-chamber Legislatures to see how the Upper House works in practice.

The cordial relationship which now exists between the Upper and Lower Houses of Parliament in the United Kingdom, at least in theory, makes absorbingly interesting reading but some of the intricacies of procedure are better imbibed practically than from the voluminous dissertations of such eminent writers like Dr Ivor Jennings.

Mr President, Sir, it is not my intention to be long in this speech. I have gone very meticulously through this Supplementary Appropriation Estimate of the Government of the Federation and I see no reason why it should not be praised. So, I commend it to the House and I hope that it will gain an easy passage. Sir, I beg to support.

Senator Hassan Rafindadi : Mr President, Sir, in supporting the Second Reading of this Supplementary Appropriation Bill I would like to associate myself with others in congratulating the Federal Government for the way they have been discharging their duties ever since they took up their appointments at the beginning of this year.

Sir, the task is no easy one, especially if one looks at the trend of events culminating in our country's independence barely two months ago. That historic day, 1st October, 1960, in which the whole world rejoiced with us, will for ever be remembered in the annals of our great country. The splendour and the dignity in which our independence celebrations were carried out were indeed a credit to the Government and particularly to those who were assigned the great task of the enormous preparations.

Sir, the changes brought about by our new status as an independent nation necessarily demand that our Exchequer should seek another Supplementary Appropriation Bill to enable the work of the Federal Government to be carried out in a manner satisfactory to our nation. In his usual masterpiece of brilliant exposition, the Minister of Finance portrayed the financial and economic picture of our Federal Government.

The whole picture is summarised when the Minister said that the total additional expenditure now sought in this Supplementary

[SENATOR HASSAN RAFINDADI]

Appropriation Bill is £729,060 and the estimated surplus for the year shown in the Financial Statement at the front of the printed Draft Estimates are accordingly being reduced to £445,750. This is a modest Estimate and the picture seems healthy and the financial position very satisfactory. As a result of this new, Ministries have come into being—the Ministry of Foreign Affairs and Commonwealth Relations, the Ministry of Defence and the Ministry of Justice.

The External Affairs Policy of the Federal Government is very highly commendable. The impression created by Nigeria's maiden speech at the United Nations Organisation is a credit not only to our Prime Minister, Sir Abubakar Tafawa Balewa but to the whole Federation. It was really momentous and of very great significance for it shows that given equal opportunity the African is not inferior to any race. This is only a beginning and the future seems very encouraging for our country.

Sir, after independence the two most crucial problems facing our country are (1) unity and (2) economic salvation. I contend that the problem of the unity of our great Federation is as much a part of the problem of our economic salvation as any other. It has been the declared policy of our Government, supported by all shades of opinion in this country, that unity is of a paramount importance and must be achieved at all costs. It is, therefore, the sacred and paramount duty of every citizen of this country to work conscientiously to the same goal.

There is no question of retrogression. Nigeria, once described as a mere geographical expression, is to-day an independent nation and its citizens are determined to make it a reality with influence stamped all over the globe. Any irresponsible utterances are, therefore, inimical to our desired goal.

Mr President, Sir, federalism is fraught with problems, and ours is not exceptional; but if I am allowed a word I would say that ours is exceptional because the way our Federal Government is realistically tackling all the problems with zeal and determination shows that success is assured. At this stage of our development the Government needs every encouragement and not destructive criticisms.

The second problem is that of economic salvation which is equally important, and a

cardinal plan is essential if our newly won political freedom is to have any significance. There I would like to point out that it is sad to recollect that colonial powers, in spite of years of exploitation in colonial territories have laid no economic foundation in the territories they have exploited prior to granting them independence. It is true to say that since we have had our new political freedom we are determined to work our way through to our economic salvation.

With regard to economic emancipation the Federal Government has provided all the answers to our unity, stability of Government, maximum of economic security and guarantees. These are the conditions for attracting capital with which to develop our resources for the betterment of our own people. On top of this our leaders and the Finance Minister have trotted about the whole world in search of investments. When the fruits of their labours are starting, loose talks of nationalisation are being bandied about. Here, I must point out that to talk of nationalisation to the capitalist is to cry wolf to a herd of sheep. They are afraid and scared.

Since we have chosen a democratic way of life it is wise that we take the same route to that taken by prosperous, industrialised, and democratic countries to achieve their economic salvation. Both Great Britain and the United States of America have industrialised and achieved prosperity not by nationalisation at the initial stage but by a proper system of capitalism. So, any talk of nationalisation at this stage will scare away necessary capital, and inevitably the result of this is that it will delay our economic salvation which will lead to the achievement of higher standards of living for our people.

With these few remarks, I beg to support.

Senator P. A. Ogundipe : Mr President Sir, before supporting the second reading of the Second Supplementary Appropriation Bill (1960-61) placed before the Senate by the hon. Minister of Finance I wish to make some comments.

The hon. Minister of Finance had explained the reasons which necessitated these Supplementary Estimates of £739,060. It is because of the additional expenses which the new independent status of Nigeria has brought in

its wake. New Ministries have been created, new posts have been established. These are among the features of the price of freedom which we must pay. Nobody would grumble at this additional expenditure in comparison with the annual expenditure which the country's new status will demand from us.

But in presenting the Bill the Minister of Finance has touched on the nationalisation of industries, and in his comments on it he has tried to show that enough of nationalisation of industries had been done and that further nationalisation of any but public utilities would drive away foreign investors and paint Nigeria unfavourably in the eyes of foreign investors. He also stated here the huge compensation that the Government will have to pay if the industries are to be nationalised. I disagree with these views.

The Leader of the Opposition in the House of Representatives has outlined his views on nationalisation of essential basic industries, of certain industries which should be nationalised for diplomatic reasons, to which Ship Building, Airways, and insurance belong. I wish to add that nationalisation of some industries will stabilise our country's economy in a number of ways.

First, the large profits of the foreign capitalists will go into the Government's coffers and the Government will be able to plough it back into the industries. Secondly, the Government will be able to tackle better the problem of unemployment which is gradually assuming undesirable dimensions in the Federation of Nigeria. If I remember correctly, the figure of unemployment is given in one of the daily papers as over 9,000 in the Federal Territory only. If the Federal Government nationalises most of the basic industries I know that with the help of the country's economists and higher industrial experts it would be able to fix almost all the unemployed persons in their proper places whether as unskilled or skilled labour, technician or craftsman, and so forth.

Thirdly, with some industries being nationalised the Government will soon become such a powerful employer of labour, which I trust will be more progressive and more liberal than that of private businessmen and capitalists, and as a result it will be a commanding force in

deciding the national wage policy for the workers in all the Regions and the Federal Territory, including Regional Governments and all the private firms and industrial concerns.

I am particularly surprised that opposition against nationalisation of basic and essential industries should come from the Minister of Finance and not from the businessmen, entrepreneurs, or private businessmen and foreign capitalists who may be affected. If the Government has no stake in the issue I feel that it is the capitalist and the public who should raise a hue and cry on the suggestion.

The Minister of Finance spoke on the heavy compensation that must be paid by the Government to the owners and proprietors of nationalised industries. In the first place, I know that the Minister of Finance is an adept at borrowing money from foreign lenders. So, as usual he should borrow money for the good of his dear country, but apart from such borrowings there is nothing preventing the Government from selling anything from 40 per cent to 50 per cent of the shares of the nationalised industries to the foreign capitalists or bodies from which the industries are bought.

Thus, by nationalisation, it does not mean that the Government should have to find all the money alone; a great deal of the money may still come from the public or even foreign investors, but what it means is that the Government shall be in control of such industries and this will greatly help organisations and administrations in industries as well as reduce the volume of unemployment and will also bring improvement in industrial relations.

It therefore appears to me, Mr President, that what the Government fears in nationalisation of industry here in Nigeria is not whether it will be more beneficial in the production of cheaper and better goods; it is not whether nationalisation of industries will bring about more employment—

An hon. Member : Who wrote that for you ?

The President : Order, order. Will the hon. Member proceed, please.

Senator Ogundipe : It is not whether nationalisation of industries will bring about more employment, more industrial peace or more efficiency, or even better distribution of

[SENATOR OGUNDIPE]

wealth, but it appears that the Government fears that the monopolistic foreign capitalists may be affected adversely, and that, therefore, they should be protected.

My very strong feeling is that the question of more nationalisation, or not, of other than public utilities, is a very important national issue on which most of our economic problems hang, and it is not a matter that a Minister of Finance, who is not an expert, can settle by himself, and the Government cannot just browbeat the inquiring and interested members of the public as ignorant and uninformed. The Government itself should seek the expert advice of expert industrialists and economists devoid of Party Politics on the number of existing private industries, and the new ones that could be nationalised, as well as the amount that can be left to free competition.

In conclusion, it is impressive to hear from the Minister of Finance that this additional supplementary budget will not in any way affect the £1.2 million surplus expected in the main budget. While I commend the masterly way in which the Minister of Finance always presents his budgets with sugar-coated tongue that impel approval without comment, I wish to emphasise that what the nation hopes for in its Minister of Finance is not merely how to spend money but how to make money for the nation, bring material prosperity to the masses by creating employment for all, and make the life of independent Nigeria a happy and salubrious one, not for a few at the top, but for all.

And, before I conclude, I beg to inform the Minister of Finance that the question of somebody writing this for me does not arise. I want you to know that I have had a University education. (*Laughter*).

Mr President, Sir, with these comments I support the second Supplementary Appropriation Bill.

Senator L. C. Daldry : Mr President, Sir, I agree with the speakers this morning who have said that this small Supplementary Appropriation Bill totalling only £729,000 is a modest one and nothing to be alarmed about. There is only one item in it which, as far as I am concerned, calls for any comment at all, and that is merely a congratulatory comment.

There is an item of £50,000 for Nigeria's membership of the United Nations Organisa-

tion and this recalls to mind the fact that a Nigerian has been made the Chairman of the Conciliation Commission for the Congo and that, in itself, shows quite clearly the position that Nigeria now holds in the world. We all, I am sure, wish this Conciliation Commission the best of fortune because it has a difficult task but the fact that it has a well known and respected Nigerian at its head augurs well for its success in my view.

The Minister has told us that the revised estimated surplus will have fallen on these figures to £445,750 but, as usual, the Minister has something up his sleeve. He says that the final results are bound to be more favourable than those which he has put down in writing. He says that revenue is almost certain to be more expenditure is almost certain to be less. The surplus finally, he envisages, will not be less than the £1.2 millions, which was the figure given in the main budget speech, and then he very casually mentions that this is quite apart from the fact that there is a windfall of £7.5 million.

The Minister, Sir, always reminds me of a first-class professional magician. He has a wonderful capacity for taking money out of the hat and still leaving the same amount there. (*Laughter*). What is more, on this occasion not only does he tell us that he is going to leave the same amount there, he is going to leave even *more* there. I wish very much that I could conduct my personal finances on that happy basis.

As regards the capital estimates, he has said that the result of those estimates merely increases the gap between commitments and resources by the paltry sum of £20 and this is apparently due to the fact that Britain has waived a bill of over £1,000,000. I suggest that this may be a happy example of the friendship which we were talking about in this House only yesterday.

Sir, I would like to turn now, briefly, to this question of nationalisation. The political implications of nationalisation in this country are not my concern at all. It is for Nigerian and Nigerian political parties to decide whether this country wants nationalisation or it does not want nationalisation, but I may, perhaps, be allowed to make a few comments about the financial implications of this matter. If, by nationalisation, we mean ownership and control

and running by the State, there are certain aspects of any nation's economy which are best in Government hands.

And those aspects are usually essential services—the supply of water and electricity, the running of the ports and also, perhaps, of the Railways, although in Britain, there are contrary views about the Railways. But whenever healthy competition is needed, the financial effect of State ownership is almost invariably expensive, wasteful and inefficient.

A previous speaker has referred to the large profits which might accrue to Government coffers if industries were nationalised, but I would point out, Sir, that almost invariably, it is found that nationalised industries do not make large profits; more often than not, they are run at a loss. New and better techniques, cheaper and more effective goods, always come from the stimulus of competition.

When we turn to a country like Nigeria with great potentialities, at present very largely undeveloped, surely the paramount aim of any responsible Government must be, first and foremost, to expand the economy and to raise the standard of living of the people.

Now this can be done, in my view, in two ways: either it can be done by the country itself, standing on its own feet, or it can be done with outside capital. If an attempt is made to expand the economy and raise the standard of living in a country like this with the resources already here, then that process must I think be a very slow and painful process.

It will take a very long time and during that time, such a country as this would lag behind the rest of the world because it takes an enormous capital to do these things which are needed to be done. I believe that the only way in which these things can be done swiftly is by attracting capital from the outside world.

Capital is not easily attracted to any country. It demands safety and stability and the promise of good returns. Now, I cannot agree with a previous speaker who said that the economy which has been laid here is not a sound one. I believe that the economy which has been laid in Nigeria up-to-date is a very, very sound economy indeed. (*Hear, hear*).

It so happens that Nigeria has already, over the past few years, indeed over the past many years, demonstrated to the outside world just

those factors which capital looks for: safety and stability and, perhaps above all, satisfactory race relations. Over the years, Nigeria has created an atmosphere which is financially described as a favourable climate for investment, a favourable climate for investment.

This is a tremendous asset to any country. It is not easily built up but it is very easily destroyed and the quickest way to destroy a favourable climate for investment, in my view, is for loose remarks to be made about nationalisation because this, not only discourages outside investment, but it discourages internal investment also.

Nationalisation is not merely a matter of taking over the businesses of non-nationals but also of those belonging to the people of the country. Nothing stultifies ambition more than for a man to know that having built up a business, it will be taken from him and run in future by the State. It is my view that this country needs outside investment and that she is now in a position to attract that investment.

At the moment, there are genuine fears in regard to this matter which cannot be ignored. There are risks in the importation of vast quantities of outside capital and there are safeguards which should be taken. In my view, one of the safeguards which should be applied is this, that apart from certain plantations there should be no agricultural settlement for foreigners in this country. (*Hear, hear*). That is one of the main safeguards to avoid the fears—the genuine fears—which come from certain sections of Nigeria.

And the second safeguard, I think, is that whenever new concerns come into this country, they should be encouraged to offer shares to the Nigerian public. (*Hear, hear*). The Nigerians themselves should participate wherever possible in new ventures by taking some of the shares themselves. (*Hear, hear*).

Now, Sir, it is here that a vast amount of education needs to be done by the Government itself. Individual Nigerians have had no opportunity, for practically there are no opportunities in this country for people to take shares in large concerns. Nigerians are not used to doing this and they must be encouraged to do it. This is where the Government, I suggest, should apply itself vigorously in the way of educating the public. A stock exchange

[SENATOR DALDRY]
is due to open in January and that is the first step in the technical machinery which will enable share to be issued on markets here and for the general public to subscribe to them. But I do feel, Sir, that a great deal of the alarm which has been raised over this matter of nationalisation and the importation of foreign capital is already dealt with thoroughly by all the Governments of the Federation and by the Federal Government itself.

Some time ago all the Governments subscribed to a memorandum which was given a good deal of publicity, but which now seems to have been forgotten. It is called "Opportunities for overseas investment," and if the public will take the trouble to read and re-read this memorandum issued by *all* the Governments, they will find that a good deal of the safeguards which are necessary are mentioned in this memorandum.

With your permission, Sir, I will just quote one or two sentences. It says that "the Governments realise that overseas investors will be reluctant to lend their capital unless they can be assured that such investment and the skilled overseas personnel which may be necessary to make it successful will be welcome." It says, "Our Governments wish to give every support to the principle of partnership between overseas and indigenous capital and skilled personnel." It says, "We prefer that where there are willing Nigerian investors, they should be associated with new enterprises."

Our Governments will naturally especially value enterprises which are animated by this spirit of partnership and which make satisfactory arrangements for the employment, training and advancement of Africans."

Now, it is my opinion that unless outside investors comply with the remarks made in this memorandum the Government will not be inclined to grant them the necessary facilities to come here. And so, I think that the country can safely leave this matter in the hands of the Governments—and here it is not a matter of any particular Government, for all the Governments have subscribed fully to these remarks—and I think that if this memorandum is re-read a lot of fears which have been shown recently may be possibly allayed.

Sir, the Minister will confirm that for the past five years in this Parliament I have been preaching the doctrine of the creditworthiness

of Nigeria. I still have no doubt whatever that the confidence of the outside world, financially and in every way, can safely be reposed in this country. (*Applause*).

Senator Ezeogo Ugwuocha: Mr President, Sir, in supporting this Motion, I have to register my profound appreciation to the Minister of Finance for the careful way in which he presented this Bill before this honourable House.

In his speech he narrowed it down to this that the final results of our estimate are likely to be far more favourable than estimated and that the expenditure too is likely to be somewhat less than the total appropriated during the Budget Session, and that we shall still expect the already figure estimated which was formerly £1.2 million despite all the implications of creating new Ministeries and oversea Commissioners which Independence had brought upon the Government to bear.

I am also very very happy to learn that a sum of £1 million had been waived by the United States of America. We are grateful to them. They know that we are yet an under-developed nation and thereby had to hand over the war office to our Royal Nigerian Military Forces.

Mr President, Sir, I am also very grateful to hear that there are many friends overseas who are willing to help us were they not being disturbed by way of threats by those who are apt to see that Nigeria ever remains a young country. I would like the Minister of Finance to correct this notion during his next tour, and to contact them and let them know that we need more and more investors to develop this country.

But I have to suggest that the Government should encourage shareholders both in new and old investments so that we may be individually benefited from our mineral resources in this country. When I say individually, Sir, I mean those who can afford the money to pay for shares at the time.

Another point I like to make clear to the Minister of Finance is that the Opposition can bicker about, but it is left to the Government to have its way.

Another point I would like the Minister of Communications to take note of is that in Afikpo Division where His Excellency the Governor of the Eastern Region hails from has no telecommunication facilities and regular

mail service. Also The Owutu Edda Postal Agency should be converted into a main post office because, in case he may be on leave and Government requires his services, he can easily be contacted at once.

Mr President, with these few remarks I support the Bill.

Senator D. O. Asemota : Mr President, Sir, I have very few remarks to make on this Supplementary Appropriation Bill. In a country as large as ours, there is no doubt that appropriation bills of this nature must come up and I would like to associate myself with the various speakers that praised the Ministry of Finance for compiling it.

But I have one or two things to say about the Ministry of Finance, and that is this Shagamu-Ijebu-Ode-Benin road. We have been talking about this road times without number and I notice in the Supplementary Estimates that there is nothing there other than the original amount which was voted. We do not know how far they have gone with the work and we have always heard that the work is in hand, that the contract has been signed.

We want the Government to tell us exactly the position. There is nothing to indicate to the general public how far they have gone in the matter. I would like the Minister of Finance to give us an indication of how soon this can be done, and if the money is not sufficient whether he can use some of his magic wands to see that that road is completed.

The other thing I would like to talk about is the frequent occurrence of road accidents. I think there is no Senator here to-day who did not hear that last two weeks there was a serious accident on the Benin-Asaba road involving 11 lives. The important thing about it is that the road is so narrow that two lorries cannot pass—and it is a trunk 'A' road! If the Government can pay attention to places which are very adjacent to them like between here and Ibadan, they should also pay equal attention to roads that have been in existence for years and years. They should widen that road.

We have been talking about loans. We have been spending money upon useful work. But that is one of the most important things. The main cause of accidents in this country is the condition of the roads, especially the

trunk 'A' road between here and Asaba. It has been built since 1901 or 1904. If the Government will only pay attention to that and set aside considerable sums of money to maintain those roads, it will reduce the road accidents which we have been talking about every time. I know of three people in Benin, one man lost two wives and two children in a road accident because of the narrowness of the road.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh) : Why did all of them travel at the same time?

Senator Asemota : It does not matter whether or not all of them travelled at the same time. Anything can happen anytime anywhere. The point is that the roads are too narrow and the bridges are similarly narrow and in poor conditions.

Senator Sani O. B. Okin : Point of Order, I think our Minister of Finance should always keep in mind that he is now in the Senate and not in the House of Representatives.

Senator Asemota : Thank you very much. As a matter of fact I do not think that that attitude of the Lower House should be brought to the Senate.

The Minister of Finance : I am trying to warm up the Senate. (*Laughter*).

Senator Asemota : I do hope, Sir, that the Government will take note of this not only on this occasion but when compiling the next Estimates which would be coming before us in January or March. We want them to make adequate provision for the re-tarring of roads, particularly the part between Benin and Asaba and widen the roads and repair the bridges. That would probably reduce road accidents.

Now another thing I would like to touch is a matter about which I had an argument with the Minister of Finance. It is about the approach to Sapele River. He said it was a regional affair, and the President then asked me to go back and find out who was actually responsible. I have now found out the true position. I have to say that despite all the encomiums poured on Mr Dove, the Chairman of the Ports Authority, I think some of the money he has spent should have been used for this part of the bridge. Before you cross over from Benin to Sapele, the

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road is so bad that many cars break their springs and this is where the Minister of Finance himself comes from.

The Minister of Finance : My car has no springs.

Senator Asemota : That may be so but what I say is that more money should be made available for the purpose of retarring and widening the road to Sapele. If the Minister cannot do it now, he should make provision for it in the next estimates.

The other point is about the recruitment of our boys from Secondary schools to the Army. I made mention of this a few days ago, but I was told that there is no money but it will do if the Minister can now give us an assurance that when next financial year's estimates are prepared provision would be made for our boys from colleges or secondary schools to be trained in the Army. Such an assurance will save us a lot of trouble otherwise when the estimates come before us we would start to talk about it all over again.

These are some of the most important things to be considered by Government and now I put it across to the Minister of Finance so that he will bear this in mind when preparing the next estimates. I hope he will not forget this question of making provision for our boys from secondary schools to be drafted into the Army to be trained.

Now we talk about Nigerianisation which is a subject which is very delicate—every Nigerian talks about it. Much as I would like all the key-posts in the Public Service in Nigeria to be held by Nigerians, I think the Government is taking too much dictation from outside. If we have expatriates who have been with us for several years, why do we not keep them until they feel like retiring; why try to fight them? Some of these people came to this country many years ago; they grew up here, they helped us to get our independence; some of them are still very good and useful to us, so what is all the hue and cry about, that they should be expelled immediately? I do not agree with some people in that respect; people should be allowed to serve their time and if they are still faithful and useful to us, they should be allowed to settle down here if

they like. I am saying this without minding that my man sitting behind me here is a Trade Union man!

One thing I would like to say is that we in the Senate should not be ungrateful. I would like to take this opportunity to pay tribute to the retiring Governor-General, Sir James Robertson—a man who came to this country at the time when we were struggling for independence and played an important part in assisting us to arrive at our goal and as such we should place his name on record in appreciation of the valuable services he rendered to the country.

I should like to pay tribute to the people who were responsible for the self-government celebrations. Everything came as a surprise, particularly the traffic. We were so much apprehensive about how so many cars, so many lorries and so many people could ply Lagos streets without a great deal of delay, but it so happens that everything worked so mechanically and so well. People responsible for self-government celebrations deserve our congratulations even though on one or two occasions the Senators were not properly treated.

I think, Mr President, that is about all I have to say and with that I beg to support.

Senator M. B. Chukwubike : Mr President, Sir, in supporting the second reading of the Supplementary Appropriation Bill, I wish to associate myself with the previous speakers in congratulating the Minister of Finance for the able manner in which he has used the country's funds. It is not all that easy to budget for over 40 million people. We must take into consideration how difficult it is to budget for one's own family.

This is a simple and straight forward estimate and we have nothing to quarrel with over it. But it is necessary for me to make a few observations. I cannot avoid repetition—somebody has said something about this Asaba-Benin-Ibadan road. Sir, there is no gainsaying the fact that this is one of the most important roads in this country. It connects the whole of the Eastern Region and some parts of the Northern Region with Lagos. This road is very, very narrow and there are series of trees on the two sides of it which obstruct traffic.

This road needs retarring and widening and I would like the Government to pay particular attention to this very important matter.

Sir, another point is that as we have now won our independence, I beg to appeal to the Minister of Finance to look round for better markets for our crops. This was discussed during the budget session and I am sure that he is very busy looking round for better markets for our crops.

I now wish to say something about the independence celebrations. I feel the Committee did a marvelous work and I congratulate all those who were responsible. The people who failed to get invitation cards were the only people who were not satisfied with the arrangement.

Sir, I wholeheartedly support the second reading of this Bill.

Senator Mrs Wuraola A. Esan : Mr President, Sir, I am sorry that the Minister of Finance has just left this House, so I cannot say what I wanted to say.

Minister of State (Hon. H. O. Osagie) : Say it, I am here on his behalf.

Senator Mrs Esan : I just want to say that although he is a magician, he should use his magic in money matters alone because I do not think that when an elderly person is speaking a younger one should interrupt.

Mr President, Sir, although we cannot do anything but support the Supplementary Appropriation Bill, however good or bad it may be, when people like Senator Daldry say that the Appropriation Bill is very good one, it will be foolish of me to say anything to the contrary, because we know he is another magician. Although he says that he can never put in a penny, take it out and still find a penny there, yet he is doing just the same thing as our efficient Minister of Finance is doing this morning.

As far as the Supplementary Appropriation Bill is concerned, I think the Minister of Finance has done somewhat better than last time, because he assured us that although we are going to spend so much, we are still going to have what he told us last time that we will have, and a bit more; so no one can say he has not sat down and thought out things carefully

this time. He might not be saying this because, as somebody said, he has a sleek tongue, and he would like us to believe that we are getting on now economically. Perhaps, wishing will make us have what we really decide to have. Let us hope that we are getting better.

On the question of nationalisation. All those who have spoken before me said quite a lot and the controversy in the Press and in the House of Representatives has shown us that quite a lot has been said about this matter by those who are much more capable of saying things about that. But, as a woman, whether several men said something or not, I do not think that to contribute my own viewpoint would be out of place, though it would be the repetition of what someone has said.

Nothing, as far as I can see, is wrong with the Government's stand on this subject, but at the same time I do not believe that there is anything wrong in nationalisation in future. At present, we are a young country, we must go very carefully, we need quite a lot of money to develop our country; we want business to go on rapidly, and competition is always a very good stimulant to any young business. If you have no competition, the business will be so unstable as to deteriorate. Therefore, I think we require quite a lot of competition.

At the same time, the reason why I say there is nothing wrong with nationalisation in the future is that sometimes if we go back hearing some of the old people speaking about several businesses or industries that have been started in Nigeria some years ago, we will know that the Government has to do something to take some of the business into their own hands. There are some people who started with a very good purpose indeed and the business went on rapidly, and for one reason or the other this business collapsed. Why? It is because we are just learning the basis of honesty and trust in business. And if we find such business at the present time, there is nothing wrong with the Government taking control of such business and making it pay. I know that some business owned by laymen who are not industrialists nor capitalists seem very poor to me, because they have not the basis for the profit making. They employ people, they do not see that they work, and yet they pay them.

[SENATOR MRS ESAN]

I agree with Senator Daldry that at times it is not good for business to be in the hands of Government, but wherever and whenever possible and wherever the occasion calls for it, I think if the Government takes out any African business and tries to run it—whether the business is supported by investors from overseas or not—I think it will be good for our country. That is why I support the stand of the Government that we should have nothing like nationalisation at present, but at the same time there are occasions that call for nationalisation.

Now, we come to Nigerianisation. This topic is a very troublesome one which has caused a lot of controversy, a lot of ill-feeling; but still, I believe that, though Senator Asemota said that you cannot just kick out an old horse because he is no more useful or you feel he is no more useful, anybody that is useful to us in Nigeria and wants to remain, well, we are bound in honour to keep such a person. But when we have our own children going without food, I do not think we should have too much sentiment when we have people that are quite capable of doing this work. If an expatriate has a job that we envisage for our own sons and he still refuses to step down, I think we should give a bit of pinching somewhere to let him know. And I should think that is what is being done now.

We in Nigeria are appreciative of any good done for us and we shall always be, because it is in our nature. It is in our nature to be appreciative. We cannot help it and we shall continue so. But do not forget that many of us are looking forward to seeing our own sons in better positions. Many of us women are relying on our children to feed us. It is a pity when you men deprive us of the main stay of the women in Nigeria to-day, and that is to see our children in executive posts.

It does not matter if when they get money they use them in a way contrary to our wish; still, so far as they are getting the money, it is enough. So, while supporting our Government that we should go slowly about our Nigerianisation, we should at the same time think of mothers and fathers who have spent all their lives working in order to train their children. These children should be given opportunities now and not in the future.

Another point that I would like to mention is the fact that although we say one thing, at other times, we often act another. When I say this to-day, I said it yesterday, and I suppose I am going to say it tomorrow. We say we want offices to be given to experts, but at times we do the contrary thing by placing a graduate under somebody of lower intelligence.

I do not say that he has not got the experience. But you must remember that you may sometimes have a lot of experience and you may not know how to use such experience. In the Federal Capital here if we look round we will see cases where graduates are placed under a master with only Class Four simply because that master belongs to the people who have a say in such appointments. If we continue to do that and then tell the world that we are not sending expatriate officers away simply because we have not efficient and capable people to take their places, then we are making ourselves ridiculous.

So, if you want to do one thing then stick to that thing and do it well. Please, give opportunity to everybody who has got sufficient educational qualification to man the post and so long as he is capable we are satisfied. If this is the case, then give our children opportunities and then tell the expatriate officers that we like them and admire their work and that they should help us if they can but our children are knocking at the door and so we must help them too. But if you say one thing and do another thing, I am sure we will give the world wrong impression.

Sir, the last point I would like to mention is about the construction of roads. Two Senators have said something about this point already although they only mentioned their own part of the bargain; they mentioned their own roads. They mentioned Sapele Road but they have forgotten about the Shagamu to Ibadan Road. That road too is terrible especially during the rainy season. We find bumps and gallops and the like while travelling on this road and these do not make traffic convenient for old people like myself. If you want us to come and do Government business then you must make it very convenient for us.

I would like to say that it is not only the maintenance of the roads that is really neces-

sary. It is time we got some expert advice on road building because we have not really built any good roads, except in Lagos. You will notice that maintenance is costing us a lot of money every year but if we build these roads properly for once, then the maintenance will not be so costly. So, I will ask the Minister of Finance to remember that, when making his own budget for another session, our roads must be properly built up and we should not just put down money for maintenance, but money to build these roads should be made available so that in future the maintenance may not be so costly.

Sir, I beg to support.

Senator Chief P. I. Acholonu : Mr President, Sir, I have to thank you for giving me this opportunity to speak on this important issue. I support the Supplementary Appropriation Bill and in associating myself with the other speakers, I will not argue the validity of the frame work of an honest and reliable person of the nature of the hon. Minister of Finance. His statement in the presentation of the Bill is self-explanatory. I do not hold a different view, as far as this Supplementary Appropriation Bill is concerned, but I would like to remind the Government of the importance of the industrialisation of the country in agriculture.

I am not doubting the Government's achievements in the development of the country but I must say that the country cannot be properly developed without the inclusion of the rural areas and developing the minerals discovered in those areas. For example, Sir, Okigwi and Orlu Divisions were the places where the first oil mills were built because palm produce was plenty in the areas. The daily development in mass production of palm oil and palm kernels in Orlu Division may not be overlooked by the establishment of industries for butter, ice-cream, vaseline and soap. These industries will solve three major problems by (1) providing food in the country for the country; (2) industrialising our country in agriculture and (3) providing employment for some of the unemployed youths in the country.

Besides, if anybody says that the tremendous achievements and development in the country are not as speedy as lightning the person has no foresight. The Federal Government deserves to be congratulated for all their efforts in

managing everything during the Independence Celebrations. The only thing that is upsetting our minds is—if Mr President will allow me to make a reference to what some of my colleagues said yesterday—about the recruitment of the Army.

Sir, we have often looked forward to seeing more developments in the rural areas besides places like Ibadan, Benin, Port Harcourt, Enugu, Kaduna, Kano, Jos and so on. The small divisions or rural areas are often overlooked. For example, if the Government wishes to employ soldiers or even policemen, those in the rural areas will not know until after the selection. So, we now register our request, through the President, to the Minister of State to see that all such opportunities are extended to the rural areas, for only by so doing will the development of the country come to pass.

Now, Sir, for the past few months we have been reading in the newspapers or hearing over the radio about the attack of the Police by people throughout the whole Federation. This ill-treatment of constables is very unbecoming when we have only recently had self-government. I do not know what steps Government is taking to stop such misgivings. The attack of Police when the Police are on duty is very bad.

Legislation is the responsibility of this House and the interpretation of the law is that of the Supreme Court, Magistrate Court, Native Court, or Customary Court, but the maintenance of law and order and the execution of that order is that of the Police, and if the Police cannot be received when they are on duty, if mobs will always obstruct them from executing that duty, I do not know whether Members of this House, or the Ministers, or anybody, or the Governments themselves could go and arrest anybody or make investigations. So, I draw the attention of the hon. President to this defect to know what Government is proposing or preparing to do to stop these irregularities.

So, with only these few remarks, Mr President, Sir, I beg to support the Appropriation Bill.

Senator Chief Hunponu-Wusu : Mr President, Sir, I rise to support the other speakers on the Second Reading of this Second Supplementary Appropriation Bill submitted to us, and in doing so I have a few observations to make. I start straight away

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now with the Ministry of Health. I am happy that the Minister of Health is here with us this morning, and I would have started with the Minister of Finance who unfortunately is away, but I know his Deputy is here. I will come back to that.

You will all agree with me that something was said in this honourable House sometime about the Medical Department. We see that that particular Department has been given sufficient money to improve its services, and that is £39,410, which I must congratulate the Minister of Finance for doing. As I said at the outset in this House the head must be preserved first; if the head is bad the whole body will be bad. You will all agree with me that the independence that we have got to-day, the self-government that we have got to-day was due to the head. If the head is corrupt the whole body will be corrupt. So, I congratulate the Minister of Finance for allocating such money for the Ministry of Health in particular.

It is a pity again that our two Ministers of State, both Dr Majekodunmi and Dr Esin, are away. Why I am saying that is this. I do not want to go into personalities, but I would seek your indulgence to deviate to some extent. Why should a man like Dr Majekodunmi leave his profession? A duly qualified, competent, capable and an extra-ordinary specialist to leave his profession and come to the Senate! Why does he? I know that it was only a few years ago that that particular line was not encouraged, particularly in Nigeria. After all we pray now that we want to have this, we want to have industries, we want to Nigerianise. If the people there are not healthy how can you run a healthy government?

But it appears that money is adequately allocated for this particular Department. It is good to have engineers, it is good to have all the industries in Nigeria. But when people are not healthy, and if you want to join the Government to-day you must go for medical examination. They will never send you to the Police to examine you before you will be engaged in the Government service. They will send you to a medical practitioner, a qualified and competent one, to see whether you are capable to take up the new appointment either as a policeman or as anything in the Government service.

So, now, I am craving the indulgence of the Minister of Health to look particularly into this Department. It appears there has been a rumour, and it is no more a rumour. A European shouted two or three weeks ago about the General Hospital, the only General Hospital we have got for the Federation of Nigeria. It is in Lagos. I agree that all other Regions provide similar services, but I refer to the head, and that is the Capital, Lagos City, the only General Hospital we have got for the Federal City. See the way the children are dying! It was so pitiable that Dr Gans had to cry out. He said: "I do not mind. You can sack me. You can send me away." If a European has the courage to come out like that I think it is the duty of the Minister of Health to look into this. See the amount of children that are dying from time to time! Who are going to take our places when we are old?

He is a European and from his own free will and accord he came out to us. We do not come here to laugh and to support or to play party politics, but any Department that we see that is not doing well should be checked and the Minister of Health is therefore invited to look into it.

Some people have complained about the Benin Road and the extent of motor accidents going on in this country. We should ask for the widening of the roads. That is what is happening now, and I call on the Minister of Works to look into that. I am very particularly happy that the Minister of Health is here now to look into the question and to find out why the children are dying like that.

Nobody says that children cannot die at all. No, Sir; but how could we be happy in the near future if they die at this rate? Into whose hands are we going to commit the destiny of Nigeria? As we are growing now in number, as we are growing in everything, I think we should be able to grow in other aspects. Our doctors are not encouraged. They are not encouraged. That is why I want to make a particular point; that I would like the Minister of Health to look into the reasons why his Department has not been encouraged in this field.

Whenever you ask, they say there is no vote. They say there is no money. The Health Department is one of the places that we should allocate money to, because health is wealth. If we have not got the health how can

we have the money. I know of thousands of people who to-day have got the money but have not got the health to use it satisfactorily. What is the use of accumulating money? You want to have this, you want to have that.

Now, on the question of the maintenance of highways and bridges. I said this to the honourable House some-time in which our then President invited the attention of the Minister of Works to give me an answer, that is the Minister, Alhaji the hon. Inua Wada. There and then I criticised the question of the second bridge for Lagos which is of vital importance, and I think it is still of vital importance to the Federation of Nigeria. I agree that roads in other Regions need immediate attention if there is need to do so, but if you will look on the Carter Bridge to-day there are some cracks and it is an awful sight.

You will observe this on your way from Lagos to Iddo if you look to the right. If you are coming from Iddo to Lagos you will find it on the left. Why should that be? As I said earlier in this House the Carter Bridge was constructed by some groups of engineers some 31 years ago. There was no idea that the number of vehicles that would move on the Carter Bridge could increase to what it is. We are grateful that during independence nothing happened whatsoever on the Carter Bridge. We thank God for that. But does that mean that as nothing happened therefore we, as the father in the Upper House, when you see that your house is becoming old, your walls are getting broken, would you wait for a calamity?

I must sound this note of warning again to the President and the Council of Ministers. Now, the new diversion that goes on to-day under the bridge leads to some congestion to some extent. When I said this here some few months ago that the Ministry of Works has created what is a bottleneck at Iddo every body seemed to laugh at it, but this is a household talk in the Federation of Nigeria to-day. "Bottleneck at Iddo, bottleneck at Iddo." Is there really a bottleneck at Iddo? As I said, something should be done immediately, and I appeal to the Minister of Works and his able Council of Ministers that a second bridge should be constructed for Lagos.

Now, Sir, I come back to the question of Police Department. We all agree, according to the last speaker, that the Police Department

needs encouragement. But has it got the protection that it needs? Policemen should be the last people to be attacked if we have any respect for law and dignity and for human rights. It is a challenge to our legislature. Perhaps our old colonial laws that exist in Nigeria will help to serve a purpose.

Some time ago, in this House, some hon. Senators from the North were asking for certain punishments for the Northern Region which, you all agree with me, was debated here. Some of them said that they had been used to them for the past, fifteen, twenty, thirty or forty years and they still want them. But we still feel that in a young Nigeria punishment should be distributed equally. But they felt that they must have their own over there, which perhaps the Eastern Region will not tolerate or the Western Region of the Federation of Nigeria will not tolerate; but the people of the North feel it would suit their purpose and they are clamouring for it being maintained by them. I think the time has come now when our law-makers should carry out a law revision.

There are a lot of things going on now in the Federation of Nigeria. I happened to see two of our visitors at the Federal Palace Hotel who came down during the Independence Celebrations and during the Installation, and most of our discussion was about how Nigeria was getting on. They said they had read much about Nigeria. They asked: "How are you going to defend yourselves from the hands of the law-makers?" It has not happened in Nigeria, even though we are still very young and I think unless something is done we must call a spade a spade, as the hon. Minister said here yesterday.

Much as I agree with other speakers on this Supplementary Appropriation Bill I still feel that something must be done. I congratulate the Minister of Finance for his courage in bringing up this Bill and he has assured us that we are financially sound and I am happy that the hon. Senator Daldry has confirmed that. Now this, I think, can give us here rest of mind that we need not worry about our finances, though we may still go out to borrow from time to time. "He who goes a-borrowing goes a-sorrowing."

Mr President, again, Sir, I still feel that more attention should be given to the question of Nigerianisation. We cannot leave the question out if we want the country to progress, accord-

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ing to one of two speakers this morning. After all, we want Britain to come and teach us something. If we want them to teach us, why do we want to send them away, because if they are good, we want to retain their services and those of them who are not good, naturally, we should dismiss them. After all, we do not know these things ourselves.

We have been asking now for this Defence Pact, we want a Military Pact, we want this, we want that. How do we do it? If we know them we would not have applied or asked for any people to sign anything at all and, as a result of that, I would crave the indulgence of hon. Senators and what I do say is this.

Let us set aside party politics on this. Whatever is good for Nigeria we should consider is good for the whole of us. We should set aside party politics and partial affections. I have said this, whether it is right or wrong—although I know it is right—but whether a thing is right or wrong we should not say it is right or wrong because we are in this or that party. We in the Upper House should not encourage that, and I am asking the indulgence of the Senators here, whenever anything is placed before us, not to let us look into the party which presented it. (*Hear, hear.*) After all, we are all Nigerians. It does not matter which party we belong to. So, Mr President, I am asking that we should keep undivided in our loyalty to any matter that come before us for our thought and consideration.

With these few remarks, Mr President, I support.

Senator H. O. Abaagu: Somebody has already said something about the Shagamu-Ijebu-Ode-Benin road. I want to emphasise that that road is very important to our economy. It shortens the distance between Benin and Lagos by about a hundred miles and if that road is completed, hon. Members coming from that part of the country to Lagos to meetings of the House may not travel for as many miles as they are doing now and this will be a great saving.

Another thing I would like to touch on is this nationalisation of industry. I agree with experts like Senator Daldry and another hon. Senator that if we nationalise these industries we are going to scare away foreign investors,

and you can realise the importance these people have played in the economy of this country.

Mr President, I want to speak of the Ministry of Health. Somebody has said something about it. I want to say something about it. Although there is an able Minister at the head of this particular Ministry, it seems to me that there are certain people, certain bosses in that Ministry, who are not giving him the desired co-operation. I understand that a certain boss who is an expatriate, and one or two others, are conspiring to discourage African Medical Officers there so that they will leave the hospital. Well, that is not good at all.

If we can get the local people to do the work it is better. The local people understand more about African sentiments than the expatriates. I think we should encourage them and, moreover, the local people are more economically employed than the expatriates because if you employ an expatriate you must induce him to do his job. You have to pay him extra in the way of inducement allowance.

A certain Medical Officer, a Specialist, who has been acting as a Specialist in a certain branch of the General Hospital for a long time was mentioned. His case has been mentioned on several occasions to that boss and nothing has been done about this gentleman and a certain Region is now trying to attract this man, and he may leave the General Hospital. His wife is equally qualified and he cannot leave his wife here and go somewhere else. His wife cannot leave him and go somewhere else; so a Regional Government is trying to buy the two of them. If this gentleman goes away it means we shall be bound to employ an expatriate. It will cost us much.

I think that is contrary to the way we are trying to pursue the policy of Nigerianisation in this country. I should therefore like to ask the Minister to make enquiries into this and to see that certain expatriate bosses in that particular Ministry do not override him.

Let us congratulate the Government straight away for the very able way they organised this Independence, the very able way they controlled and maintained law and order during that time and the way Lagos has been wonderfully changed overnight. Where there were no bridges before, you have bridges now. Where there were no streets there are streets now.

Where you had no buildings there are imposing buildings now, but the question of that desired additional bridge to the Carter Bridge is still with us. I think the Government would do very well to look into that.

I want also to talk about these independence cars. I know that the cars were very, very costly. I know also that Government spent very large sums of money to buy them, and so, a greater percentage of the money voted for the Independence Celebrations must have gone into the purchase of those cars. How are we going to dispose of them?

I understand that Government is going to sell those cars at say 20% less than the original cost or so. I am not very sure, but I think that is a rumour. I think if Government sells those cars which are barely two months old, the Government would lose greatly. I would, therefore, suggest that these cars be allocated the various Ministries and if the Federal Government cannot absorb all of them, I think Government should make arrangements with the Regional Governments so that they could absorb them and allocate them to their own Ministries. I think that would indeed be a more economical way to dispose of these cars.

Sir, there is a certain road, that is the road from the Eastern Region to the Northern Region which is very very, bad. This road is an inter-Regional road and it is very important. I must thank the Government that that road is tarred to a certain length. That road connects the Eastern Region with the Northern Region, I mean from Enugu to Jos. Government is trying to tar certain sections of this road between Makurdi and Jos. The effort there is very slow, but in any case they are trying to do something about it.

But, Sir, there is one short section of this road and that is between Aliede and Makurdi which is very, very, bad; it has never been tarred. It is only tarred from Enugu up to that part called Aliede and from Makurdi to a place very near Lafia, but that section which is only 36 miles has not been tarred and is too bad. There have been many accidents on that particular section of the road in recent months, so I am appealing to the Government to see that that particular section of the road is tarred.

Sir, I come now to this question of promotion in the Police Force. Mr President, I do not like the way promotions are carried out in the

Police Force. In the Police Force, promotions are made without regard to seniority. In the Police Force for example you get constable 'A' who has been in that job for about 20 years, then you get constable 'E' who has just been to the Police Training School. He comes out, but simply because he has somebody to say something good about him or because he has some beer to give to the big man, constable 'E' is given promotion over constable 'A' who has been in the Force for 20 years.

I think, Sir, that that is no encouragement; it is no encouragement at all. We have been accusing the Police of bribery, I think this must be one of the reasons why there is bribery in the Department. For instance, I had been in the Department for 20 years, you do not promote me, but somebody who has just come for two or three months, you promote him above me! I think I should also find some way of increasing my own earnings. (*Laughter*).

I do not advise them to do that, but I think it must be one of the reasons why there is bribery and corruption in the Police Department and unless we look into these anomalies and remove them, I think we will continue to talk about bribery and corruption in the Nigeria Police.

Mr President, Sir, I do not think I have more to say concerning this Supplementary Appropriation Bill which is very presentable and acceptable and, in fact, I expected that more money would be voted during this Supplementary Appropriation Bill owing to the fact that we had the Independence Celebrations and I thought that more money would have been spent on that. I congratulate the Minister of Finance for cutting the estimate in that manner and presenting us with an estimate which is only about £70,000.

Mr Speaker, Sir, I beg to support.

Senator Sani O. B. Okin: Mr President, Sir, in rising to support the Supplementary Appropriation Bill, I have some observations to make. In doing so, I feel that whenever Appropriation Bills or Supplementary Appropriation Bills are tabled before this House, I suggest that all the Ministers concerned should find some time to attend. I also beg to submit to the President of the Senate to speak to the Council of Ministers to find their way to attend this Senate whenever we are meeting. Or, in the alternative, the method of allowing

[SENATOR SANI OKIN]

the House of Representatives and the Senate to be meeting concurrently should be discouraged.

First of all, Sir, we all agree that Nigeria has now attained independence. Independence cannot be completely implemented without hard-work. I am now appealing to the Ministry of Pensions to see that the time has now been overdue to review the retiring age of all Nigerian employees. (*Hear, hear*). In the first place, the retiring age should be 60 instead of 55 and the voluntary age of retirement should be 50 instead of 45 now in practice. Secondly, if that is done, I feel that all the Regional Governments and the Native Authorities throughout the Federation will no doubt follow suit.

I have a congratulatory word to say to the Legal Department. The office of the Minister of Justice and Attorney-General newly created is very welcome throughout the whole of the Federation of Nigeria. Mr President, as you all know, the present Minister of Justice and Attorney-General is a Nigerian with a requisite qualification and the man that an independent Nigeria needs to man our Legal Department. In conclusion, I wish the new Minister of Justice and Attorney-General long life and prosperity and to live to enjoy the fruit of his labour.

I have very few words to contribute to the Minister of Defence. I hope that at the next meeting of this House, the Minister of Defence will be able to report the progress so far made abroad by the Nigerian Military Forces.

Mr President, I have to give way to other people to speak and so, I beg to support.

Senator O. Somolu : Mr President, Sir, I wish to say in contributing to this debate that in my view, this Supplementary Appropriation Bill evokes no controversy at all. As a matter of fact, I think it will be right to say that the provision under Head 25 of £53,210 as a new commitment relating to our new status in the creation of the Ministry of Foreign Affairs and that of Commonwealth Relations is very modest. I would not like to call it paltry because I understand that this is just a token vote which may have to be revised in the light of what our real contributions should be in the United Nations and the Commonwealth.

This Supplementary Appropriation Bill has been debated quite forcefully and with rami-

fications in this House this morning. I would like to associate myself with the remarks made by Senator Sanni Okin about how the Treasury Bench treats this House. It would appear to me that they have taken us for granted in this House: "Take anything to them, whether we are there or not to defend it, it will pass". I do not know how that impression comes to be created. It may be the Ministers think they have done a lot of lobbying or because they think that there are no useful points that the Senate would put forward that would need an answer.

I would join in appealing to you, Sir, to make the Government feel that Senators feel very strongly on this point. If it is thought necessary that this House is important and that it should be created, and was created, I do not see how we all should be brought here every now and again without responsible Ministers coming to listen to us. If they cannot come, they have their Parliamentary Secretaries to take notes for them and answer to their criticisms. But what we see here from time to time is just one or two Ministers or three Ministers, each listening and going away. I think it is, to say the least, a show of disrespect to this House. (*Applause*).

Some Senators in this House have spoken on aspects of some different departments, and I would wish to put in my own quota in respect of what has been said in relation to the Ministry of Health. I am very happy that just at the moment when this matter was being raised, the Minister of Health himself walked into this House. We have always said in this House over and over again that this Ministry is a very important Ministry. If we have no health, as one hon. Senator has said, what can we do? It is generally agreed that very many sections of this Ministry, particularly in the practical field, need looking into; there is a lot to be done to improve the conditions.

As one Senator has remarked earlier this morning, he referred to the care of children and the controversy that was going on in the Press about the Specialist Paediatrician who was loaned to us: his complaint to the Press and the reaction of some of his bosses. I think the Minister of Health has a great responsibility in this. I have not known any civilized country where such a complaint could come from such responsible and highly qualified official and it would be treated in the way that we have seen

it treated. If it is, whoever is responsible for such a dirty treatment will not be two hours in office. But in this country, anything can happen!

Here is this man, a qualified man, loaned to us because we have not, he came to this country and he is complaining about the health of our own children, and we have the impudence to say he will be dismissed. Suppose he is dismissed, who loses? And yet those who threaten this dismissal know that they ought not to come to the Press and say something like that. The Ministry is there. If any comment is due to be made, it is the Ministry that has to make it, and yet everybody thinks he is a tin-god!

I hope the Minister will look into this, provide the gentleman concerned with the weapon with which to work or, if he is of the same opinion as his underlings, dismiss him and let him go. But that will be to our eternal shame because he stands to lose nothing at all. We will be the losers.

In addition to that, I will urge the Ministry of Health to look into many more things. Our Ante-Natal provisions are not quite adequate. We should discourage our women from going to the primitive way of drinking medicine without measure; we should discourage them from seeking the aid of local medicinemen and witchcraft operators; but we should also provide them with a substitute. We say one thing, we do another. That is one of those things which I commend to the Minister of Health to look into. I would like to leave many other things respecting this Ministry till the time of the Budget Session.

A good deal has been said about the question of nationalisation and it is said that this has evoked heated controversy in this country. I myself fail to see what the controversy is about because it would appear to me, on reading all the cross-section of opinions expressed, that both the Government and the Opposition have almost the same ideas.

What do we call nationalisation? There is very little left to be nationalised in this country. Water is nationalised, electricity, the coalmines, railway, Ministry of Transport. What else are we quarrelling about? If it is just the question of a few big combines in this country that are out to trade and they fear, trembling in their shoes, that their business would be taken over, I think that fear is absolutely unfounded.

Senator Daldry said this morning that when we talk of nationalisation, we should put forward such an irresponsible view of advocating nationalising all industries because it might scare away investors. I respectfully agree but as he himself has already said, after reading extracts from the Policy Statements made by the five Governments of this country, what we want is a basis of the importation of capital into this country as partnership. If we all accept partnership as the basis of importation of capital, why should we fear if people say we want nationalisation. At the very best, all that people can want is to have a share, to take part in the running of these big businesses that come to operate in this country, and, for my part, I think it is very easy to put everybody at rest as an hon. Senator has suggested this morning.

If our Government took care to formulate a policy by which all the big combines, all people coming to exploit this country financially—that is the way I would like to put it—are ready and willing to give out shares to the people in this country, everyone would be at rest. That is what I understand by partnership. If you float a business worth £100,000 capital throw out £50,000 of this to the people of this country, let them take shares—instead of hand-picking a few people as Directors to-day and paying them a sum of £100 a year as nominal fee—that is what I understand to be the clamour and that is the highest I would go about nationalisation. Whoever wants to take any other person's business? If an indigenous—native of this country wants to put up a business on the same gigantic scale, the same principle would apply; instead of allowing foreigners to find capital for him, let him throw it to the people of this country. They will have a stake in the business.

I think that is all that we want to emphasise—let us have a stake in whatever business that is being done in this country so that we, the indigenous natives can share in the profits when they are made. That is all—that is all we mean by nationalisation.

Now, Mr President, Sir, a few things have been said about Nigerisation. I quite agree with some of the previous speakers when they said that if we have a very good man, no matter whatever may be the colour of his skin, we should be prepared to make him serve us. We cannot afford to kick him out simply because we are independent. I think that that

[SENATOR SOMOLU]
idea is a very good one. But Mr President, Sir, if I understand the clamour—the meaning of the clamour that is going on in the country about Nigerianisation to-day, I do not think that it is right to say that the clamour is to kick out every white man or everyman who is not a native of this country. If I am right in that view, I think there is full justification for the clamour going on now in the country.

All we want to see done in this country is that the key-posts—key-posts—with emphasis—Mr President—in this country should be held by Nigerians. (*Hear, hear*). That is all we say. Only the key-posts—we do not say that every white man should be kicked out—

The Minister of Finance : What would happen to the key afterwards ?

Senator Somolu : The key will be held by the people of this country for their own use. Give us the key-posts. If people blame those who are clamouring for this important policy, I think they are doing injustice to themselves, because it is in order to be able to hold the key-posts of the Government in this country that we all clamoured and ultimately succeeded in achieving independence.

We did not say, "Oh, the white man, the Englishman has done this work for fifty years, keep him there because he can still do better." We said—"Yes, he can do it better, but we want the keys to be in our own hands." If we had secured independence and we go a little bit further and say give us the key-posts ; let the natives of this country see the secrets of the running of the Government of this country, what is the crime there ? That is what is done in other civilised countries. Those who have an axe to grind may think differently. I do not want to be regarded as being a friend to this or a friend to that. I come to this House to debate matters brought into it with an open mind and that is what we are supposed to do here ; if we cannot do it, then shame on us.

We voice our opinion without any rancour and leave it to the Government to see whether what we say here is acceptable to it or not. We do not want to befriend anybody ; we do not want to make an enemy of anybody, but when we say the key-posts in this country should be handed over to the natives of the country, the only excuse that the Government can give is to say they have not got the men ; but they have not said so. The Prime Minister himself,

in his own speech, said we have the men. If we have the men, what are you afraid of ? We have nothing to be afraid of. The fact that somebody has been here and has been serving well is an entirely different issue.

If the Eastern and the Western Regions can do it, I fail to see why the Federal Government cannot do it, but if there is any hidden understanding why this should not be so, let it be said on the Floor of this House.

As I said, Mr President, this is a very non-controversial Bill, but before I sit down, I would like to call the attention of the Government Bench to what I said in respect of the new Ministry of Justice. I have already paid what I think is a deserving tribute to the new Minister of Justice and Attorney-General, and I think if he is given the opportunity to serve, now that we have got a means of bringing him back home, he will serve us well. He has already started to go round the courts to see what he can do, but it is this that I touched upon when he was here and unfortunately it came on a Motion that he could not reply to : that is in relation to the establishment of a law revision commission.

We have it in the East, we have it in the West ; there is no reason why the Federal Government should lag behind. We have new sets of laws—12 volumes—by the time they are out, but a good many of the provisions are already out of date. They have been amended by supplementary provisions of the law. Why should this be so with the Federal Government ? A good many of the laws that we use in this country are being re-enacted in the other Regions, particularly in the West. We still have to refer to the old Laws of England operating in 1900 before we can put cases before the court. Now that we have a Ministry of Justice, I think this important aspect should be looked into and the proper things done for the improvement of our Legal Department, for the improvement of the Judicial Department.

As has been said over and over again on the Floor of this House and in other places, the basis of our advancement, of our progress in this country is first and foremost, law and order. If there is no law and order, there will be chaos, and the only way by which you can put law and order on a proper basis is by giving the Ministry of Justice the right weapon to fight with.

I would also like to call the attention of the Government to the quick setting up of the Department of Public Prosecutions. We have a lot of complaints, the Police do this, the Police do that, but in very many cases it is not the fault of the Police. When you give the Police the power to arrest, the power to investigate into crimes and the power to prosecute, what will the Police not do? Once the Police think that Mr 'A' has committed an offence, they will find the evidence to convict him and they will go before the court to supply that evidence. And yet we say there is a miscarriage of justice.

But if we have a Department of Public Prosecutions properly constituted, that department, in due course by assimilation, will be in a position to take over prosecutions from the Police and leave them to their proper job of investigating crimes. For if you take them beyond that and make them to prosecute, naturally a man who prosecutes wants to succeed by getting a conviction, and that is where we have a miscarriage of justice. I think the Government will do well not only to themselves but also to the millions of people in this country who go before the judiciary to seek redress, by improving the Department of Public Prosecutions and making provisions for the defence of the poor.

Not everybody can afford to pay the fees of lawyers. A big Minister was already complaining that when he takes a case before the Court he has to pay a lot of money. I said to him, "Yes, you know what you are claiming". A lawyer looks at your claims and he asks you to pay accordingly. But what of those who cannot afford, those who have to face trials but have no money to pay? Our Government has not done anything to help these people.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh) : But the lawyers should do.

Senator Somolu : I think it rests with the Government to make provisions; that has been done in other places and there is no reason why our own Government should be an exception.

As I said, Mr President, one cannot be critical of this Supplementary Appropriation Bill. It is very modest, it has made some provisions which one can usefully say are wise, but it is not so much on what is here that one has to criticise the Government, it is on what is *not*

here; and that is what I have tried in my own words to put before this House through you, Mr President, and I hope when the Government comes before us again with another Appropriation Bill, they will have an answer for some, or at least a lot of the complaints that we have been making in this House.

Senator H. N. Udoh : Mr President, Sir, I rise to support the Bill before the Senate. I have observations to make but these will come up in the Budget Session for 1961-62. Everybody in Nigeria as a whole clamours for better means of living, better means of transport. From Asaba to Lagos, there is a road which should be the best in the country; those who use the road know that there are some points which are not what they should be.

When I was coming here on the morning of the 24th, a lorry collided with another and the impact, because of the narrowness and the closeness of the road, cut off the head of the driver on the spot, 15 miles after Owo. If the roads had been broadened enough, this perhaps might not have happened.

It is unfortunate that the Minister of Transport is not here. The users of the roads should have been educated in one way or the other to use the roads knowing the roads are not what they should be.

And also some of the inland waterways—I refer to the Enyong Creek in the old Calabar Province. The waterway is altogether closed. Canoes coming down the Province all the way from Abang, Ohafia, down to Itu cannot do this at certain times of the year and what is shown here for the Ministry of Works and Surveys is only £63,500. Much more money should be voted to this particular Ministry.

Again, somebody spoke on the Police. The Traffic Police are always quite all right particularly in Lagos. They are exceptionally good. But when we get up to Ikorodu and from there onwards, we see that they go astray.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh) : I will appeal to Mr Benson to go to Ikorodu.

Senator Udoh : Very well, then. You very often see lorries very heavily overloaded and some of their parts either removed or not working properly, and yet the lorries travel with people's lives. If the Government can

[SENATOR UDOH]

arrange for patrol parties, particularly in the night, it will be able to discover what poor people see on the roads in the night. They will find that most of these accidents happen at night.

I am appealing to the Government that it is not only this particular road that needs attention. We mentioned many other things we need in this country. A fellow Senator spoke seriously about a second bridge for Lagos. All these things come under the Ministry of Transport, but the Minister of Transport is unfortunately not here.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh) : I am here.

Senator Udoh : I hope you will get in touch with him when you are making the Estimates for next year.

The Minister of Finance : I will.

Senator Udoh : Mr President, Sir, there is no need wasting more time on this Bill. I have made my own particular point and I beg to support.

The Minister of Finance : Mr President, Sir, I am always very happy to listen to the sensible contribution of hon. Senators in this House and in preparing my Bills I have always taken into consideration the fact that I have got to go through the fire in the Lower House as well as in the Upper House. But in the Upper House I have the consolation that nearly all, if not all, the Senators here do not put politics or inject politics into their debate and, as a result, the contributions they make from time to time are very helpful and useful. I am, therefore, very grateful to all of them for supporting the Supplementary Appropriation Bill which many of them described as being modest.

Sir, when we first introduced the Finance Control Bill, many people did not appreciate the implications of the working of the Bill, but as time goes on hon. Senators will find out that it is a Bill that enables me to control, in more rigid form, the finances of the country so that the country is credit-worthy as my hon. and respected Friend, Senator Daldry, has been hammering upon in the past.

Well, as I have said in my speech that if we must confine ourselves to this Supplementary Appropriation Bill and not go outside it, we will find that, apart from finances mentioned

in the Bill, there are two major issues which I made. The first was the question of nationalisation and the second was the question of expatriate civil servants. These two points have been fully deliberated upon by hon. Senators, and I think I should only try to mention some of the points raised by them.

Senator Rafindadi made a very good contribution to the question of nationalisation and so also did my hon. Friends, Senator Daldry, Senator Asemota, Senator Mrs Wuraola Esan and my hon. Friend, Senator Somolu, just on my right here. But some of the points made by an hon. Senator need some sort of clarification although it was an interjection which I thought was unnecessary and uncalled for, but modesty will prevent me from replying in any sarcastic manner.

I refer to hon. Senator Ogunipe on the question of nationalisation. Naturally, I cannot blame him if he goes game hunting on this issue, but game hunting as a hobby is quite a different thing to nationalisation or simple or elementary economics.

Now, Sir, with very great respect to my hon. Friend, I say that the teaching of economics or mathematics in schools is quite different from talking about general financial conditions of the country. Teachers, with respect to them, are used to telling students about the thousands of pounds they have in the bank when, in fact, Mr Daldry keeps no account of these at all. It is not just money or industries that we are talking about here; we are talking of real substantial industries and money matters. Therefore, I would appeal to my hon. Friend that, for once, he should forget his school economics and try to think about national economics.

My Friend says that if you want to nationalise, you can still invite and interest overseas capital if you give them shares in business enterprises. No Nigerian entrepreneur or a foreign investor would take shares in a nationalised industry. I ask you whether anybody has taken shares in the Nigerian Railways or the Ports Authority or the E.C.N. Who would like to add his money to that of the Government who can legislate tomorrow to do one thing or the other?

Surely, Senator Wusu would not agree with you at all that he would try to put his money into a business in which Government is having

the controlling shares not even controlling shares but a business which is nationalized. Nationalisation, as I said in another place, is not synonymous with private business; you either have private interest in a business or nationalize the business. And if you nationalize it, it means Government owns 100% shares of the business. And what we are saying is this—suppose Government can start a business of its own from scratch and call it a national enterprise, nobody will quarrel with it. But you should not tell a Nigerian or a foreigner to set up a business on his own and when the business matures and begins to bring profit, you will go and say, "Look here, this your business at the market price today is worth £10 therefore here is £10—you and your family pack away from your estate and then the Government will take it over". Surely, hon. Senators would you agree to such a thing happening in this country?

Several hon. Senators : No !

The Minister of Finance : Certainly, not. That is what we are talking about. Surely, you will not want to suggest to Mrs Wuraola Esan that you are going to nationalize her schools. If you dare do it, she will ask that your graduation certificate be forfeited.

Senator Ugwuocha referred to £1 million Military Grant given by the U.S.A. Government. I would like to correct the hon. Senator that it is not by the U.S.A. Government but by the U.K. Government.

Sir, hon. Senator Asemota spoke a lot about the Ijebu-Ode-Benin Road. I would like to assure him that the contract for this road has been awarded to a reputable firm and work will start at any time. But it is not a road going to Sapele but a road going to Benin and Asaba and, with due respect, Mr President, I am told that that is even a matter of interest to you.

Senator Dahlton O. Asemota : Mr President, Sir, on point of information. We have been told that work will start on this road as soon as possible. But can the hon. Minister tell us precisely what time he thinks the work will actually begin?

The Minister of Finance : Well, Sir, this is serious and I would like to tell hon. Senators that when contracts are awarded we do not want to begin work badly. You know that the contract of the Ijebu-Ode-Benin Road was

awarded to a contractor previously and very bad work was done; bridges were being built and they were falling down. That was a result of no preparation initially before the work was started. But we know the reputation of this firm and we are sure that it is in their own interest, not even in your interest or mine, to start the work as soon as possible so that they can get their money.

But they are looking for really good material to be imported and once the contract is awarded Government will make sure that the work starts. I can assure you that work will begin not as soon as practicable but as soon as it is possible.

Hon. Senators have referred to the question of accidents on the highway. I am sure that we all deplore these. But what can we do? I do not agree, with respect to hon. Senator Asemota, that the causes of accidents could be traced to bad roads. Yes, some of the roads are bad but, Sir, most of the accidents occur between here and Ibadan *via* Ikorodu. Certainly, that is one of the best roads in the country. The trouble is that when our drivers see good roads they go so fast that you cannot even check them.

I agree with the Senator, the last speaker, who said accidents occur mostly at night. Here again it is the fault mostly of the lorry owners. You cannot ask a man to drive a lorry from here to Kano—just one driver driving by day and by night for two or three days. He is a human being. He gets tired. That is where the fault lies, and that also reminds me of a story which I told in the Lower House. Perhaps if I tell it again you may enjoy it; you may not believe it, but it is true.

There was a lorry driver, with your permission, Sir, I will tell the story again. There was a driver who was driving either from the Eastern Region or from the North, and he spent two days on the way. On his last night as he was coming he was so tired and exhausted that he fell asleep. He was still sleeping as the lorry went ahead, but later on he forgot himself, slept so soundly that he fell off from the wheel. He fell down and the lorry went on into the bush, and by the time the passengers, who were unhurt, came down this driver was still sleeping on the road.

A Senator : Fable !

The Minister of Finance : It is not a fable. The passengers came back and woke the driver up and he said: "What is the matter." Then the passengers told him that his lorry was already in the bush. Well that will show you that it is not right for one driver to drive a lorry for too long a distance. It will cause any amount of trouble, and I do hope that this matter will be seriously looked into.

Under Nigerianisation Senator Mrs Wuraola said that graduates are being put under Class IV people. I am sure that if it is in the civil service it is inevitable if the Class IV person has been in the service for a long time and has risen to the highest scale in the service that it is only right that the graduate should be under him. But I think in other circumstances this would be impossible.

Anyway, I would like to say that on the question of the Judiciary, as mentioned by my hon. Friend, the Federal Government will soon take some action about it. On the whole I would like to thank hon. Senators again, and I assure them that by the Grace of God when they come again next year I should be able to show, not magically but factually, that your finances are well cared for, and that we are putting them into good use, and that we shall try as far as possible to make the credit-worthiness of the country as sound as ever.

The Minister of Health (Hon. Waziri Ibrahim: Mr President, Sir, I would first of all like to assure hon. Senators that the lack of attendance in this House by Members of the Cabinet does not at all indicate disrespect. It is far from being that. The Minister of Finance has said that we have to do two things at the same time, attend to the Lower House and come here.

Now, coming to the point raised on my Ministry, I would not like to exaggerate the complaint made by Dr Gans. I think it is not right for me to enter into the controversy, or into the dispute, because the whole thing boils down to conspiracy to discredit my African Heads of Department. For instance, the Deputy Medical Adviser has got his opinion about this same Dr Gans who makes so much noise, but we do not go to tell the Press about this,

As this hon. House knows we are doing everything possible to improve the position of the Children's Hospital. In the Supplementary Estimates we have got £18,000 to improve it. We are making necessary improvements on the new Hospital. So, you could see that we are doing everything possible to improve it.

But I would like you not to take note of the complaints of Dr Gans. After all, some Europeans never think that Africans can do anything good, and when we try to retain some good Europeans we have some bad ones who may conspire to discredit Nigerian Heads of Department. The conduct of this particular doctor is very unsatisfactory.

Whereupon the Minister of State (Senator Dr the hon. M. A. Majekodunmi) rose in his place and claimed to move, That the Question be now put.

Question, That the Question be now put, put and agreed to.

Original Question put accordingly and agreed to.

Motion made and Question proposed, That the Bill be now read the third time: (Minister of State, Senator Dr the hon. M. A. Majekodunmi

Question put and agreed to.

Bill accordingly read the third time and passed, pursuant to the Order of the Senate this day.

ADJOURNMENT

Motion made and Question proposed, That this House do now adjourn—Minister of State (Senator the hon. Dr M. A. Majekodunmi).

The President : Hon. Senators, I tried a few days ago to point out that if any Senator wishes to raise a matter on Adjournment a notice must be given to the Minister and to the Table here. I do not know if Senators have given the appropriate notices.

Senator P. A. Ogunjipe : I did not submit my notice to the Table, I am very sorry for that, but I have sought and secured the permission of the Minister of State for this question.

The President : Will the Senator proceed.

Senator Ogunjipe : In the first place all the legislators have to pay 10s-6d for a day when they have come for the Meetings of the House. In that case it means if Legislators sat for thirty days they have to pay £15 15s-0d

SENATE OF THE FEDERATION
NIGERIA

Monday, 28th November, 1960

The Senate met at 10 a.m.

PRAYERS

(The President in the Chair)

MINISTERIAL STATEMENT

RATE OF INFANT MORTALITY IN LAGOS

The Minister of Health (Hon. Mallam Waziri Ibrahim): Mr President, Sir, the rate of infant mortality in Lagos has been around 80 per 1000 for the last five years. The wish of every Nigerian is to see, if possible, that all the children who are born survive and that we have proper medical services for not only those who live in Lagos but also for all our people in this country. This desire becomes stronger amongst those of us who have dedicated ourselves to the furtherance of the welfare of our people.

Therefore, the complaints that hon. Senators have made about lack of staff in the Children's Department is not something new. Some hon. Senators have spoken during the debate on the Supplementary Appropriation Bill about the complaints of Dr Gans, the Paediatrician. I should like to make the position clear to hon. Senators.

Government is not against criticism, in fact, we believe that there must be criticism if any Government is to know what, in the opinion of some Members of the public are its weaknesses. Criticism made in good faith and honestly does much good to the person criticised.

We should pray never to see the time when the public in this country ceases to criticise the Government or any of the Ministries. Criticism is a healthy thing but when it is made with ill intention it becomes unhealthy and it should be resisted and rejected by all reasonable and well-meaning people.

Mr President, Sir, earlier this year, when I went round the various units of my Ministry, I personally asked the heads of the various units to write to me about the various points raised during my visit so that steps might be taken to improve our health services to the public. Dr Gans, who was one of those I asked to write to me, also wrote and I had

him for discussion in the Permanent Secretary's Office. Together with the Permanent Secretary, Dr Gans and myself, we discussed the points raised by Dr Gans.

A few weeks after our discussion, when I met Dr Gans at a cocktail party in the Mainland Hotel, I asked him as to how things were in his unit and he said there had been some improvement since we held our last discussion. I asked him not to hesitate to let me know if he wanted anything in order to improve the working condition of his unit.

Last month, I met Dr Gans in the company of Dr Collis and an official of the World Health Organisation at the Federal Palace Hotel. We had a short discussion, at the end of which I asked Dr Gans to write to me personally if he had any suggestions regarding the improvement of our health services, particularly the children's department under his care. He accordingly wrote to me, Sir, on the 22nd of this month, and his letter, with your permission, Sir, reads :

"Dear Mr Minister. A short while ago you suggested that I should let you have a list of what I consider to be some of the more pressing medical problems in Lagos. I now enclose such a list and shall be very glad to know what you feel about these problems; also I am at your disposal to amplify or clarify any points I have not made sufficiently clear."

Now, Mr President, Sir, what makes me surprised and what makes me consider Dr Gans' publication as ill-motivated is the fact that he unconstitutionally rushed to the press to criticise the Chief Medical Adviser in spite of his personal knowledge of the support he had already received from me in meeting some of his complaints. It should have been clear to him, judging from the support he had already received from me, that the simplest thing I could do was to take up the matter with the Chief Medical Adviser and the Deputy Chief Medical Adviser, if Dr Gans told me that his complaints were not being attended to. His going to the press is improper and unconstitutional and it was not the best way of achieving the support of his superiors in order to improve the staff position and other things in the children's ward.

nearly for a room without any amenities being provided. Whereas the Ministers, the Parliamentary Secretaries are also doing the same kind of work which the Legislators from the Provinces are doing, and they live in rent free houses. May I know why such advantages of rent free houses are not extended to the Legislators who have travelled 500, 600 miles under inconvenient means of transport to come to Lagos, leaving their wives and children behind, and coming here for the work of legislation.

I think that the amount of money the Government could realise from the rent is not anything comparable with the comfort which could be given to the legislators in the discharge of their duties if this rent should be removed. So that is the first question.

The second one attaches to the first, that is the lodging. The lodgings are very badly equipped. At the Victoria Beach Flat which I occupy I was locked up so that I could not attend the afternoon Session on Friday, because the key was not good. I was in and the key was with me. When I wanted to open the lock it could not open. I had to shout and shout before my brother could come up. I gave the key to him through a hole, but even then the key could not open it. It was half an hour before a carpenter could be brought to break the door open and by that time I was completely late. I could not leave the room like that until evening when I could be transferred into another room.

The work in these rooms—the carpentry work—is not satisfactory. Some of the windows have no curtains, some have. The floors of the rooms of the flats are not painted, they just have the colour of bricks, or cement, and there is a lot of dust whenever you try to sweep it. And the most pitiable thing is that the lift, which is expected to take people, those who live in the 6th flat, up to the top floor, the lift gives way almost every other night so that,

in many cases and at many times of the day, the tenants, especially those of the top flats, have to climb about 150 steps. I tried to count these steps, doubly, up the stairway to the sixth floor and found a total of 130-150 steps there. Much discomfort is caused to old men who have rheumatism and other such conditions. How many old men and women are there who suffered like this?

I had to write to the Housing Manager asking that he make arrangements to bring me down to the ground floor because I will certainly do all I can to leave the top flat and come right to the second flat or first flat if no arrangement is made to put the lift right.

On the whole, the rooms are not properly furnished. The part which is meant for the kitchen is the part that confronts you as soon as you enter the room. No man would like to see a guest of his or a visitor coming in, to see his servant or wife or whoever it is, cooking. That is the first sight you see when you enter each of these flats. There ought to be a screen to keep the cooks away while cooking is going on and I hope other Senators, especially those who live at the Victoria Island Flats, will bear me out and probably give expression to other inconveniences that we suffer in these flats.

Therefore, my two points are firstly, that these rooms ought to be rent-free and, secondly, that the amenities should be improved.

Minister of State (Senator Dr the hon. M. A. Majekodunmi): I wish to assure the Senator that his points have been very carefully noted and that they will be given very careful consideration.

Question, That this House do now adjourn, put and agreed to.

Resolved: That this House do now adjourn.

Adjourned accordingly at five minutes to twelve noon.

Mr President, Sir, I can only support the statement made on this issue by hon. A.U.D. Mbah and hon. P. E. Ekanem in the Lower House, who took the trouble of interviewing Dr Gans himself and my Chief Medical Adviser on the issue. With your permission, Sir, I quote their speeches. Mr Mba: "On the question of staff, Sir, I am in agreement with the suggestion that the Hospital as a whole is under-staffed, and this is a problem for all of us. All sections of the hospitals are complaining of shortage of staff, and I would like to say that maybe during the Budget Session we will be able to provide adequate funds to provide Lagos with more doctors and medical facilities. But I think we will not achieve this by merely going to strain relations with the Administration or by trying to throw anybody out of public goodwill. On the whole, Sir, we have 78 Medical Officers. This is not enough. Out of this number, 14 are on study leave. But I do not think we will be doing this country great service if we encourage civil servants to go to the press, regardless of authority and the channels laid down for rectifying grievances, to undermine the integrity of the African heads of the Medical Department who are worthy sons of Nigeria. We should not encourage that. I believe in discipline. There must be discipline everywhere. If there is no discipline this Government will perish. We would not expect the Chief Medical Adviser to the Ministry of Health to go to the Press to attack the Minister because he asked for something and was not given. So I am appealing to those who are encouraging the press campaign that they would do better to advise the gentleman who has been responsible for the uproar to cease fire. I appreciate that there is a real problem. What we need is a solution to the problem and that solution is to give more money to the Medical Department when we come here for the Budget Session next year. Already £15,000 is being appropriated now for the service of this Department. Other Departments need money as well. Much as I appreciate that there is congestion and that something has to be done about it, I think we should try to be constitutional and go by the channels laid down."

Then, Mr President, Sir, hon. Ekanem said the following on the same issue:—"I would like to refer this House to the publication a few days ago on this subject and I want to make it

very clear to this House that in my own way of thinking, and if every Member of this House will view the situation from another perspective free from bias, he will agree with me, that the publication is ill-motivated. It is ill-motivated in this way: the Medical Department has been the first department to have an African Head and we are now crying for Nigerianisation. It is my firm belief that the expatriates within this department, and particularly this gentleman are trying to portray this country in a very bad light. Mr Chairman, Sir, whether this situation exists or not....."

I will not quote more, Mr President, but I am just trying to say what our people, who have gone to the trouble to see Dr Gans' publication, think. No one can reach perfection. Our health problems are known to us and I would like hon. Senators to rest assured that Government is doing everything possible to improve our health services. We cannot solve all our health and other problems overnight.

To show that the complaints of Dr Gans are already being attended to, with your permission, I will quote, for hon. Senators' information, the comments of the Chief Medical Adviser, when I asked him to comment on Dr Gans' letter. He said:—"Dear Minister: Here is another "usual letter of complaints" from Dr Gans, only this time a very desperate one. I have already selected a medical officer for posting to the Paediatric unit, with a promise of another one as soon as possible.

"You are of course, very familiar with the circumstances that led to Dr Ogbeide's secondment to Sierra Leone.

"I have been negotiating with the Ministry of Finance and the Permanent Secretary, Ministry of Pensions, for increase in the establishment of medical officers, and letters to the respective Ministries as well as to the Federal Public Service Commission can be tendered in evidence. The position is that unless we have financial approval, we cannot engage any other medical officer, as our establishment is full. This explanation has been given to Dr Gans. While waiting for approval two doctors are awaiting appointment here in Lagos and several others are awaiting appointment from the United Kingdom.

[MINISTER OF HEALTH]

"I should like to emphasise the fact that Dr Gans had always refused to co-operate with me, with the Deputy Chief Medical Adviser, the Medical Superintendent and other Officers, and has done little else but condemn our services and administration since he came to this country. But if in fact things are as black as he paints them, why did he come back for a second tour ?

"It is a consolation to say that the Chief Medical Officer, Colonial Office, knows about the unsuitability of Dr Gans' temperament and did personally apologise to me for sending a most unsatisfactory officer to us." I would not like to attack the person of Dr Gans but what I am trying to make hon. Senators know is the nature of this gentleman.

Now, I would not like to take too much time but I would like to say that the medical service in Lagos is the best in the Federation. (*Hear, hear.*) Just see the following facts—Medical Officers on Federal Establishment of the Federal Medical Service are 78 ; 14 on study leave ; 2 on sick leave and 3 on leave. The distribution of these doctors is to the General Hospital, Surgical Department with 128 beds we have 2 Specialists and 3 Medical Officers. In the Medical Department we have 1 Specialist and 2 Medical Officers. In the Island Maternity where we have 227 beds we have 1 Specialist and 11 Medical Officers. Well, coming to the Paediatric Department where Dr Gans is, there are 43 cots (those are children's beds) and we have 1 Specialist and 2 Medical Officers. And also with these 43 cots there are 43 nurses.

I would not like to say more on this issue but hon. Members will see that whereas in this country there are millions of people who, in fact, have never seen a doctor in their lives, there are millions of them, we are doing the best for Lagos. In this country we have provinces with a population of 1½ million people and yet we have got only one doctor. And here for the children we have got three doctors and one nurse for each bed. So, you can see that we are doing our best and the complaint is unjustified. It simply shows that this sort of thing cannot assist in achieving co-operation or to remedy the problem.

What has Dr Gans' rush to the press achieved ? If I can say anything, it has helped those that have a personal grudge against the

Chief Medical Adviser and the Deputy Chief Medical Adviser to express adverse opinions among these doctors and the press. It has helped in embittering the relations between Dr Gans and his superiors. It has aroused public excitement unnecessarily over a situation which is not at all new, a situation which is already under attention. And lastly, his going to the press has not brought about any immediate solution to the problem, for the problem is being handled in the normal way and we are doing our best.

Sir, whether or not, as some hon. Senators said here, Dr Gans' stay in Nigeria is of value to the country, I am not going to express any opinion about this. And, if he leaves the country, whether or not the country is going to lose something, I am not going to express any opinion about this, but the complaint of this gentleman should not be trusted. Sir, to show hon. Senators what in fact my Permanent Secretary thought of him, I am compelled to quote from the letter he wrote to the Secretary to the Prime Minister or to the Public Service Commission. He said, "Dr Gans is a very eccentric and highly strong personality." Well, I am not going to say more about this.

This is a situation, in which we are doing everything in our heart and nothing is more pleasing to us than to see an absolutely efficient and satisfactory Medical Service for our children and nobody can be keener in this issue than we are.

Senator A. E. Ukattah rose in his place—

The President : Order, order, a Ministerial Statement is not debated.

Senator A. E. Ukattah : Mr President, Sir, may I ask a question ? I know it is not subject to be debated.

The President : Order, order, your question is out of order.

PRESENTATION OF PUBLIC BILLS

LAND (PERPETUAL SUCCESSION)
BILL

The Minister of Lagos Affairs : *Second Reading—This day.*

PUBLIC ARCHIVES (AMENDMENT) BILL

The Minister of Education : *Second Reading—Tomorrow.*

ST. SAVIOUR'S CHURCH COUNCIL BILL

The Minister of Lagos Affairs : Second Reading—This day.

LABOUR CODE (AMENDMENT) BILL

The Minister of Labour : Second Reading—This day.

ORDER OF THE DAY

LAND (PERPETUAL SUCCESSION) BILL

Order for second reading read.

The Minister of Lagos Affairs (The hon. Musa Yar'Adua) : Mr President, Sir, I rise to move the Second Reading of the Bill entitled Land Perpetual (Succession) Bill as amended by the Lower House. Land (Perpetual Succession) Ordinance, Chapter 98 makes no provision for change or alteration of the name of a body corporate recorded under that Ordinance. This Bill enables such a body corporate to alter or change its name after incorporation.

Sir, I beg to move.

The Minister of Health (The hon. Waziri Ibrahim) : Sir, I beg to second.

Question proposed.

Senator Chief O. A. Fagbenro-Beyioku : Mr President, Sir, I have no reason to raise any objection to this Bill. As far as the Bill is concerned, it is welcome. It is more of a technical change than anything else ; but I would like to take this opportunity to invite the attention of the Government to the general position of land, particularly as it affects Lagos in the existing Ordinance.

We do appreciate the position of Lagos as it is now as the Federal Territory, and we appreciate also the very excellent work which has been carried on by the Lagos Executive Development Board under the Ministry of Lagos Affairs. But we are apprehensive about the position of land in Lagos, particularly when it comes to the question of developed areas and the type of buildings which are imposed upon the people.

We, natives of Lagos, and Nigerians generally, do feel that this imposition, to some extent, must have to be modified and the Land Ordinance, as it stands, must have to be

looked into otherwise we feel that there is every temptation to induce our people into giving up our land to foreigners because we are not all that rich. And even the country at the moment is not a millionaire country and for anybody to impose such conditions as that in certain areas in Lagos or in Nigeria you cannot build a house or that you have to put up five-, six- or seven-storey buildings is an indirect way of taking our land away from us because naturally we have not got the money to build these houses.

The next thing we attempt to do is to lease out the lands to foreigners, and then the foreigners will wish to dwell on the lands as tenants at will, I think, for 33 years, and after it is renewable, and renewable, and the land may never revert to us. So, with that, Sir, I would like to draw the attention—

Minister of State (Senator the hon. Dr M. A. Majekodunmi) : Point of order. The hon. Senator is not speaking on this Bill at all. All that this Bill seeks is to amend the Land (Perpetual Succession) Ordinance.

The President : Order, order ! I do not want in this House to be unnecessarily restrictive on Senators, but I think the point of order is well taken. If the hon. Senator Beyioku reads what the Bill seeks to do he will find that he is a bit irrelevant in what he is saying.

Senator Chief Beyioku : Yes, Sir, but at the same time I would not say that it is irrelevant in the real sense, but I stand corrected to accept the Order. Though we are dealing with an amendment to this Bill, I feel that we can usefully take advantage of introducing this point. Excuse me, Sir, I do agree that there may be some of us who are fortunate to have six storey buildings and seven storey buildings and they may like this to be out of order. I stand corrected.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1 to 13 agreed to.

Bill to be reported.

(The President resumed the Chair)

Bill reported without amendment, read the third time and passed.

ST. SAVIOUR'S CHURCH COUNCIL BILL

Order for Second Reading read.

Minister of Lagos Affairs (Hon. Mallam Musa Yar'Adua): Mr President, Sir, I rise to move the Second Reading of the Bill entitled St. Saviour's Church Council Bill as amended by the Lower House. Hon. Senators will know the Church which is situated in a corner in the Tafawa Balewa Square near the State House at present and officially known as the Colonial Church.

Senators will agree with me that it is no longer suitable to use the word "Colonial" in the name of the Church, and the Bill before the Senate gives the Church a different name. It will in future be known as Saint Saviour's Church, a name which is already being used.

Mr President, Sir, I beg to move.

Minister of State (Senator the hon. Dr E. A. Esin): Mr President, Sir, I beg to second.

Question proposed.

Senator J. K. Nzerem: Mr President, Sir, I do not think there is very much anybody can do about this except to say that it is a sad reminder of our colonial status in the days gone by that a Church built and, perhaps, maintained at public expense should be reserved exclusively for the worship of one race.

Thank goodness such a thing no longer obtains. I do not think we can oppose the passage of this provided we are given assurance that in future no money from public revenue will be spent on the maintenance of this Church. If this assurance is given I would support the passage of the Bill and authorise the change in the name.

The Minister of Lagos Affairs (Hon. Mallam Musa Yar'Adua): Mr President, Sir, I cannot for the time being give any assurance about the money. This Bill is only concerned about the change in the name.

Question put and agreed to.

Bill accordingly read a second time and Committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee.)

Clauses 1 and 3 agreed to.

Bill to be reported.

(The President resumed the Chair.)

Bill reported without amendment, read the third time and passed.

LABOUR CODE (AMENDMENT) BILL

Minister of State (Chief the hon. H. Omo-Osagie): Mr President, Sir, I rise to move that a Bill for an Act to amend the Labour Code Ordinance, Chapter 91, of the Laws of Nigeria 1958, be read a second time.

Under Section 27 of the Ordinance, an employer may, with the consent of the worker, make deductions from the wages of the worker and pay to the appropriate person any contributions to provident or pension funds or schemes, agreed to by the worker and approved by the Governor of a Region, and in respect of Lagos the Minister of Labour. Hitherto, this provision of the law has been interpreted to mean that the word "schemes" relates only to provident or pension schemes. Consequently, the employer was debarred from making deductions from the worker's wages for the purpose of trade union contributions, or for any other purpose whatever.

The system whereby an employer makes deductions from the wages of a worker for the purpose of paying his contributions to a trade union is known as "check-off". The sums so deducted are remitted by the employer to the trade union in a manner agreed to by the worker, the trade union, and the employer.

The "check-off" provides a trade union and, in particular, its officials with some advantages. It makes easy the collection of contributions and establishes a constant and sure source of revenue. This induces a sense of security among the paid officials. Where this type of arrangement does not obtain, such officials may be tempted to create from time to time agitations as a means of maintaining interest in the union and of encouraging the payment of union dues. Where sufficient funds become available, a union can undertake educational and other welfare activities for the benefit of its members.

[CHIEF OMO OSAGIE]

The "check-off" system has been known to work successfully in other parts of the world. I therefore venture to suggest that there is no reason why it should not work in this country. I feel so particularly because experience in other countries show that "check-off" arrangements are more easily practicable in single "company" unions than in multi-employer associations or organisations, and, as hon. Members are well aware, most of the trade unions of this country are formed on a company basis. The system operates in Ghana, Gambia Sierra Leone and in Tanganyika, not to mention countries in Europe and also the United States of America.

During the Bill's passage through the House of Representatives it was acclaimed by all sides of the House who felt that its provisions contained adequate safe-guards to ensure that the worker gave his consent freely to deductions being made from his wages, and that a reasonable proportion of all contributions of the worker would be devoted to welfare and benefit schemes, which in the Minister's opinion would be of benefit to the contributors. The essence of the Bill is to ensure that there is no element of compulsion, but that its introduction would be as a result of a freely negotiated agreement between the employer and the trade union of the workers' choice.

I commend the Bill to this hon. House as being one that will materially assist in the stabilising of the trade unions which is in accord with the Government's policy of encouraging the growth and development of sound trade unions in the country.

Mr President, Sir, I beg to move.

Minister of Lagos Affairs (Hon. M. Musa Yar'Adua) : Sir, I beg to second.

Question proposed.

Senator Alhaji Abubakar Garba, Madawakin Bauchi : Mr President, Sir, it is a fact that a bird cannot fly properly unless and until it has two complete and perfect wings. With very great respect to my hon. Friend, Senator Fagbenro-Beyioku, it is not so with trade unions or political parties. Any trade union which has two wings is certainly asking for trouble for either wing. I am, therefore, appealing to the Federal Government to step in and try to settle the present rift which is going on in the country's trade union movement. I should like to say that any schem

introduced by the Government which will benefit the workers and encourage healthy trade union's in Nigeria is welcome.

Sir, I beg to support.

Senator J. K. Nzerem : Mr President, Sir, this is a very progressive legislation in the trade unionism. The "check-off" system is practised in many civilised countries. You know in Nigeria we very often hear of declaration of trade disputes and consequently strikes. It is the stock-in-trade of some of our trade unionists. When they raise an alarm by means of a trade dispute, many workers come forward and pay their dues in the register and then the matter ends like that. I think it is a very good way of stopping this.

But Government must make sure that all the money so raised is not spent in paying trade union officials. This is most imperative. Some welfare measure, something of profit to the workers must accrue to them as a result of this regular payment which they will now make.

I have also to support my fellow Senator who has just said that Government should do something, take a very serious and positive step to end this rift in the trade union movement of this country. Unless there is solidarity in the trade union movement, we cannot achieve very much. The days of sentimentalism are over. Trade unionists must be educated and they must in turn try to educate their members. They must not allow sentiments to ruin them.

I wholeheartedly support this Bill and I commend it to the House. I beg to support the Bill.

Senator Mrs Wuraola Esan : Mr President Sir, I would like to support this Bill because, for one thing, this "check-off" system will make workers steady in their jobs; besides it will give them something to look forward to. But as the former speaker said, this money should not be paid to officials of the workers. It should be kept so that whenever workers are on their usual protest some housewives may not be without the minimum comfort that are not now being given to them. Usually when workers go on strike, they themselves, I mean the men concerned, are not the people who suffer but the women and the children. So, in supporting this, I am praying that this money should be distributed fairly and the money should be used in such a way that these women will benefit and women should be given opportunity whenever we talk of unity in the trade unions in Nigeria.

[SENATOR MRS ESAN]

As a previous speaker has said, they are too sentimental to be agreeable. They do not want to work together and, as some one has suggested, who knows whether another rift will not crop up soon?

If the trade unionists in Nigeria were all women, perhaps, something should be done to settle the rifts in the trade unions. Whenever anything happens, we women are under the control of men and the women cannot get their husbands to settle their affairs and to get people to settle the affairs of men takes a long time. (*Laughter*).

So, we are asking Government to take a very firm stand on these trade union rifts now and, besides this, we hope that the women who are usually affected will be benefited by this scheme.

Mr President, Sir, I beg to support.

Senator Chief T. A. Doherty: Mr President, Sir, in supporting the Bill, I would like the Minister perhaps to give us the benefit of some explanation and that is this subsection 1 "Notwithstanding anything in this Ordinance contained an employer may with the consent of the worker make deductions from the wages of the worker for the purpose of paying any contributions to a trade union in respect of which an order made under subsection (2) is in force, and any sum so deducted shall forthwith be paid by the employer to the trade union concerned."

Mr President, supposing the employer does not wish to, supposing the employer happens to be one of those employers who do not believe in trade unionism, is there anything to compel that employer to make these deductions although the worker may be willing? That is one. Secondly, Section 2 is the section which I cannot follow and the Minister does not deal with it in the manner that this is understood: "If the Minister is satisfied that a reasonable proportion of all contributions of a worker paid to a trade union in accordance with subsection (1) will be devoted to schemes which in the opinion of the Minister are of benefit to the worker, the Minister may by order approve the trade union for the purpose of subsection (1)." I am sorry that I do not understand that section at all, whether the Minister is to approve the scheme or he is to approve the trade union.

Mr President, I beg to support.

Senator Chief O. A. Fagbenro-Beyioku: Mr President, Sir, I feel very happy to hear the observations of some hon. Senators who have already spoken on this matter. As a professional trade unionist myself, this question of a "check-off" system in this Bill before us is a matter for which I have thought for many years and, in this connection, Sir, I want to place on record my appreciation of the efforts of Chief S. L. Akintola, the first Minister of Labour with whom this question was first raised and with whom the ball started rolling, and also the part played also by Mr T. Mbu and especially by the present Minister of Finance, Chief Festus Okotie-Eboh, under whose tenures of office the music actually started to play this harmonious song. Then, finally my very good friend hon. J. Modupe Johnson who came to put finishing touches in the race and also, Sir, I want to associate myself with my very good friend Mr George Furlongs who did a lot too.

In observing this Bill before us, I have to agree with some people who hold the strong view that trade unionism in this country is in some sort of confusion. Again, Sir, this Bill before us may help to settle the present rift in the trade union movement in this country because one of the things we have been asking for in this country is that trade unionism should be placed in some strong financial position in such a way that they would be able to dictate things and not for things to be dictated to them.

We also appreciate, Sir, that he who pays the piper will dictate the tune and so long as the trade unions in this country are economically important, whoever comes, be he a Jew, be he a Greek, be he anything, whoever offers financial assistance for the organisation of trade unions in this country, that union will have to dance to the tune of that particular person; and, as a matter of fact, Sir, that will be the strength of our foreign policy in this country because we have foreign intervention either coming from the West or coming from the East.

Now, trade unions, as such, Sir, are what we should call Thrift Societies, and a substantial portion of the purse of the trade unions goes to benefit the members themselves through the benefit schemes, and there are several benefit schemes. I know that is what the hon.

Minister refers to, for instance sickness benefit, strike benefit, demonstration benefit, leave benefit or whatever benefit you may like. I am sure, Sir, that the hon. Minister himself, who was once a trade unionist and the President of Senate, who himself was a trade unionist, will subscribe to this view which I express and in this connection, Sir, I feel the President himself will feel happy because it is coming to the state now where something for which he himself had laboured for long in the Civil Service Union, and they were the pioneers of trade unionism in this country, has come to stay in this country.

As a result of their efforts, Civil Service Union being incorporated between 1911 and 1912 but did not get the support of actual legislation until 1938 or 1939 and since we had the actual legislation, there has been over 200 trade unions registered in this country. But we are asking, Sir, what are the overall finances of 200 registered trade unions? I am sure, Sir, the overall finances of 200 registered trade unions can never be within the region of £3,000! Whatever it is, there has been something in this country which keep trade unionism going. We have to whip up sentiments, we have to whip up sentiments to get members to attend meetings, and we have to whip up sentiments to get members to discharge their obligations to the unions—all these, because the unions are poor.

Anyhow, Sir, I want to assure hon. Members of the Senate, the Government of the Federation of Nigeria, and the Governments of the Regions for that matter that this weapon in the hands of the trade unions will be used with the utmost caution.

I have studied the check-off system in the United States and I find that one of the reasons why unions in the United States are so well off to-day is because they have the check-off system. There you have one single union commanding over millions and millions of dollars, and the workers, the officials, are placed in a better mood to fight for the country.

I think, now that the Government has realised the importance of trade unionism, politics should be on one side, and trade unionism on another side. If the country is to progress, there must be economic development and there must be political development.

What we have won so far is political development. Our economic development depends very much upon our labour movement. If the labour movement is cruel, if the labour movement is weak, if the labour movement is not properly run, if the labour movement is aggrieved, if the labour movement has any form of disappointment or dissatisfaction, I want to say that there can never be any effective economic development in this country, because labour will always try to kill the programmes of the government, and labour will see to it that such programmes never work.

But God forbid that that should happen in this country. I feel that the Government is wise enough to place the labour movement in a good state of mind, in a good mood whereby they will be able to attend to their administration, they will be able to attend to their politics and they will be able to co-operate a hundred *per cent* with the Government in the execution of the several plans and the several projects for the economic development of this country. (*Hear, hear.*)

Mr President, Sir, I wish to thank the Government; I wish to thank the Members of the Lower House; I wish to thank the Members of the Upper House, and I wish to allay all your fears that trade unionism in this country may be irresponsible. People see trade unions when they demonstrate; they see them only when they strike, but people do not see the trade unions when they agitate, and yet it is because of their agitation that the allowances of Members of Parliament and the allowances of Ministers are raised, even those of senior civil servants and everybody. They are the direct result of the agitation of the trade unions because if the trade union agitates and the labourer is awarded a penny to-day, that penny will be expected to reach the topmost man. I think everybody here has to speak with appreciation.

I thank you, and I do expect, Sir, that we will continue to play our good part, and we will continue to help this country. We shall never be destructive. We shall be constructive. We shall be militant. We shall be patriotic. We shall be nationalists, and we shall place ahead of us the interest of this country first. But all the same, Sir, I would not like the Government to rest assured that

because the check-off system has been introduced, so there will be no more of the trade unions. There are still claims to be made and I have every confidence that the claims will be received and approached with the very sympathetic mind which has now evoked this Bill before this House.

Mr President, Sir, I beg to support. (*Applause.*)

Minister of State (Chief the hon. H. Omo-Osagie): Mr President, Sir, I am very grateful to hon. Senators for the reception given to this Bill. I am equally grateful, Sir, for the appreciation shown to the various Ministers.

I have had the fortune to look into the affairs of the labour movement in this country: not only the Ministers, Sir. Tributes have been paid to the officials of the Ministry of Labour, and, I think, coming from the Upper House as this does, the staff of the Ministry of Labour will remain grateful to hon. Senators.

Now, Sir, as you are well aware, I am not so familiar with the names of the various Senators, so I think I should take some of the items debated either in general terms or by making some specific references.

Well, Sir, one hon. Senator was a little apprehensive about the use to which the "check-off" system will be put. As stated earlier, a reasonable proportion of all contributions of the workers will be devoted to welfare and benefit schemes. I am happy, Sir, that Senator Chief Beyioku has reiterated the several benefit schemes that have been enunciated in the labour movement. But he was a little bit apprehensive that of over 200 unions, they clearly have nothing approaching ten thousand pounds. It is very unfortunate. It is on this score that the Government is laying down a policy introducing the "check-off" system and has put down the way this scheme should be operated.

Now, Sir, the Government, as a policy-making body, has stated in this Bill that there will be no compulsion of any kind on the part of the worker or the employee. It will only be achieved by voluntary negotiation. You will agree with me, hon. Senators, that a government that seeks to compel or to force employers to do this or that thing is, I think, a dictatorial government. Such a thing the Federal Government will not seek to do.

Sir, some Members spoke about the rift in the trade union movement. Well, this does not actually come within the scope of this Bill. But I would say this that the Minister of Labour and his staff are making every effort to get the trade unions to agree between themselves. After all, it is the unions that will agree, not the Minister or his staff. If they can bridge their differences, I think the better it will be for Nigeria as a whole.

I am grateful to Senators, and I will mention Senator Mrs Esan for her contribution. I took very great interest in her effort to advocate every time for the womenfolk in this country. It is really unfortunate that she is the only one here, and she has done much to bring the women of Nigeria into the picture in the development of Nigeria. (*Hear, hear.*) Well, Sir, I hope that perhaps in future there will be more women either in the Upper House here or in the Lower House. (*Applause.*)

Well, on the whole, Sir, I am very grateful to the hon. Senators for the way they have received this Bill. There is really no criticism; the suggestions made are for the guidance of the Government and these have been carefully noted. I am very grateful to all Senators.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1 and 2 agreed to.

Bill to be reported

(The President resumed the Chair)

Bill reported without amendment, read the third time and passed.

The President: Order! order! Sitting is suspended for 20 minutes.

Sitting suspended: 11.04 a.m.

Sitting resumed: 11.43 a.m.

FOREIGN POLICY

Minister of State (Senator the hon. Dr E. A. Esin): Mr President, Sir, I beg to move that this hon. Senate approve the Government's Foreign Policy as contained in the statement made by the hon. the Prime Minister, copies of which have already been distributed to Members of the Senate.

For two days last week this policy was exhaustively debated in the House of Representatives and in the end it received unanimous approval. This result is not only an approbation of our declared foreign policy but also a vindication of the soundness and objectivity of the Government's activities in the international arena.

As you must have read, in the course of the debate the Leader of the Opposition did not oppose the Government's foreign policy. He did confirm that the policy is good as far as it goes but maintained that it did not go far enough. He went on to give reasons for holding that view. Many of the reasons are contained in his definition and explanation of foreign policy. To quote Chief Awolowo: "Foreign policy in my considered judgment is the projection abroad, outside the boundaries of the country concerned, of the ideals and aspirations of that country, or the projection and demonstration and exhibition abroad of the ideals and aspirations for which that country stands." Our national ideals consist of our belief in the principles and practice of liberal democracy, individual freedom and the rule of law, the inalienable right of every people of whatever race or clan to political independence and self determination, the equality and brotherhood of all mankind and equality of opportunity for all our people and in their welfare and happiness.

If we subject the foreign policy statement to close examination it will be discovered that it does reflect all these ideals.

It has been made abundantly clear that the primary duty of the Government is to safeguard and promote the interests of the country and of its citizens.

We have not merely declared but demonstrated our aim to assist any African country to find a solution to its problems and to foster the growth of a common understanding among all nations, and especially among the new nations of Africa. Our determination to encourage the development of common ties between all states has also been translated into action. The role we are playing in the Congo is a living testimony. In recognition of this the leader of our Delegation to the United Nations has been elected Chairman of the Afro-Asian

Conciliation Commission to visit the Congo in due course for the purpose of reconciling the diverse views of the various Congolese leaders and recommending a reasonable solution.

When a Motion calling for the initiation of discussion with West African countries to resuscitate certain former interterritorial organisations disbanded in consequence of the change in the political status of Ghana in 1957 came up for debate, it was disclosed by the Prime Minister that he had passed the stage of initiating discussion as he had already held discussions on this subject with several Heads of State in West Africa.

It is stressed that the Federal Government will not associate itself as a matter of routine with any of the power blocs. We believe in the truth. We shall treat every international question on its own merit. This aspect of our policy has been confirmed by our vote on the question of the admission of red China into the United Nations. The Prime Minister in winding up the debate in the House has restated that we consider it unfair and unwise to block out red China consisting of about 650 million people in any world assembly and that Nigeria is going to see to it that red China is admitted into the United Nations.

It is indeed our policy to fight for the liberation of all states in Africa which are still under colonial rule. In pursuance of this, Nigeria is one of the African countries which have sponsored the motion condemning the Portuguese and the Spanish colonial policy and calling for a policy of self-determination in the dependent countries concerned.

We are alive to our duty to ensure equality of treatment to all mankind. Our attitude at the United Nations to the apartheid policy of the South Africa Government is in consonance with our policy.

In summing up the foreign policy statement, it is declared that we shall do everything in our power to foster co-operation among the countries of Africa and particularly of this part of Africa, and in so far as is compatible with the national interest, and with our membership of the British Commonwealth and of the United Nations, we shall maintain cordial relations with all the other nations of the world, firmly opposing all forms of aggression and striving

[DR ESIN]
always to obtain the observance everywhere of those human rights which all parties in Nigeria have agreed upon as fundamental, in particular freedom from racial or religious discrimination. In this context the question of the Union of South Africa readily comes to mind with the mention of our membership of the British Commonwealth. As the Prime Minister has said, this is an explosive subject which he intends to discuss with the other Commonwealth Prime Ministers.

In everything we do in our international relations the interest of Nigeria remains paramount in our mind. Next to this is our primary interest in African affairs followed by the consideration of our membership of the Commonwealth and the United Nations.

Our foreign policy is sufficiently flexible to allow for manoeuvre always in the best interest of Nigeria. We do appreciate that no country is perfect, but certain nations are better than others in one thing or the other. Our action will be true to our saying that we shall endeavour to remain on friendly terms with every nation which recognises and respects our Sovereignty, and we shall not blindly follow the lead of anyone.

So far as is possible the policy for each occasion will be selected with a proper independent objectivity in Nigeria's national interests. We shall not, however, allow our national interests and our direct and primary interest in African affairs to blind us to the grave and vital issues which darken the wider international scene.

In the United Nations and in any other way possible we shall direct our energies and influence to helping to reach solutions which will contribute to the peace of the nations and the well-being of mankind.

During the debate that will follow I sincerely hope that hon. Senator will not play politics with this very important issue. When the Prime Minister moved the Motion in the Lower House he appealed to Members to discuss it with a sense of responsibility. During the speech of the Leader of the Opposition, he too appealed to Members to listen with equal sense of responsibility. Although I do not wish to anticipate the debate, Senators will agree with me that it will not be proper to re-open discussion on the Defence Agree-

ment between us and Great Britain. I may emphasise once again that that agreement was concluded for the security and the safety of the Nigerian State. It does not preclude us from obtaining military equipment from other sources other than from Britain or the Western Powers.

May I once again repeat that in all our international dealings, we shall be guided by the truth and that the national interest of Nigeria shall precede all else.

Thank you, Mr President and all hon. Senators.

The Minister of State (Hon. Senator Dr. M. A. Majekodunmi) : Sir, I beg to second.

Question proposed.

Senator Chief Ayodele Fagbenro-Beyioku
Mr President, Sir, the question of our foreign policy, since it was first given out by the Prime Minister, has been one of speculation throughout this country. Nevertheless, everybody in this country is satisfied with the policy enunciated by the hon. the Prime Minister. At this stage of our national existence, we cannot afford to declare ourselves for a particular group in the world. As it is known to-day, there are two groups dominating the world, the Eastern group led by the Russians, and the Western group led by Great Britain and her allies. We seem somehow to belong to the emergent group which is normally known as the third or the neutral group, and the neutrality which we have proclaimed as our own foreign policy is the only policy which can win for us at this material moment the confidence the respect and the general commendation of the several nations of the world. (*Hear, hear*).

But it appears that somehow some of us seem to misunderstand the position. In my own view, the mere fact that we declare that we shall be neutral does not say that we shall be in enmity with a particular nation or that we shall be opposed to a particular nation. It does not say that simply because we have declared neutrality, our general principle with the Western Bloc is terminated. Rather than that, what we mean is that with the declared neutral foreign policy we are extending and expanding our friendliness with the Western Bloc and anybody who may wish to accept our right hand of friendship.

To start with, Sir, we cannot be all comprehensive. We cannot cover every aspect of national policy. We are still but new-comers in the sovereign world, even though we are proud of the fact that at the stage of our achieving our independence we are matured and we have nothing to lose. Nevertheless, we have not been in the midst of the fight, we have not been in the inner circle, we have not been in a position to know what is actually going on in the world, I mean, in the inner circle. To a large extent, Sir, we have seen what was going on in the outer circle. In declaring our foreign policy, therefore, Sir, the only wise thing we can do is to declare neutrality which is exactly what we have done and to declare it in a way which will be acceptable to our people of this country.

Defence alone does not mean foreign policy. Foreign policy in short is the conduct of our political and national relationship with one country or the other, and, in fact, we have declared that as much as possible we shall be friendly with all nations of the world and we have also declared that as far as it is possible and as far as it lies within our power we shall continue to struggle for other African countries which are now non-independent to become independent. We have declared also, Sir, that we shall help in the struggle for the maintenance and the sustenance of peace in the world.

As I can see, immediately after our independence, many nations have established contact with us. We have established contacts with many other nations and we have not shown any signs of discrimination. We realise the fact that in the years that lie ahead, we shall need expert advice from the advanced countries of the world. That expert advice may come from anywhere; it may come from America, it may come from Yugoslavia, it may even come from Tunis, from Ghana or even from Guinea. We have, therefore, to congratulate our Prime Minister for the foreign policy which he has given us and before we can condemn that foreign policy or condemn any aspect of it, we must have the opportunity to put it to test and see whether it can stand the test of time.

This is just the beginning; it is just the sound of the word "Go". We cannot now say that that foreign policy is not one which can

lead Nigeria to greatness, we cannot say it; we cannot say that our foreign policy is one which will make Nigeria stagnant in the eyes of the world. We must have to be tolerant, we must have to see how our foreign policy of neutrality will work; we must see how far we apply our neutrality.

We are representatives of the people and, in our own particular case, Sir, we are the elders of the nation. We still have the opportunity from time to time to talk to the Prime Minister as a friend in the first instance. We have our Foreign Ministry and we shall be in a position to criticise our Foreign Ministry if we find that it is not keeping within the context of our declared foreign policy. So that, in my own humble opinion, the Prime Minister or the Federal Government for that matter has given us a foreign policy which has already given to Nigeria respect and command.

Sir, I had the privilege to be in New York when Nigeria was admitted into the membership of the United Nations. That policy, Sir, was accepted by almost all the nations who were present in New York as a very wise and a very sound policy and it won for Nigeria through our Prime Minister such an honour which few can win.

We do not seem to appreciate what we are. As the largest state in Africa, we seem to underrate ourselves and our national heritage and we begin to show our personal animosity and our political differences, either rightly or wrongly, to interfere with our national consciousness, without allowing our national policy to win us such pride as we should win and, right from the word 'go', we criticise it destructively. We do not appreciate the light which we have.

I have now, Sir, to say that we as the leaders of the nation should see that what we want is to see Nigeria a neutral country, at least for some time. (*Hear, hear*). And then, Sir, when we must have to learn our lessons, it is then we must be in a position to declare whether we are taking sides or whether we are not taking sides; but at the moment we are for

[CHIEF BEYIOKU]

Paul, we are for Peter, we are for anybody who loves us. We are now like a beautiful woman and we have to show our beautiful face, we have to show that smiling with caution. Although we should not be proud ourselves before we make a mistake, we have to do it with great caution. Every man will come and will want to talk to us and take us to anywhere he likes, but we should have to look for the best man, even though in New York. We must have the opportunity to study all nations. We must have the opportunity to study all parts of the world and we must, in the typical Nigerian way, learn from them, steal from them their show and, after some time, make that show our own show so that we might be able to build in Nigeria that greatness which Nigeria deserves.

Mr President, Sir, I beg to support.

The Minister of Information (Hon. T. O. S. Benson): Mr President, Sir, I would like to pay tribute to our able and respected Prime Minister, Dr the hon. Sir Abubakar Tafawa Balewa, for the foreign policy that he has laid down for Independent Nigeria and for the quality of the leadership he has shown in his dealings with the many distinguished leaders of foreign states with whom he has come into contact both here in Nigeria during the Independence Celebrations and the inauguration ceremonies for the new Governor-General, the Right Hon. Dr. Nnamdi Azikiwe, and at the General Assembly of the United Nations last month, where I had the privilege to be present.

We have emerged on the international stage to play our part in history at a time when the peoples of the world are facing difficulties and dangers of great complexity. The two great power blocs are facing each other beligerently across the world, each armed with fearsome weapons, capable of obliterating mankind from the face of the earth. Outside these two powerful blocs are a number of unaligned nations who are attempting to find peaceful solutions to the world's problems. The choice facing Nigeria is whether or not to join one or other of these two important blocs, or whether to remain uncommitted in a position which allows her freedom of manoeuvre. We have chosen the latter course and I do not think anyone can doubt that this is the right one.

If we aligned ourselves with the Eastern bloc, we would be associating ourselves with a political system we do not like.

Here we do not believe in the complete subservience of the individual to the State. We believe in the freedom of the individual under the law: we believe in freedom of worship and in spiritual values: we believe in a parliamentary system of democracy. But because we do not like the political system in communist countries, that is no reason why we should not be on friendly terms with them.

Mr President, Sir, some Senators may wonder why we did not align ourselves with the Western bloc. After all, we share many of the ideals of these countries. We have close historical ties with Britain and with many of the Commonwealth countries. Many Nigerians have received their education in the United States, and we acknowledge with gratitude the technical assistance—in various forms—that is being extended to us by America. But to align ourselves now at this early stage of our nationhood with the Western bloc would be a mistake. Such alignment would deny us our freedom of manoeuvre. It would unnecessarily tie us irrevocably to the policies of the bloc we had joined, when there may well be occasions when we might find ourselves not in agreement with these policies. There may well be occasions—and I have the Congo situation in mind—when our voice would carry more weight among the nations if we were unattached and uncommitted and could speak plainly on the issues at stake with no ulterior motives or axe to grind.

On the other hand, from our position of non-alignment, we will be free to support either of the big blocs at any time we think it right to do so. This will give us the flexibility which is essential to us if we are to play our full part. It is the very opposite of the neutralism, hypocrisy and dishonesty of which the Government has been accused.

At the General Assembly of the United Nations, we made our entrance on the world stage with a very considerable impact. Our Prime Minister created an impression of friendliness towards all nations and we found them ready to give respect to Nigeria. The Prime Minister projected us as a self-reliant,

sober and politically mature nation. He had talks with the greatest political figures of our time—Mr Eisenhower, Mr Khrushchev, Mr Macmillan, Mr Nehru and many others. I have no doubt that they were impressed by his bearing and obvious integrity. Mr President, Sir, he has done this country a service of immeasurable value. From this splendid start, we must continue to uphold Nigeria's prestige abroad and project her to the world as a force for peace and fair dealing for all mankind.

In conclusion, Mr President, Sir, Nigeria is the most populated country in the continent of Africa and, with our foreign policy before us, we play a role of ever-increasing importance in the affairs of Africa, the Commonwealth and the whole world. And so we march.

Senator Hassan Rafin Dadi : Mr President, it is indeed a great honour and privilege to be allowed to take part in such an important discussion on the topic of the Foreign Policy of our new independent country.

Sir, this topic has been widely and comprehensively discussed and all that remains is for one to express one's personal views on the matter. It is very pleasing to know that the decisions reached were unanimous and this Sir, is a healthy situation and a really very good beginning.

Sir, it is undoubtedly true both here and elsewhere that the foreign policy of a nation is governed by its national interest. As a matter of priority, Sir, Nigeria's national interest is peace and stability : peace and stability throughout its interest affairs, peace with all its neighbours and all African States, and a peaceful world in which all nations can live in peace one with another. This, Sir, will enable Nigeria to reconstruct her national life now that she has thrown away the yoke of colonialism, though anti-colonial feelings still haunt our minds. It is this peace and stability that alone will enable Nigeria to reconstruct her national life in accordance with her wishes and her own sovereignty.

Mr President, Sir, Nigeria has expressed a strong dislike for aligning herself with either of the two power blocs. She wants to keep out of any philosophical or ideological conflict, and the policy of non-alignment is an important pillar of her foreign policy.

Sir, I wish to sound a note of warning. It is a very tricky and intricate problem. It is a thing that will have to employ diplomacy of the highest order. If you are trusted, you must be trusted equally by each of the power blocs. If you are not, you must be equally negated by each one of them. But whatever comes from each case must be to the advantage of Nigeria. I think, Sir, the policy statement made by the Prime Minister with regard to the policy of non-alignment seems to have all these included in it.

Mr President, Sir, the other point I wish to make is Nigeria's membership of the Commonwealth—that association of free and independent nations, diverse in composition but united to uphold democracy and democratic ideals as a way of life. In dealing with the Commonwealth countries, the same basic principles of Nigeria's foreign policy should be the guiding factor. Nigeria has to fight to see that these democratic ideals are given the same interpretation not only in the European way of life or in the Asiatic way of life, but in the way of life of the African. There must be no discrimination on account of race, colour or creed. That is, the equality of human beings, whether European, Asiatic or African, must be recognised.

Above all, Sir, Nigeria must bring all her influence to bear on the older and more prosperous countries of the Commonwealth to see to it that they make all possible sacrifices to help the new and under-developed countries of the Commonwealth to improve their economic stability in order to raise the standard of living of their peoples. This is the only interpretation of democracy that will please us.

Mr President, the point that poverty, disease and illiteracy are the breeding ground for communism should be made abundantly clear to them. We do not like this ideology. It is not our own way of life and it is completely alien to us.

Mr President, with regard to Nigeria's relations with other African countries, Nigeria's policy towards each and everyone of them has been ably enunciated by the Prime Minister. I might add that we have a number of things in common with all these countries of Africa. We all believe that the basic concept of the

[SENATOR RAFIN DADI]

Government is to serve the people of the country. We are all desperately in need of economic development to help raise the standard of living of our own people. We have a long way to go to catch up with the more advanced countries in economic development. We have equal hatred of colonialism. And alongside this, Sir, there may be a number of common problems the solution to which depends on close understanding with regard to each other's sovereign integrity, mutual trust and confidence.

Mr President, with regard to Nigeria's membership of the United Nations Organisation, Nigeria's personality has been very well projected by the outstanding speech of the Prime Minister, Sir Abubakar, and the excellent follow-up by Nigeria's Acting Permanent Representative, Mr Jaja Wachuku. Here, no doubt, an excellent start has been made and Nigeria's stand must always be guided by freedom to exercise an honest, independent and impartial judgment on the merits of all issues irrespective of where they come from and, of course, in accordance with the facts as presented.

Sir, in her own humble way, Nigeria will be able to contribute her quota to the peace and stability of the world, first as a member of the African nation, second as a member of the Commonwealth, and lastly, but by no means the least, as a member of the world comity of nations.

In conclusion, Sir, Nigeria's foreign policy as stated by the Prime Minister is truly to the best interests of our great country and the good of the people of Nigeria. *(Applause)*.

Senator M. B. Chukwubike : Mr President, Sir, I am pleased to contribute to the debate on our foreign policy which was ably presented by the hon. Prime Minister.

Sir, in supporting the Motion I want to quote exactly the words of the Prime Minister when he was introducing it. He said, "Nigeria will follow an independent line and no matter from where the truth comes, whether it is from the East or from the West, Nigeria will go to the path of truth". Sir this, to my best understanding, is an indication that the foreign policy is to the great advantage of this country. The Prime Minister deserves very great congratulations.

Sir, this hon. House should have many other reasons for supporting this Motion : (1) The foreign policy is to the great advantage of the country's economy ; (2) our special needs have a bright future ; (3) the policy does not align Nigeria to any one bloc ; (4) it offers us an ample chance of dealing freely with any country that respects our sovereignty.

Fifthly, we can get assistance from where we can get it at the best possible terms, and, lastly, Sir, this will allay the fear of so many people about the Defence Agreement.

With these few remarks, Sir, I ask this hon. House to give this Motion full support.

Senator Dahlton O. Asemota : Mr President, Sir, I have very few remarks to make. What worries me about this non-alignment is to reconcile it with the draft Defence Agreement which we passed yesterday. In going through this Defence Agreement, I do not see very much which is common to non-alignment and the Defence Agreement.

Let me quote a few paragraphs from the Defence Agreement which will further explain my point : "And whereas the Government of the Federation of Nigeria and the Government of the United Kingdom of Great Britain and Northern Ireland recognise that it is in their common interest to preserve peace and to provide for their mutual defence..." and Article 1 goes on to say—"The Government of the Federation and the United Kingdom Government each undertake to afford to the other such assistance as may be necessary for mutual defence, and to consult together on the measures to be taken jointly or separately to ensure the fullest co-operation between them for this purpose."

Now, that looks to me like an alignment. Article 2 goes on to say—"The two Governments will foster the closest co-operation between the armed forces of the two countries. In particular, the United Kingdom Government will, on request, furnish the Government of the Federation to such extent and on such terms as may be agreed between the two Governments with assistance for the training and development of the armed forces of the Federation and other assistance as set out in this Article." To me, this looks very much the same ; if you are not in alignment and you sign this defence agreement it automatically cuts across the policy.

If you can sign a defence agreement of this nature which we all agreed upon last Friday as being very sound with any of the powers then you have aligned yourself to that power. So I cannot see any point about this non-alignment policy when we have actually aligned ourselves indirectly by virtue of this Defence Agreement.

The hon. Minister of Information has said just now that the British Government with whom we signed this agreement are no strangers to us—we have known them—they have been training our children, and the same with America. If we know them to that extent which necessitates signing this agreement I do not see where the question of non-alignment comes in with that particular group of people. I cannot quite reconcile this thing, Mr President, because here again in the defence agreement it is said—"The United Kingdom Government will, in consultation with the Government of the Federation, make every effort to ensure for the armed forces of the Federation an adequate supply of such modern weapons (including new types of weapons which may be developed) as may be considered necessary and suitable for the armed forces of the Federation." Now, if you do not align with that particular nation why consult with its Government?

It goes further to say—"The United Kingdom Government will, if so requested by the Government of the Federation, consult with the Government of the Federation with a view to making available to that Government any warships which may be required by the Royal Nigerian Navy." Here again we have gone to the question of army and navy and yet you have not aligned yourself!

So, Sir, the whole matter is very complicated to me and I am speaking my mind as a Senator and I think this is the sort of thing we should give a great deal of thought in order to sort out things. If you are going to ally yourself I may say that you have been indirectly joined by this Pact and it does not appear that non-alignment is realistic in the circumstances.

Senator Mrs Wuraola Esan : Mr President, Sir, before I start to say what I wish to say on this subject, I have a message of congratulations to the Prime Minister for the stand that was taken by our representatives at the United Nations Organisation on the question of the admission of red China to the U.N.O. I

think this is a very good fight and a well fought one and our Prime Minister together with our representatives do need our hearty congratulations. If as a new nation, a new African nation as that we are to be able to preserve the unity and peace of the world this is the first step and I think we have taken the right step to show the world that we stand for truth and truth alone.

But, I would like to disagree with Senator Beyioku that our policy of neutrality has been laid clearly before this House. Whenever I rise to speak I have been put down as either talking in favour of women or being too politically minded and not saying everything in praise or in favour of the Government. I am speaking now as a Senator and the only representative of the women of Nigeria whether they are in the North or East or West or in the Federal Territory of Lagos. Even if there are three or four of us here we would still be few to combat the great wisdom of the use of words of English and idioms, sufficiently to combat the supposed logicity of men.

First of all, this policy of neutrality has been preached at the Lower House and the majority of people agreed to it and the Motion has been passed, but still if you have anything to say about it it does not mean that we see red in everything that is right. As far as I am concerned I still disagree with this policy of neutrality whilst at the same time we are allying ourselves with a particular nation simply because they have been friends and are still willing to be friends with us.

We are friends with the British; nobody can deny that. Their friendship with us will be valuable to us in future we all agree to that, but still you cannot mix oil with water. When you say we like the British so much and we want to sign a pact with them because this pact will help us in future or at present can we eventually seek the help of other nations as well knowing that these two nations shall never agree? Are we making trouble for ourselves in future, or are we thinking well of our foreign policy? This is important because we cannot eat our cake and have it. We must, therefore, consider what we are doing now.

We are not saying that the Prime Minister is not a capable man and we are not criticising the persons of our leaders; we are only criticising their policies and if we say what we

[SENATOR MRS ESAN]

feel to the Government we do not do that to satisfy anybody here. It has been said here that everytime we get up to speak we are only playing politics. Women like myself are very hard to convince. If you want us to accept anything you must explain and explain again—there should be a lot of explanation, before we can agree with any subject. Therefore, anytime I stand up to add my own quota to the debates whether it is in criticism or in praise of any particular Ministry do not think that I am saying so because I have been indoctrinated by a certain political party. I am a woman and I am pliable in any man's hands. If you think that I am, I think the only way you can succeed is to explain everything to my entire satisfaction and I will agree with you.

Now the former speaker said that certain clauses in our Defence Pact do not show that we are going to be neutral. We have a desire to be neutral—non-alignment is good for us and we know what the Prime Minister wishes, and he has told us what he wishes and that is the peace of the world. Yes, we all like that, but if we must be neutral in world politics we must be neutral in the other things too. If we must sign a pact with one particular Government let us make haste and sign the same Pact with another Government, so that we can reconcile this with the policy of non-alignment in our foreign policy. If we come here and say—do not sign the pact we only deceive ourselves. The pact has been signed so that whether we agree with it or not, so long as the majority in Parliament have agreed, the majority carry the vote and we have to be satisfied with the decision of the majority, although this does not mean that we shall not express our views. Your views must be put down or must be said to the hearing of the people concerned—

Senator Dahlton Asemota : I think the hon. Senator is taking the Senators to an entirely different issue. We do not come here to act as a carbon copy of what is done in the House of Representatives. We are not to agree as a matter of routine with all what is done in the House of Representatives. This is the House of Senate where we can express our own opinion independently and the Government would take note of our opinion.

Senator Mrs Esan : Thank you for your explanation, I still know what I am saying.

I have been approached by some people who are saying that I am too politically minded. That is why I made that statement. I do not mean that we should not express our own views here as we like.

Now about Communism. People are apt to think that in Nigeria communism shall survive. I do not agree with those people who think so. A woman went to the Co-operative Movement Conference in Moscow recently and she came here to say that she was pleased with the method being used by those communists and that the method was good and that we must send our men and women to study there. She did not come back to say that communism was good ; it is the method we want to adopt not communism.

In Nigeria, even before the advent of the British we had been democratically-minded because we had the Government of the people by the people. We had the Chiefs and under the Chiefs the heads of the villages, then the heads of the quarters then the heads of courts ; we had all that and that has remained our system. We are not going to change it. Therefore people who say that if communism comes to Nigeria there will not be disease and poverty are only saying that because they do not know. So long as we can see some good in communism, we can adopt the method and use it here.

But the method cannot be adopted if we do not throw our gate open for them to come and for us to go over there. In any case, to go there we need to have a clear mind that we want to get the best for Nigeria, that is, by going everywhere to take a bit of their best to plant in Nigeria. We are going to do it in our own way ; we are not going to take it right off and plant it in Nigeria but we are going to do something suitable to make it adaptable to Nigeria.

Another thing I would like to say is about this House—speeches we make in this House are not very clear to those people taking them down. Since we came back my speeches have been put down so badly that two or three paragraphs will sometimes sound as if I am just somebody from Aro Hospital. Many of the sentences in the paragraphs are not sensible and I think that although English is not my language, I do not usually speak big English or use long phrases that will make people know

that I do know English. I think the humble contributions I have been making will show that I do know how to express myself in simple English. Therefore, I would like to ask if anything can be done either to give us better microphones or better earphones or things like that to make it convenient for our Verbatim Reporters to take down speeches correctly and sensibly.

Another thing I would like to say Mr President, is that sometime when our Senators here do get up to give us a correction that we should not be politically minded we are the ones creating the impression outside that we are taking sides. My humble suggestion is that Senators should just get up and just say what they have without making reference to one another as being politically minded and that is what I said a few days ago. When I said so some people thought I was partial or was using my position as a woman to correct the men. I am not correcting the men, I am only asking that we should take note of what we say here.

Senator J. K. Nzerem : Mr President, Sir, I did not originally intend to speak on this, but I am going to say something which perhaps I have not understood well. I stand to be corrected. In my opinion non-alignment is not synonymous with neutrality. As I said I stand to be corrected. The policy of non-alignment does not mean that we cannot lean on Britain for something or that we cannot go to the Russians or that we cannot go to the Americans. If we have concluded a defence pact with British it is because we are sure that it is right.

We are not taking sides there, we are just agreeing with Britain that they should train our military personnel and give us military equipment and in return we shall allow them the use of our airfield for the tropicalisation of their aeroplanes. I do not see how that is contrary to our policy of non-alignment. If, tomorrow there is a question being discussed in the world assembly in New York and we find that the argument of the British or the Americans does not impress us, we are free to say—"No, we do not agree with you".

We have declared a policy of non-alignment and that does not prevent us from having friendly dealings with any nation. That is what we have just done with Britain in signing this pact. That does not mean a breach of our non-alignment policy. I think we should be a little more reasonable.

Our Government have done the correct thing by promulgating a non-alignment policy and we must support it. Non-alignment is not like a law of the Medes and Persians. After some time if we feel it will pay us to ally with one bloc or another we can do that. At present we should support our Government and, it is my opinion that the Government richly deserves such support.

The Prime Minister has demonstrated very convincingly by saying that he would like Red China to be admitted to the United Nations; a country of 650 million people—you cannot just toy with them; so I think we have no reason at all to suspect that the non-alignment policy is being contravened.

It is difficult indeed to interpret the policy of non-alignment in respect of recent events. You may say that it looks as though this is not directly in keeping with our policy of non-alignment, but on the whole our Government has demonstrated that it is able to keep this non-alignment policy, and I think we have to support our Government. I definitely, support the Government in its policy of non-alignment and I think it is the best one for us at this time.

Senator Chief P. C. Ndu : Mr President, Sir, I think you will allow me to make a few observations regarding the speech which I made here which was credited to another hon. Member and I hope that will not happen again.

About the Motion on the Floor, I would like to say a word or two. I would like to congratulate the Prime Minister in presenting this Motion on foreign policy of our new independent country. Mr President, Sir, Nigeria is yet a young country or a virgin one and it is an indisputable fact when a father has got a grown up daughter she automatically must have to

[SENATOR NDU]
attract many suitors, but if the parents are not cautious enough in spending whatever presents may be sent to them by several of her anxious suitors, the daughter might in the long run suffer for the lack of foresight on the part of her parents.

In saying this I do not mean that the hon. Members or the Prime Minister are lacking in foresight. What I mean is that we should not at all agree or yield to any particular bloc—West or East. We should adhere to what the Prime Minister has said in America—that we stand for the truth.

With this few remarks, Sir, I support the Motion.

Senator H. O. Abaagu : Mr President, Sir, before anyone of us came here we expected a lot of controversies but now not much controversy is expected. Therefore, I want to go straight away to suggest the other things which I would like the Government to do in pursuance of our Foreign Policy.

It is very good that we are neutral because when we are neutral we will be able to criticise any nation, whether in the Commonwealth or in the other sphere, if the actions of that particular nation are detrimental to our own dignity and African right. And for this reason, I am suggesting that our Prime Minister, going to the Prime Ministers' Conference next year, should see that we do not sit with South Africa in the Commonwealth because the Government is run by a minority of people without the indigenes of that particular country—the Africans—who are four times more than those white people who are running that country. I see no reason why we should continue to sit in the Commonwealth with a Government which not only practises racial discrimination but also goes to the extent of backing it with certain legislation. It is too bad.

I would also like our Government to show the Americans in South America or Central America or wherever this racial discrimination against Negroes is going on that they are guilty of this offence too. Some other countries in the Commonwealth are equally guilty and America, I do not think, has its hands clean. Therefore, I suggest that our Prime Minister should, when he goes to the Prime Ministers' Conference, call the United States of America to question.

Again, with regard to the question of Congo, Mr President, it is gratifying to know that our own man is going to be the Chairman of the Commission which is going there to reconcile the warring factions in the Congo. I do not predict a division to the detriment of that particular nation but I would strongly advise that the Commission should take decisions which will be very impartial and for that reason I would suggest that that Government elected by the people should be the Government to be supported. I understand that in the Congo a Government was elected by the people but when there was some sort of misunderstanding some people accused the Leader of that Government of being either for the West or for the East and now that Government has not been given official recognition by the United Nations. Sir, I think we should give justice to whichever side it is due.

With regard to the Union of African States, I am very grateful to our Prime Minister because, as I read in certain periodicals, he is now thinking of pursuing the course of unifying the Independent African States. This move is very welcome. I would suggest that we should be the first people to project this move; we should not leave it to Ghana. I understand that Ghana and the Mali may probably be sharing a form of Parliament, and you know when they start like that other people may join them, even Nigeria. So I suggest that the Prime Minister should take a positive step to see that we achieve leadership in this idea of unifying the independent States of Africa because 'united we stand, divided we fall'.

Sir, I support this Bill.

Senator P. A. Ogunjipe : Mr President, Sir, in supporting the Foreign Policy of non-alignment I will have to make some comments. The Foreign Policy of non-alignment has, in itself, nothing wrong in it. In fact, I should say that it would have been very welcome if there was nothing incompatible with the form it has taken.

I remember one hon. Senator was saying that before the last General Elections three major political parties were canvassing for votes and two of them were in favour of non-alignment in foreign policy and the third one was in favour of combining with the Western Bloc; and that, as fate would have it, two more or less incompatible parties in matters of major ideologies had to unite to form a Government;

they had to concede ideologies or policies to each other. By that, that hon. Senator made us to understand the Defence Pact which is exactly the opposite of the principle of non-alignment had to be adopted so that the two incompatible parties in ideologies forming a Coalition Government must find a way to agree.

Now, we have already had it and I think that is what caused a little or some of these discrepancies which you find in the two important measures—non-alignment in Foreign Policy and Defence Pact which definitely have a lot to do with alignment. But since we have committed ourselves to a Defence Pact in which we have to deal with one particular bloc, at least with one particular foreign country, and to which we have to give a trial, it is left to our Government to give the Policy of non-alignment a trial and to reconsider their treatment of other foreign Governments. For example, as far as I understand, now I think with a change to Independence status our colonial mentality will change and we will begin to have more independent decisions in the adoption of policies otherwise there will be nothing wrong as from now in allowing free passage to communist countries; there will be nothing wrong in allowing the literature of communist countries from flowing freely into this country.

This reminds me of a small part of that great address or speech of the Hon. Dr Nnamdi Azikiwe, the Governor-General, when he was saying that some school boys or girls often asked him why books from Communist Russia and so on were not allowed to flow into this country. The very fact that we place a ban on these books gives suspicion to inquisitive teenagers. Whenever you place a ban on something or whenever you prevent somebody from seeing something then that somebody or a person of young age begins to feel inquisitive about it and that is when he wants to know what is there. If we have nothing to hide and as we gradually push away the yoke of colonial mentality we should begin to show favours to other foreign countries by way of having trade agreements with them and allowing their literature to come freely into our country, and free passage. It is only then we shall know that this our Policy of non-alignment in foreign matters is not a sham, it is not just an eye-wash. Well, if only we can begin to think of not restricting our friendship to one

particular country or a section of foreign countries but try others to see whether they make good friends.

Sir, I would pray that our Foreign Policy of non-alignment may work for the progress and advancement of our Independent Nigeria.

This is my short comment and if these points are observed there may be nothing to be seriously afraid of in the Foreign Policy of non-alignment as we have it.

Sitting suspended : 1 o'clock.

Sitting resumed : 3.10 p.m.

Senator Oba Adeniji Adele II : I rise first to add my own congratulations to the Prime Minister for the very good work he has done both at the United Nations and in connection with the speech to the Lower House. In doing so I wish to say it appears to me that many people do not actually realise the purport of the Prime Minister's speech. Here in this Senate I have noticed that what has already been passed is referred to frequently. This happened this morning.

The whole trouble in this country is that many people do not know exactly what they are arguing about. People argue inside the lower House and in this House. They have said things here and were impressed before they left this place, but when they get outside they decide to say something else. They cannot explain to the masses in Lagos, not to speak of the people in the provinces. Now, this morning, you all saw what happened; before I got back to the Palace I found that the palace was being besieged by people. They were saying that we had sold Lagos.

I had the intention this morning of raising several points. We need our Information organisation here to explain at great length the purport of any announcement that might have been made in this House. We may understand it, but in fact there are some things which I do not understand; we simply read what is written in the Ordinance. There are many people who put an entirely different interpretation into Bills which are placed before them here. That shows exactly the frame of mind of many people in this country.

My only suggestion that I have to put forward, after congratulating the Prime Minister, is that the defence pact should be interpreted with comprehensive explanations in Yoruba, Ibo and Hausa. Because in the hands of the people in Lagos, not to mention what

[SENATOR OBA ADELE II]
would happen when it got into the hands of the people in the provinces, we would be having riots and things of that sort. The most annoying part of it is that we treat it here as a small thing.

When coming here this morning I was held up in the entrance until somebody recognised me and allowed me to pass. I saw people from upstairs climbing down ladders in order to get out of the building. When this is published tomorrow the whole question will be greatly exaggerated and it will do a lot of harm to us outside Nigeria. People outside Nigeria will think, if these people could get into the House of Representatives and the Senate House it must have been a very serious situation. You cannot imagine the amount of damage that will have been done to the good name of Nigeria. When this matter is published the other nations will think that what has happened in the Congo will probably happen in Nigeria, and that this is the beginning of it.

At this stage I would suggest very strongly that we explain this thing in a way that the common man in the street will understand. It should be printed in several languages and distributed, free of charge, to the communities in Lagos and the provinces.

I feel that the House of Senate or Assembly is not quite safe if any demonstrator can come here at any time and disturb the people who are working inside, with the result that many of the staff of this House have to leave by ladders as happened this morning. I saw some girls who had to take their shoes off in order to climb down the ladder. This is disgraceful and I think something should be done to enclose this place so that any demonstrators, no matter how strong, will not be able to penetrate into this building. They almost got into the room of the President of the Senate this morning and I therefore appeal to the Federal Government to see that they do all that is possible to explain this defence pact to the public and to see that this House is secure. With these few remarks I beg to support the resolution.

Senator Alhaji Abubakar Bale, Madawakin Bida : Mr President, Sir, I have to associate myself with the hon. Members of this House in congratulating the Prime Minister of the Federation of Nigeria for the task he has taken to introduce this foreign policy. This has not been an easy task and the hon. Prime Minister deserves congratulation.

I have noticed that people are misinterpreting the work done in connection with the defence agreement which was passed the day before yesterday, and in accordance with what the hon. Oba of Lagos has just said I think it is very important that that agreement should be written in several languages and this should be done immediately, so that people who have got hold of the wrong end of the stick can be taught and made to understand that this agreement is for the good of the country. It was not passed through Parliament blindly. It was well thought out. All the powers of the country are gathered here for the good of the country and nothing else.

In the Lower House anything can be said on any Motion laid on the Table in accordance with the political background. But that does not happen here. Everything is looked into before any agreement is reached. It was not thought that debate should be taken at great length when that defence agreement was brought to this House but in accordance with the ability and experience of the hon. Members of this House, debate went on.

The debate went on very well until it came to the conclusion. Well, what happened this morning as I have already said is a sheer disgrace to our nation if we are required to go further. It is a disgrace, and I appeal to the Government that the source of it should be thoroughly investigated. How would it be if gentlemen of our nation gather together and pass a motion and then the younger generation who know nothing whatsoever, who do not see beyond their noses, come to say they are not in agreement with what was passed by the senior members of the nation. That is very serious. It is now that we should try to put a stop to this sort of thing for if we leave a hole in which these youngsters will come and enter I am sure we will go nowhere and the high fame which Nigeria has earned throughout the world will decline. That is the thing we are fighting for, and that is the thing we will not allow.

I have just heard that they have gone round the State House. What is all that? Does this mean that there is lack of law and order in the country? Does this mean that we cannot take steps against these people that they should continue doing this? I think the Government of this country should do something very serious and take immediate steps to overcome this and put an end to it, other-

wise it will spoil the famous name which we have made for such a long time in experience and in being together with highly qualified nations of the world.

On the foreign policy which is now the motion on the Table, there is nothing to argue about. The word "non-alignment" which is used there, if it is well understood, means that we are at liberty to sit at a corner and observe what other nations are doing before we step in. Where they go wrong, we just go the other way, and where they are right we try to follow. That is what "non-alignment" means. Those who are thinking otherwise about this foreign policy are being too deep thinking of the other side of the world and taking different meanings of things. That is what makes things difficult for them.

We are a young country. We are still learning and we have able men who are wise enough to see what is going on in other countries and what sort of things they can copy from those able countries and what sort of things will suit us to be able to keep pace with them. What are our difficulties? If something different comes in, we are to meet and discuss it. If we want to have an agreement with another country we are at liberty to do it. What is the difficulty? I do not see any.

I wholeheartedly support the foreign policy of the Government.

Senator L. T. Olamijulo : Mr President, a foreign policy that gives us power to lease our land to a certain group and precludes us from accepting a great nation like Russia in our midst seems, to a certain degree, partial. It is that part of the policy that is fraught with danger.

It is only when you have heard all sides of any case that you can truly condemn or agree with a man. It amounts entirely to siding with one pack of the blocs while we discriminate against the other. Let our 'yes' be yes and our 'no' really no. People see us more than we see ourselves. What we do is above us and will not allow what we say to be heard. We may say we are this, but by what we do we are judged. No one is ever perfect except God. When a man begins life he should deal cautiously with elderly people.

Rightly speaking, Britain was our godfather, but to tie ourselves now and onwards to the apron-strings of the British alone seems unwise. Whilst we cling too much to one side we are

leaving the other side. The fact that we are here as Elders in this Upper House shows that wisdom should be richer here because of our past experience. Now until we take our stand and feel we have a great part to play, are we justifying our position as Senators? Propitious parts of the policy are what many people are after, not all the policy. Let us from now onwards do our best and nothing but our best in pursuance of our policy. It is not always good to be heedless of important advice. If we are after peace in the world, at this early stage of our independence it is our duty to be entirely free in words and in deeds, otherwise we deceive ourselves and not the world.

Nigeria should hasten slowly on delicate issues, not as it is now hurrying up over all things. At least in the near future we should be prepared to maintain as Senators our stand, be able to play our parts guiding the destiny of our people by trying to stay the hands of the clock when necessary when it is going too fast. Only when we are really neutral and not partially so, as at present, are we in words and in deeds what we profess to be.

These are my few comments and remarks, Mr President,

Senator Sani O. B. Okin rose in his place and claimed to move that the question be now put, but the President withheld his assent and declined then to put that Question.

Senator Dr the hon. E. A. Esin (Minister of State): Mr President, Sir, I am very pleased indeed with the way the Senators have dealt with this question, but there are a few remarks made by a few Senators which I would like to comment on very briefly.

Senator Asemota said he was worried and he could not reconcile the Draft Defence Agreement with our foreign policy. Then he proceeded to quote certain paragraphs which he thought were irrelevant. I am very sorry indeed that he could not see the difference between the Defence Agreement and the foreign policy. What we said in our foreign policy is that we do not want to align ourselves either with the Western bloc or with the Eastern bloc, but rather we would like to observe from both blocs their attitudes towards national questions and then make up our minds as to what is right and not who is right. That is a simple matter. But for Chief Asemota to get up this morning and to say we are not true to our declared policy is not correct at all.

[DR ESIN]

Now Nigeria is a young nation and just like a toddler it has got a stepmother, and it would be very wrong indeed for her to say, "Now that I can walk, to Hell with you mother; I do not need your care". That is exactly what really happens. We are a young nation which could be pounced upon with ideological ideas. You see the world is now in tumult. It is not a case of "Oh, you must take up arms because you know the world is at war". It is not that at all. It is now a war for ideas and it would be very very wrong indeed if we were to expose ourselves without asking our wise stepmother to please protect our steps as we move along cautiously.

We know the British people. They have lived with us for almost a hundred years, at least sixty, and they are kindly disposed towards us. They have quitted and allowed us to carry on our own affairs by ourselves internally and externally. And we are just a young country, we are still in a young state. Our country is not properly defended; we have got a very long tortuous border which must be protected from other nations. And in West Africa here you know there are always new nations which come up and dictate. But we are not concerned with whether any of these blocs welcome our ideals and our political ideologies; we do not want that at all, we would like to sit by ourselves and learn for ourselves. Therefore it would be very unfair indeed for the Government of this country to say already, "Now we do not want you British we are going to stay by ourselves, we are going to train ourselves in the art of war, and in the art of defence we are going to train ourselves. We are going to make our own guns, we are going to make our own ships, our own aircraft and we will train our own navy and train our own airmen".

Nigeria cannot afford such luxury at all. Therefore we approached Great Britain on our own, absolutely on our own. "We are a young nation; you had better come to our rescue and help us. We have not got the facilities to train our men, we have not got the aircraft, we have not got guns, we have not got ammunition, and so we would like you to come to help". And Britain has kindly said, "All right, if you consult us, if you want us we will be happy to do that for you. Therefore you had better give us the opportunity

to fly our planes in the tropics and observe exactly what reactions the tropical temperature will have on it". That is all there is to it, and as the mover of this Motion has said a lot of people would like this Government to be run from the outside, and the events of to-day tell you clearly exactly what is in the future. I can assure hon. Senators that the Federal Government of Nigeria proposes to govern, intends to govern and will have to govern.

I am not going to have men who will go outside to incite our Government or to influence our Government to do what it does not want to do. This Government will never be run from outside. We shall be run right here in Lagos to the good of our people. We are not crazy men, we are supposed to be sensible men who can run the affairs of this country. We have gone to the polls and the public of this country have determined those people who will run this country, and from those people chosen by the electorates we have chosen our men. Certainly all of us are nationalists and we have got men, right men of integrity, who will run this country.

The British people themselves realised that, hence they decided to leave us to rule ourselves. If Britain had wanted to continue to rule Nigeria she has got the power to do that. But they realised fully well that Nigeria has got well-matured people who can carry on with their internal and their external affairs. It will be very wrong indeed at this stage for us to look for new friends instead of going on with those we already have. We want people who are our friends already, not people who will give us something and expect something else from our hands. We do not want people who will attach strong strings on whatever they may give us. We want to be free in order to be able to think in the way we want and in the way we like. All what we are seeking for in the defence agreement is to protect us until such a time, until such a time, Gentlemen, that Nigeria can stand on her own feet militarily and otherwise. That is all.

Our foreign policy, on the other hand, gives us room for manoeuvre, not room for us to sit down and look on other nations progressing ahead of us. And it will be very wrong for us to say whether it is the Eastern bloc or the Western bloc which is right or wrong in any international matter. There is no question of neutrality in this Bill at all. Nigeria's attitude does not mean that Nigeria is not going to take

part, or is not going to have a say in international affairs. Nigeria would rather like to play a part in Moral Re-armament. It is not who is right but what is right for mankind that Nigeria stands for.

Thank you Mr President.

Question put and agreed to.

Resolved : That this House approves the Foreign Policy of the Government as indicated in the Speech from the Throne on the 3rd October.

ADJOURNMENT

Motion made and Question proposed, That this House do now adjourn—(Minister of State Senator the hon. Dr Esin).

Question put and agreed to.

Resolved : That this House do now adjourn.

Adjourned accordingly at seventeen minutes to four o'clock.

SENATE OF THE FEDERATION
OF NIGERIA

Tuesday, 29th November, 1960

The Senate met at 10 a.m.

PRAYERS

(The President in the Chair)

PAPERS

The President: The following Papers already distributed to Members of the Senate are deemed to have been laid on the Table :—

(1) Comments by the Federal Government on the First Report from the Public Accounts Committee, Session 1960-61—Paper No. 6 of 1960;

(2) Report of Elias Commission of Inquiry into the Administration, Economics and Industrial Relations of the Nigerian Railway Corporation;

(3) Statement by the Government of the Federation of Nigeria on the Report of Elias Commission of Inquiry into the Administration, Economics and Industrial Relations of the Nigerian Railway Corporation—Sessional Paper No. 7 of 1960.

NOTICE OF PRESENTATION OF PUBLIC
BILL

PRIME MINISTERS (PENSIONS)

Minister of State (Senator Dr the hon. M. A. Majekodunmi): *Second Reading* To-day.

ORDERS OF THE DAY

PUBLIC ARCHIVES (AMENDMENT) BILL

Order for Second Reading read.

Minister of State (Senator Dr the hon. M. A. Majekodunmi): Mr President, Sir, I rise to move that a Bill for an Act to amend the Public Archives Ordinance Chapter 163, be now read a second time.

Sir, this Bill provides for an increase in the membership of the National Archives Committee set up under section 9 (1) of the Public Archives Ordinance to ensure the permanent preservation of important archives and to provide an orderly method for their disposal. It also empowers the Committee to discharge its functions through sub-committees.

The National Archives Committee as at present constituted consists of the Chief Justice of the Federation as the Chairman, the Director of Archives and seven members appointed by the Minister of Education. Of these seven members, five are nominated respectively by the Regional Governors-in-Council, the Commissioner of the Cameroons and the Senate of the University College, Ibadan.

Before the establishment of the permanent committee, its functions were carried out by an *ad hoc* committee set up in 1953 with the approval of Government. The *ad hoc* committee included, in addition to the representatives of the Nigerian Government and the University College, Ibadan, representatives of Christian and Moslem Missions, commercial concerns and some important members of the community here in Nigeria.

It has become apparent that the efficiency of the permanent committee is severely impaired by the loss of the service rendered in the past by representatives of these sections of the community. It is, therefore, proposed that four additional members should be appointed to the committee; two representing commercial concerns and two representing missionary bodies. The fact that many of the Archives in the Northern Region are written in Arabic necessitates a further increase in membership. It seems there is at present no one on the committee competent to deal with the problem of acquiring them. It is, therefore, proposed that four additional persons versed in Arabic studies should be appointed to the committee to form a sub-committee on Arabic manuscripts, charged with the responsibility for acquiring and assembling valuable Arabic documents which will be housed in the Northern Region Branch of the National Archives.

The Amendment Bill gives effect to these proposals. It will be noted that the revised section 9 (1), that is 9 sub-section 1 (c), does not specifically provide for representation of the Southern Cameroons on the Committee since that territory has been separated from Nigeria on the 1st of October, this year. However, no reduction has been made in the total number of vacancies and one can, therefore, be allotted to the Southern Cameroons' nominee whenever it becomes constitutionally possible to do so.

Mr President, Sir, I beg to move.

Senator Dahlton O. Asemota : Sir, I beg to second.

Question proposed.

Question put and agreed to.

Bill accordingly read a Second Time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1, 2 and 3 agreed to.

Bill to be reported.

(The President resumed the Chair)

Bill reported without amendment, read the Third Time and passed.

PRIME MINISTERS (PENSIONS) BILL

Order for Second Reading read.

Minister of State (Senator Dr the hon. M. A. Majekodunmi) : Mr President, Sir, I rise to move the second reading of the Prime Ministers (Pensions Bill) 1960. This, Sir, is a very short Bill. It provides for the payment of a pension of £1,500 a year to any person who has been Prime Minister of the Federation of Nigeria. The purpose of the Bill is to ensure the dignity of former Prime Ministers of Nigeria and thereby to uphold the good name of Nigeria.

Because of this, therefore, it seems unnecessary to relate the amount of pension to the salary payable to the Prime Minister ; rather it should represent what is considered a sufficient sum to enable the recipient to maintain a modest but dignified position in life after he has ceased to hold the office of Prime Minister. Should any former Prime Minister become entitled to receive salary which shall be charged upon the fund of the Federal Government, it is not the Government's intention that he should draw that salary and the pension simultaneously ; he would draw whichever of the two is greater, and clause 2 of the Bill makes provision for this.

Hon. Senators are no doubt aware that Regional Governments intend to introduce similar Bills in respect of Premiers, and, in one Region, the Bill has already been passed into law. It is a non-contentious Bill, Sir, and one which I feel certain would be wholeheartedly welcomed by all hon. Senators.

Mr President, Sir, I beg to move.

Minister of State (Hon. J. C. Obande) : Sir, I beg to second.

Question proposed.

Senator Alhaji Abubakar Garba : Mr President, Sir, the Bill is to uphold the dignity of the office of the Prime Minister. We are satisfied that the Prime Minister of the Federation of Nigeria is entitled to pension, but I would add that the pension should be tax free.

No one will quarrel with the aim and provisions of this Bill. The Bill is timely. We wholeheartedly support it, though I think that with the exception of Senator Mrs Wuraola Esan, none of us here would like to go to the Lower House to be the Prime Minister. But my hon. Friend, Senator Mrs Esan, as the first woman Senator, I am sure, would also like to become the first woman Prime Minister of the Federation !

Sir, I beg to support.

Senator Sanni O. B. Okin : Mr President, Sir, I have carefully studied the whole situation but there is one thing I would like to be fully explained to me by the Minister, if he is in a position to do so, and that is on the pension conditions for the Prime Minister. If the Prime Minister retires, either voluntarily, or as the post is a political one it becomes clear that a person who has been the Prime Minister will not be voted in at the next election ; if that be the case and the Prime Minister of to-day is not voted in tomorrow, what will happen ? Is he going to be given the right of the pension, or if he voluntarily resigns, will he be given the benefit ?

As far as I know, Floor Members are enjoying more facilities than the Ministers. For example, I am now standing before you this morning ; I will be hurrying to go home because I will meet a lot of files on my table. As a Floor Member, nobody cares for me, but I will go back to my office. Well, unlike the Prime Minister, it is not possible for him if he retires or if he is not voted in—a man who has been the master of to-day will become the servant of tomorrow.

So, I would like the matter to be clarified : whether the Prime Minister may resign on his own account if he does not like to live a political life, if that is the case, will he be given the same right, if he is not voted in or if he thinks he is getting old ? Because it is possible for a

[SENATOR SANI OKIN]
man to be re-appointed three or four times to be the Prime Minister of Nigeria. So, I would like the position to be clearly explained to me by the Minister, if he can.

Senator Chief O. A. Fagbenro-Beyioku :
Mr President, Sir, this is a Bill which I know is welcomed by all and it shows the extent to which we as a people are progressing and are becoming conscious of our national obligations. It is not a very easy thing to be a head of a Government. During the period one remains the head of the Government he becomes very friendly with some people ; he is admired by some ; he is hated by some ; he breaks friendship with some, and on the whole his position is one which nobody can forecast with any degree of certainty, particularly as far as his future is concerned.

We realise also that the post of a Prime Minister is a political one and anything which is directly connected with politics is fraught with uncertainty. Sir, the political party in power to-day may not be the political party in power tomorrow, and again, the political party *not* in power to-day may be the political party in power tomorrow. But the leader of that particular party in power to-day, by the time the political party returns into power, may have fallen into disfavour with his party and he may not necessarily be elected the leader of the party, which is the thing required to become the Prime Minister, so long as his party is in power.

Whoever has enjoyed that office of Prime Minister, Sir, to a large extent, has become the symbol of the country for the period he is in office. He becomes the embodiment of the country. All over the world he is known and all over the world, when people talk of that particular country, as in the case of Nigeria to-day, when people talk of Nigeria to-day, they talk of Sir Abubakar Tafawa Balewa. He is expected to travel extensively and to be known extensively, and once he is known extensively, the reputation which he establishes will continue with him for ever. And even though he may be in office or not, there is nothing which can wash away that trust which Nigeria has placed in him.

Therefore somebody seeing him in Nigeria, people coming from overseas, will still look upon him as somebody who has been exalted. Nobody can forecast the future. Business

itself is not steady. A man can have a good post professionally, like the case of a well-known lawyer. It is just something like the tide. When the tide rises, the name of that particular lawyer reigns all over the world. He is lawyer this, he is lawyer that ; everybody takes his case to that lawyer. But when his tide goes bad, another lawyer comes up and he is held in a better position than that particular lawyer.

It is the same thing with businessmen—people who trade. At times business is so brisk, you command all the fortunes in the world ; you laugh and smile. But when the business falls, it is with difficulty that you can make a living. That is the type of life we are talking about.

I personally feel, Sir, that the Bill before us to-day is one of those Bills I would call progressive Bill and I do not think any one of us will grudge the view. I know that sometime last year, before the last Federal Elections, the Eastern Regional Government made an attempt at introducing a Bill of this nature. We did not understand what it was then. I would say that some people in Nigeria understood, but some did not understand, but people like myself understood. People criticised the Bill thinking it was something the Premier of the Region then was trying to introduce for his own personal gain. The Premier of that Region then, being somebody who respects public opinion, shirked the Bill.

But here again, the truth has come to light, and I think that in our onward march we must take account of everything which we think necessary.

I support the Bill.

Senator Alhaji Abubakar Bale : Mr President, Sir, the Bill entitled the "Prime Ministers' Pension" is welcome by all of us, but I have noticed that a token sum has been provided in the Motion. Well, as I am not an expert on how the Federal finances work, I am unable to find out how the figure is arrived at. As I know, pensions are worked out in accordance with a certain principle. Whether this has been dealt with as such I cannot tell.

A sum has been provided in token of the responsibilities and certain amenities which have been awarded to the Prime Minister. We know that the Prime Minister has got to move from place to place during his term of

office and he has to do a lot of things for the country, and we must provide money to give him certain amenities when he retires or ceases to be Prime Minister. This is necessary and I hope the Senators know what I mean.

Minister of State (Senator Dr the hon. M. A. Majekodunmi): Mr President, Sir, it is quite clear that this Bill is accepted generally by the whole Senate. But I would like to explain very briefly the misgiving which was expressed by Senator Sani Okin.

Clause 2 in this Bill states clearly that anybody who has ever held the office of the Prime Minister of the Federation is entitled to this pension. It does not matter under what circumstances he ceases to be the Prime Minister. If hon. Senators will look at subsection (1) of Clause 2 again they will find that it is absolutely clear.

Sir, that is the only observation.

Senator Chief T. A. Odutola: Mr President, Sir, on point of information. If a former Prime Minister is no more a Prime Minister but a Floor Member as the Leader of the Opposition, will he still be entitled to this pension during the period he is the Leader of the Opposition if his party does not win the majority?

Minister of State: It is quite clear in the Bill, Mr President, that if the Prime Minister ceases to be a Prime Minister he is entitled to a pension of £1,500 but if at the same time he is enjoying a salary from the funds of the Federal Government then this pension will not be paid to him unless this pension is higher than the salary which he is enjoying. If he is enjoying, for instance, if I may give an example, the privilege of a Floor Member and he is entitled to a salary of £400 and he is also getting £1,500 from the Federal Government as his pension, he will not be entitled to the £800 or £400 as the case may be.

Senator Mrs Wuraola Esan: Mr President, Sir, supposing we have 10 or 14 retired Prime Ministers, are they all to—

The President: Order, order; I have said that we are a bit too indulgent. I think this question should be properly raised in the Committee Stage.

Question put and agreed to.

Bill accordingly read a Second Time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clause 1 agreed to.

Clause 2:

Senator Chief T. A. Doherty: Mr Chairman, I wish to move in page C387, line 7, after "Nigeria" to insert "for a period of not less than twelve months". As it is the present provision reads, Sir, "Any person who, whether before or after the commencement of this Act, has been Prime Minister of the Federation of Nigeria shall be entitled to a pension of one thousand five hundred pounds a year." Because that happened to France that is why they have so many Prime Ministers there. Everyone wants to get a pension and it does not matter if his Government lasts only two months if he becomes the Prime Minister he is entitled to pension. If he comes out of favour and another Prime Minister comes into existence and after six months he is knocked out he gets his pension.

I do not think this Clause has anything to preserve the dignity of that office until the Prime Minister practises for a year.

The Chairman: Order, order, the procedure which Senator Chief Doherty has adopted is not quite correct. What he should do is to file a Motion of Amendment and this being a Committee Stage I can allow him to put an Amendment in writing right across now if the Minister is willing.

Senator Chief Doherty: I do not think the Minister will object.

Senator Mrs Wuraola Esan: Mr Chairman, Sir, I just want to ask the same question. All the Federal Prime Ministers—are they all entitled to these pensions?

Minister of State (Senator Dr the hon. M. A. Majekodunmi): Sir, here in the Ordinance it states that anybody who has ever been in the office of the Prime Minister is entitled to a pension of £1,500 a year.

Senator Alhaji Abubakar Bale: Mr Chairman, Sir, it is about this sum. During my speech I asked whether this Bill is just to set aside such a pension or has it been worked out or whether this £1,500 is just a total cut

[SENATOR ABUBAKAR BALE]

down to provide for the pension of the Prime Minister, or has it been worked out in accordance with the Pensions Scheme?

The Minister of State : I think the hon. Senator misunderstands the meaning of this Bill. We are not asking for provision or for a sum to be set aside to pay the pension but we are enacting a law to ensure that whenever the Prime Minister goes out of office he will then be entitled to a salary of £1,500 from the fund of the Federation.

Senator Dahlton O. Asemota : Mr Chairman, Sir, the point raised by Senator Doherty is very important. I think that even one year will be too small to qualify a Prime Minister for a pension. I will suggest three years or more. In any case, if something should happen and the office of the Prime Minister changes so rapidly that within a year or two we get about three or four Prime Ministers, are we to understand, Mr Chairman, that each of those Prime Ministers will receive a pension of £1,500 a year for life?

That is the point I want the Government to consider very seriously, because, although we do not pray for it, things may happen and conditions may change.

I am saying this because I am a pensioner and I know how many years I put into the public service before I qualified for a pension. But for a man to be in office for about two months because something happens and then automatically becomes the Prime Minister he will then receive £1,500 a year for life is preposterous. Then when he is out of office and another man comes in the next day, he too is in the office for a year and then becomes entitled to £1,500 a year for life! Well, that is not the sort of thing we would like to embark upon.

We have to put some sort of conditions that a Prime Minister should be in office for a specific period before he qualifies for a pension otherwise it will mean more or less that we are throwing money away. If you look at it very closely, Sir, you will find that we are becoming too generous in allowing an ex-Prime Minister to earn £1,500 even if he was a Prime Minister for only a week.

Senator Chief S. T. Hunponu-Wusu : Mr Chairman, Sir, we are a very young nation and before we take any decision I think we

should study the position very carefully. I fall in the same line with the last speaker in that the majority of us who are pensioners and workers know how many years we served or must serve before we got our pensions granted. So, according to the last speaker but one, this Bill has not decided nor given us any assurance as to the number of years under which anybody can be qualified to be entitled to this pension.

So, I fall in the same line with the last speaker, Senator Asemota, who said that either it should be two or three years or more because we can never tell what will happen within the next six months or within the next one year. The office may change within a year or two and does it mean that every man who has taken up that office during these frequent changes will be entitled to the same pension of £1,500 per year for life?

If there is something in the Bill to clarify the position whereby we know that unless you serve a certain number of years in the Office of the Prime Minister you are not entitled to a pension, we will be able to check up but leaving it as it is now it is like giving a blank cheque to anybody. It means that if a person feels that he should try and throw out the Prime Minister and is trying, he says, "I want to be there and become the Prime Minister and once I get there I know there is nothing to stop me from getting my pension after six months or after one day." But knowing fully well that there is a time limit within which one is entitled to this pension I think this is the only thing to safeguard the situation in Nigeria.

As a young nation and as a very young race I think we should give this Bill a serious consideration at the Upper House by defining and having a time limit for which anybody can be qualified and entitled to the Pension of £1,500—either three years—

The Chairman : Order, order. I propose to suspend the sitting for twenty minutes, this debate can go on after twenty minutes.

Sitting suspended : 10.41 a.m.

Sitting resumed : 11.05 a.m.

(House in Committee)

Senator Chief Fagbenro Beyioku : Mr Chairman, Sir, I am in sympathy with Senator Chief Doherty in the view he has expressed that there should be some qualified period, and

at the same time, I do understand the intentions behind the views of other Senators who said that in the Civil Service there is a time limit before anybody can be qualified for a pension. The Bill before us is not a Civil Service Bill.

I myself served in the Government, and the day I had pension I knew how many years it took me before I became qualified as a pensioner, but, at the same time, I cannot say that in discussing the Bill before us we must have to bring in Civil Service conditions. It will be wrong. This is purely a political affair.

Why this Bill ever comes forward before any Parliament at all is not to pay the individual for services rendered as a civil servant for a given period, but it is realised all over the world that political leadership, particularly where it comes to the acceptance of responsibilities of the Government, is something which carries with it, as I said before, a great deal of uncertainty and to a large extent insecurity.

In some countries you will find that the Ministers have got to be guarded by soldiers from time to time. In some countries Ministers must go about in armoured cars. From the very minute somebody accepts responsibility as a Prime Minister his life is at stake. It may be one day, it may be two months, but that may finish him. Well, it is that type of responsibility the Pensions take account of, and if we study the implications—because at the time the Eastern Region attempted to introduce this Bill I took the trouble to study the relevant Bills in some parts of the world—we shall not come across one which sets down a certain period.

We know that governments change from time to time, but in a democratic and liberal Government, as the one we have in Nigeria after the British pattern and form of Government, there is the normal speculation that the life of the Government will continue for some time. We must make allowance; I do agree, for cases where there will be sharp disagreements leading to the dissolution of Parliament; but we know very well that the conditions under which a Prime Minister is appointed, in accordance with the Constitution, are only taken into account after elections. The Governor-General calls upon that person whom he feels his party has a majority, and that party is appointed, and as long as he continues to

enjoy the confidence of the majority of the House he continues to remain the Prime Minister unless there is a crisis when the Parliament is dissolved, or unrest for one reason or the other when he resigns.

Where one can even give support to constant crisis is where we try to lay down a certain period for a Prime Minister to serve for before he qualified for a Pension. Then after one year the opposition leader will open fire—the opposition leader wants to become the Prime Minister and he knows clearly that after one year if he could depose him he could become the Prime Minister. One way or the other he plays the game and becomes the Prime Minister. What happens then is that the former Prime Minister will drive the former opposition leader away and he again becomes the Prime Minister.

If we set a given period then we are asking people to re-act to that period and we are inviting trouble. But, normally, everybody takes it now that the Prime Minister is there for five years and when he finishes his period after five years he may be succeeded in office. That is the general belief and it is generally accepted.

Therefore, Sir, I would not like us at this stage to introduce what does not exist elsewhere. I know very well, that in all other parts of the world where we have this type of legislation people have taken these sort of situations into consideration. It is not when we set down a period that the students will not march on us. It is not when we set down a period that people will not call us cowards. It is not when we set down a period that people will not call us lousy men. If we play the part of cowards people will call us cowards. If we play the part of lousy men people will call us lousy men.

But the Bill before us, Sir, what we have to compensate for is the political risk and the responsibility attached to the running of a Government. If even you can succeed for one month, two months, three months, every one of us who is a Member of the Senate knows how much it means to us to run it. How much more a man who is a Minister, before you come up to the man who is the Prime Minister?

I would not like us to be narrow in our ideas and I would not like us to be shallow in our ideas and I would not like us to be intimidated by the demonstration of yesterday. I would

[SENATOR CHIEF BEYIOKU] plead, Sir, that we must go according to the normal pattern of how things are done. After all, what we do here is not the law of the Medes and the Persians, it is the law of Nigeria, and if we of this House pass this law to-day, Sir, that is not going to be the end of it. Some of those students who demonstrated yesterday are coming into these very chambers to pass the law, and if we pass this Bill to-day and in 5, 6, 7, 8 or 10 years there is any necessity to make an amendment or to stipulate a period in the exigency of the situation then existing, we shall still take it.

I know very well, Sir, that people, maybe ourselves, maybe our successors, will not escape doing it, but at the moment let us approach the Bill from its background. Do not let us approach it from the Civil Service background and do not let us try to kill the good spirit behind the Bill by attempting to introduce any qualifying period.

Mr President, Sir, I appeal to the House.

Senator O. Somolu : I would like to say straight away that the spirit that brings this Bill into being is not debatable. That is, that one who has risen in the political atmosphere of this country so high as to become the Prime Minister should not be allowed to fall below a particular standard of life. By that I mean, Sir, that a man who has become the Prime Minister of Nigeria should not be found in two or three years of five years to be a groundnut farmer or back in his N.A. School as a teacher or a miner.

The spirit is quite laudable and when once a man has risen to become the Prime Minister of Nigeria we should see to it that, having risen in his standard of life, he should not be allowed to fall below a particular standard. I think that that is the spirit behind this Legislation. We should provide him a stipend of £1,500 if he does not enjoy any other Government emolument higher than that, but, Mr Chairman, Sir, we are passing a law and in passing this law we must look at it from the angle of law and I think that is what Senator Doherty has done.

Now, with your permission, Sir, I shall refer to section 81 of the Constitution of the Federation of Nigeria which provides for the appointment of the Prime Minister. It says, "There shall be a Prime Minister of the

Federation who shall be appointed by the Governor-General." That, in my view, Mr Chairman, means this specifically. If Mr A is worthy to be appointed Prime Minister then that appointment will be made by the Governor-General, and Section 2 provides the Governor-General with the formula for the appointment. It says that whenever the Governor-General has occasion to appoint a Prime Minister he shall appoint a Member of the House of Representatives who appears to him likely to command the support of the majority of the Members of the House.

That is the formula guiding the Governor-General.

"Mr A appears to me to command a majority in the House of Representatives, therefore I appoint him Prime Minister." Once the Governor-General takes that step the man appointed becomes the Prime Minister and he can only be removed in terms of Section 81, subsection 10 (a) which says, "Provided that the Governor-General shall not remove a Prime Minister from his office unless it appears to him that the Prime Minister no longer commands the support of the majority of the Members of the House of Representatives." Therefore if Mr A appears to the Governor-General to command a majority in the House of Representatives, he is appointed the Prime Minister and he does not remove him until he is satisfied that he does not command that majority.

Well, Mr Chairman, it is also said that comparisons are odious but, in matters like this, one would like to take an example and place it before this House. Once one has done that one does not mind which way the votes go.

This Bill may be passed in the way it is presented, it may be amended, it is up to this House. But let us take this example; the Governor-General feels that Mr A commands the majority of the House of Representatives and he appoints him to be Prime Minister. Mr A assumes that post, he forms a Government, goes before the House and is defeated the very next 24 hours! What happens? He has been Prime Minister even though he is defeated the next day. Are we going to say that because he has been Prime Minister for 24 hours therefore he is going to earn a salary of £1,500?

Without making any resort to politics I would like to state the example of what happened immediately after the last General Election. The Governor-General said, "In my view so-and-so is the man who commands a majority in the House of Representatives" and he appoints him Prime Minister straight away and yet, Mr Chairman, we still had about two weeks to look for a Government in this country but we already had a Prime Minister. At the time the Prime Minister had been appointed we were not sure in this country that the gentleman appointed commanded a majority in the House of Representatives. That is the sort of situation we are trying to guard against. Once appointed the gentleman became the Prime Minister *de jure* but he was not Prime Minister *de facto*. What happens in a case like that? Are we not going to guard against a situation like that? Are we going to say that because it is good to provide the Prime Minister with a pension whenever he ceases to be, therefore any condition will suit us? That is not the question.

We are not playing politics here, we are engaged in the process of making a law and, in my view, we ought not to go beyond the letter of the law of which we are trying to pass. We know under what conditions the Prime Minister was appointed, we know how he can be removed. If any difficulty arises, let us probe into it and see what advice we can give to the Government.

We all welcome the Bill because we are all providing for a welfare state such as some Commonwealth Countries possess. We do not want anybody who has been a Prime Minister to suffer later on, if for any reason, he ceases to be Prime Minister. But in passing this law, I think we should give due consideration to weighty points which are brought up in the debate.

If the Treasury Bench can convince this House that these fears are groundless, they would have made their contributions, and we would have answered with regard to posterity, but we should not, because we want to make provision for a Prime Minister who would not be our Prime Minister any longer, sprout the spirit of the Government.

Mr Chairman, Sir, as I said, the spirit of this Bill is not debated, it is not open to question, nobody is fighting it, but this point which I raise ought to be looked into by the

Government and a satisfactory explanation given to this House. Because the House of Representatives passed a law, that does not mean that we must also pass it as they passed it. After all a Bill that came from that House had been amended in this House and that is why we are here.

We are here to give due consideration to any law brought and to offer our suggestions and advice to the Government. If they take it, very well and good. If they refuse to take it and they find a means of steam rolling whatever they may bring here to be passed into law, very well; but we would have made our own contributions. That is my view, Mr President.

Minister of State (Chief H. Omo-Osagie): Mr Chairman, Sir, I have listened very attentively to the debates on the Prime Minister's Pension Act, and so, from what I gather, Sir, all the people are unanimous in their support for the law. But, the only point of difference is the time, the time limit, either it should be say one year or two years of 20 years, as the case may be. That seems to be the only point of contention.

I would say this, Sir, that as recently as only last week, a Government in the Federation of Nigeria passed a similar Bill providing for a Premier who, perhaps, I would say, was almost in the same category as the Prime Minister, a sum of £1,300 for a Premier who might have left his office. That Bill was debated in that House and it received the unanimous approval of the House. It went to the House of Chiefs and it was passed without any division.

So, Sir, this Bill which we are asked to pass here is just the same thing. If we set a time limit, I think the time limit ought to have been set to all the Governments as I have mentioned which have passed their own laws or rather its own law. I quite agree that a Prime Minister may remain in office for a very short period and the Prime Minister may make his full term of office or if he still commands the majority after election, he may continue in office. We have seen examples of that.

I am sorry if I have to bring in some other people from the Regions. Chief the hon. Obafemi Awolowo was a Premier from 1954 and before then he was called Chief Minister or something like that, or the Leader of the House. Then, he won another election and

[CHIEF OMO-OSAGIE]
 became the Premier and so he was running two periods. It is only in 1960 that he gave it up of his own accord to come to the Federal House. Dr Azikiwe, who is now our Governor-General, was the Premier in a Region and he made two periods. He could continue if he did not wish to come to the Centre or rather if he were not appointed the Governor-General. However, Sir Abubakar was the Prime Minister before 1959 and in December 1959, he continued in his office. It is likely that he can continue through the tenure of his office which I understand is five years.

Well, we cannot judge every Prime Minister by the standard set by these men. I agree with my friend, Senator Somolu, that a Prime Minister may last for a very short time, say six hours, twenty-four hours or say one year, and he will still be called the Prime Minister. If this condition is necessary in the Federal Territory, in the Federal Government, I think it ought to be necessary too in the Regions, after all the Federal Government is the father of all the Governments in the Federation of Nigeria. If other Regions enjoy, let me call it a right, let me call it a privilege, I see no reason, Mr Chairman, why the Prime Minister of Nigeria should not be allowed to enjoy such a privilege or such a right. The question of time limit, therefore, does not arise since it has not arisen elsewhere.

I agree, Sir, with Senator Beyioku who said "Any Government that has come to power can have a right to amend any law that that Government thinks not suitable to its life."

Now, a demonstration was staged here yesterday by some university students, although we do not want to make a reference to it because I understand the case has not yet been decided. Such demonstrations as all people think, may remove the Prime Minister, either by the students, by the workers' union or by ex-servicemen or by some other body. That Prime Minister might, perhaps, not have remained in office for more than 24 hours because of certain situations that have arisen, but somebody probably said that we want to keep a welfare state and we hope in Nigeria we should maintain that state—that welfare state—and, therefore, if the argument comes that this is a welfare state, why should we fear, what are we going to fear that the Prime Minister may be removed tomorrow?

I feel, Sir, that this Bill is not contentious as has been indicated by the Members who have spoken. Therefore I think it will have an easy passage.

Well, I do not want to go further because I do not want to introduce controversies. Anyway, I support the Bill.

Senator Dahlton O. Asemota : Mr Chairman, Sir, I am very happy indeed that the hon. Minister of State has made reference to what happened in the House of Assembly in the Western Region. This reference to that Bill and the reference made by my hon. Friend on my right obviously throw a challenge to the Senators. It tells them now their duties as Senators.

Now, hon. Omo-Osagie said that a similar Bill was passed only last week in the Western House of Assembly. That is perfectly right. We have no quarrel with the real intention of the Bill. But it should not be a criterion for the Members of the Senate to be a carbon copy of any Regional or Federal Parliament. It is from this House that they should take directives and it is our decision that should be a guide to them and to the coming generation. After all, the slogan is, "Politicians think of the next election; Statesmen think of the next generation". We are here to think of the next generation and not about the next election.

If we have expressed ourselves to the extent that we feel that we have justified ourselves in putting the facts to the Government, our decisions here should be a guide to the Regional Governments. We must be very careful. We do not know what may happen. But if we should degenerate ourselves (and I repeat the word degenerate ourselves) into the status of being a carbon copy of either the Eastern or Western House of Assembly or the House of Representatives, then the Senate is no more. What we quarrel about is not the intention behind the Bill. Fair enough, we all like to see that every work that deserves pension should be encouraged.

Our point is this: would it be right, from the senatorial point of view, not from a political point of view, for anybody to be a Prime Minister just for a week and then enjoy a pension of £1,500 for life? If a youngman of about 23 becomes Prime Minister for about 14 days and then is entitled to pension of £1,500 for the rest of his 77 years of life that he

is supposed to live, I think it will be too generous. It is our decisions here that will influence the Regions. It is not for us to be a carbon copy of any Regional House of Assembly. If we should misdirect ourselves to that extent, then we are done for.

My point of argument is that we welcome the Bill as it is, but it should be conditional. A certain condition should be stated whereby the Prime Minister should be in office to qualify for the grant of a pension, and not just as loose as it is that if anybody becomes Prime Minister any day, the following morning he qualifies for pension. That is my point and I am prepared to press it to a division.

Senator J. K. Nzerem : Mr Chairman, Sir, I have listened very carefully to the arguments of the *pro* and *cons*. There is one argument which appears to me to be very convincing. That argument is this, that a man who has been courageous enough and has struggled up to the stage of being a Prime Minister, even if he holds the office of Prime Minister for a week, deserves some consolation. (*Applause.*) I think it is a very good argument.

I do agree that in the normal course of events, it would be necessary to stipulate something that would prevent a state of affairs such as existed in France before De Gaulle came to power, when they were changing their government and changing their Prime Ministers as they changed their clothes. But I think we will be splitting hairs if for one moment we think that such a state of affairs is capable of existing in Nigeria. I know Nigeria too well to believe that that could happen.

I think there is evidence from all sides of the House that the Bill is really necessary. I think we should not try to accuse ourselves of being cowards or of being a carbon copy of anybody or anything. I speak my mind. I was going to vote against this thing unless this insertion of time limit was put there, because I thought to myself that if it should happen that a young man of 25 or 30 became Prime Minister and remained so for one week and another young man of 28 became Prime Minister and remained so for two weeks, and such a state of affairs continued for a long time, the nation would be saddled with a very heavy bill of pension for Prime Ministers.

Again I thought of how these political parties work and I realised how extremely difficult it is for any one man to whip up sentiment in his party so that they may put him up

and then take him out and put up another man. It is impossible. It cannot happen. Therefore we have nothing to fear about passing this Bill. I can assure everybody that nobody consulted me and asked me to vote one way or the other. If it is pressed to a division, I will vote that it should pass.

I support it.

Senator L. T. Olamijulo : With regard to this Bill, I feel it is right that we should pass it. The arguments through and through are convincing. But at the same time, we lose nothing by thinking twice before we act. It does not follow that because the Regional Governments have done something, therefore we must do it the same way without being original. I do not think we lose anything by making this change. The change is to give this time limit. It does not lower the office of Prime Minister if a time limit is set. Does it not appear to you that those who have already passed their own Bills without setting a time limit may see the sense in what we have done and copy from us later on?

I feel that everybody here is of the opinion that this Bill should be passed, but the difference of opinion is only on this time limit. If even this should be an example, let us set it. We are not going to lose anything by it. It is not going to relegate the office of Prime Minister, rather it is going to show that we are men of reason and men of wisdom. I recommend that we pass it and at the same time give a time limit.

Senator Dr the hon. M. A. Majekodunmi rose—

Senator Chief T. A. Doherty : Is the Government to reply now or do I reply first to the points raised in respect of my speech?

The Chairman : Order! order! This is a committee stage, I can call you many times; I can also call the Minister many times.

Minister of State (Senator Dr the hon. M. A. Majekodunmi) : Mr Chairman, Sir, I think as human beings we are all endowed with the ability to learn from experience and particularly much more as hon. Senators of this House who are appointed to serve in this House as Senators because of the richness of their mature experience. Most of our actions are usually motivated by our previous experience.

This draft Bill which we have been discussing has been drafted because of the experience which we have had in this country of political

[SENATOR DR MAJEKODUNMI] organisation. If any Senator here could cast his mind back—or her mind in the case of the female Senator, to the history of political parties of this country, I think you will recall that there has never been any time in which we have had a Premier of any Region or a Prime Minister of the Federation who has been in office for less than a year. It has never happened and we here in this country do not hope for such a state of instability—that our Prime Minister will be changed every few weeks or every few months for that matter.

It is in the light of that experience that this Bill has been drafted but should it ever become necessary to change it, as an hon. Senator has pointed out, the law could be changed. This is the practice in all civilised communities where pension is provided for the Prime Minister of the country. No time limit is given and it is apparent that anybody who has ever qualified to form the Government—that person must certainly have contributed a lot to the community—sometimes not in the material sense but must have struggled for his country and for that and other considerations, he could be invited to be the Prime Minister. It is only after many years of being in politics and in public life that anybody could be qualified to be so invited.

Unfortunately, my hon. Friend, Senator Somolu, has introduced a legal point which I think really is a technical point. Normally in all democratic countries, a person who appears to the sovereign or the head of state to command the majority in Parliament is invited to form the Government. And usually in law most arguments are usually supported by precedents. If Senator Somolu could quote a precedent to us here in this Senate of any part of the world where a person has been invited to form the Government and has failed to form the Government and has then retired from politics and enjoyed a pension for being the Prime Minister, I think we should be very happy to hear it.

Our constitution is quite clear on the subject. We are convinced that the person who is the Governor-General or who is going to be the Governor-General of this country is not going to be so frivolous as to ask a person to form the Government just so that he could then become the Prime Minister knowing that he has not got the majority—to be Prime Minister for a few hours and then retire and go and enjoy fifteen hundred pounds'

pension for the rest of his life and then invite another friend of his to form a Government and so on before he would finally come to the right choice.

We are a responsible people and we are not arguing these things because it has been passed by any Parliament or any Region, but we must examine everything objectively. We know that people who have framed our constitution have framed it with great responsibility and we should be responsible ourselves and I certainly feel, Sir, that this Bill is not controversial and the principles are quite clear to hon. Senators. Whether a person is a Prime Minister for one day or one week or ten years, personally I feel that anybody who has risen in life to a position where it could be considered that he could possibly lead the whole of this Federation, that person deserves the pension. Who would not be happy to be a runner-up for Governor-Generalship or Prime Ministership? Personally, I know that I have not yet contributed enough to be a runner-up but the people who are invited to form the Government are usually those who have contributed greatly to the progress and advancement of their country.

I would commend this Bill to hon. Senators—to let us pass it and get done with it.

Senator Alhaji Abubakar Bale, Madawakin Bida: Mr Chairman, Sir, I am very glad indeed to listen to the deliberations made by the hon. Members of this House about this Bill. This shows the ability of the hon. Members of this House—to be able to attack this sort of a Bill which was passed at the Lower House within a few minutes, but the most important part of the Bill is this: the stage which one went through to become the Prime Minister of a country is a very long one and a difficult one.

This Bill has been drafted to assist this man for his past difficulty. We all know the difficulty which arises during a Federal election—this man deserves some compensation for such difficulty, this man deserves all sorts of contributions from everybody in the community, but we are not now talking of the man concerned but we are talking of the Bill in general. I have noticed that some hon. Senators refer to the person now; it is not so—it may happen to anybody tomorrow, but provisions are provisions and they are to apply to anybody.

But as it is now, I would like to appeal to hon. Members that we have nothing to fear about this—we should not think of the man now, but because of the difficulty which goes with the office of the Prime Minister, I think the Bill is worthwhile supporting.

Mr Chairman, Sir, I support.

Senator Chief T. A. Doherty : Mr Chairman, Sir, I am very sorry that some Members misunderstood my intention. I certainly appreciate that the man who has risen to the post of Premiership certainly should be compensated for his services to the country but it is not because he has been in politics for so many years and therefore he should be compensated. There are people who have served the country; served them harder and served them more usefully than the Prime Minister and yet get no compensation.

I think the difference should be clearly marked. The fact that a man has become the Prime Minister does not mean that he has served the country more than many people who have never risen to that stage of Prime Ministership.

We are only speaking of to-day. We are thinking of to-day, we are not thinking of tomorrow. In the Ordinance, there is no regulation; if there were regulations to be made, we could say "All right tomorrow there will be regulations in that ordinance". In this case, if we see the injustice of our course now, we would pass the regulations. Please, Senators, do not think of politics; let us deal with this matter as Senators, thinking only of the future generations.

I certainly must press for a division if need be,

Whereupon Senator Chief Fagbenro-Beyioku rose in his place and claimed to move, That the Question be now put.

Question, That the Question be now put, put and agreed to.

Original Question put.

(Cries of "Aye" and "No" from all side of the House).

Senator Oba Adeniji Adele II : Mr Chairman, Sir, I think the Question should be put clearly to the House, because it appears the Senators do not understand.

The Chairman : Yes, Your Highness, I will do that. Now, Senator Chief Doherty wants the words limiting the time to twelve months, and the Question I have to put is that the words proposed to be inserted by Senator Doherty be inserted.

Senator Dahlton O. Asemota : I think that has been increased to three years.

The Chairman : This amendment (*Interruptions*) Order, order !

Senator Asemota : Can I say "One year or more" ?

The Chairman : That is out of order.

Question put and negatived.

Senator Dahlton O. Asemota : I am still pressing for a division because Senators seem to have been taken by sentiments. The point is this (*Interruption*).

The Chairman : Order order ! I regret the hon. Senator is out of order. You are re-opening the debate.

Senator Chief T. A. Doherty : I would like to know by how many votes (*Interruptions*).

The Chairman : Order, order ! These are the Tellers for the Noes : Senator Beyioku and Senator Alhaji Abubakar Bale, there being no Tellers for the Ayes.

Senator Oba Adeniji Adele II : If we continue in this way we shall never come to a conclusion on this Bill. We have heard "Noes" and we have heard "Ayes". Those who are in favour that the Bill should stand as it is are by far in majority, from what I can see. I suggest, Mr Chairman, Sir, that we should not re-open the matter again.

The Chairman : Order, order. In view of the fact that there are no Tellers for the "Ayes", the "Noes" have it.

Clause 2 agreed to.

Clause 3 agreed to.

Bill to be reported.

(The President resumed the Chair)

Bill reported without amendment, read the Third Time and passed.

ADJOURNMENT

Motion made and Question proposed, That this House do now adjourn sine die—(Senator Dr the hon. M. A. Majekodunmi).

Senator Chief T. A. Doherty : Mr President, Sir, I notice that there is a habit now that whilst the Senators are still speaking on some subjects, Members of the Government Bench get up to close the debate. I noticed that on two or three occasions and that, I think, Sir, is very very wrong. I think Senators are entitled to speak for as long as they like. If they like to speak for as long as five days on a Bill, they are perfectly entitled to do so ; that is why we are here. If, on the other hand, the Government or the President feels that the Senators are talking for too long, then I think an amount of time should be allotted to each Senator. And each Senator in this House is subject (*Interruptions*).

Minister of State (Senator Dr the hon. M. A. Majekodunmi) : Point of order, Sir. I think the hon. Senator is trying to teach the President his job. I do not think it is right in this House, and it is not in keeping with the dignity of the President, that he should be informed how to conduct the business of the House.

Senator Sani O. B. Okin : I have to invite the attention of the Senators to go through and read our Standing Orders.

Senator Chief O. A. Fagbenro-Beyioku : Mr President, Sir, I want to take this opportunity to congratulate the new President of the Senate for the very able way he has conducted the affairs of the Senate for the first time (*Hear, hear*). In every way he has comported himself he has proved beyond doubt and to the satisfaction of every Senator the confidence which was reposed in him before he was elected unanimously as the President of this great Assembly.

We are mindful of the fact, Sir, that here in the Senate it is not as easy as you have in the Lower House from where you come because in the Lower House you have been used to hecklings and you have been used to noise-making and you have been used to talking as loosely as you can. And I am sure, Sir, you find the opposite in this very honourable House. And as somebody who has been with us for a long time in the national struggle and who can pick up the tempo at any time, you have actually picked up the tempo of this House and without fear or favour you have charged your duties to our pride.

We congratulate you and we do wish, Sir, that you will continue to be as good as you have started and we do wish that God will give you wisdom to guide this House. We do wish also that, as your predecessor, that by the time you leave this House (*Interruptions*). Well, you may be going where your interest lies. So, we have to congratulate you, Sir, and thank you for the way you conducted the business of the Senate.

Senator Chief Dahilton O. Asemota : Sir, I associate myself whole heartedly with the last speaker who congratulated you. I think I personally have a special pride for that matter to congratulate you and to see you in that Chair. It is one of those things that we from the area where we all come from should be proud indeed to see one (*Interruptions*). Well, I am not at all trying to be personal or anything of the nature, but as I have said I am very proud and happy to see you occupy the Chair.

I would like to say, Sir, that your predecessor took an important note of our points when some of the Ministers came to this Senate and started heckling and interrupting us when we spoke. There was some check put to it and it has stopped. But now it appears to me that the heckling is recurring. If they come from that House and sit down here, when we are speaking they start off with some hecklings and interruptions which we feel are not compatible with the dignity of the Senate. So, Sir, I appeal to you that you should use your good offices to see that a stop is put to it.

Sir, the other tactics which they have started again is to desert the Senate. You will notice this morning that when Dr hon. Majekodunmi moved a Bill there was no Minister to support him but I did, although I have no hope of becoming a Minister, but I did it because there was no Minister around. So, this is a thing that we will also put before you. This is the Upper House and Ministers are supposed to sit in this House and it is from here they are called to the Lower House and not the reverse.

Sir, I congratulate you.

Senator Chief T. A. Odutola : I rise to join the former speakers in congratulating you, Sir, and I think I would be very much surprised if the reverse were said.

The first speaker in this Motion said that he congratulated you because of the way you conducted the business of this House since

you got on the Chair. Our President of to-day as I said before, is somebody that is well known in this country for his well-balanced behaviour. I think we have a reason to believe that it is not very common in any country that an Opposition Leader should be elected the Speaker of the House, and even if it is common you know very well how very difficult it is in the West.

We in the West are very strong people and we examine people very carefully before we put any confidence in them. Our President of to-day was once a Leader of the Opposition in the Western House of Assembly and because of his well-balanced behaviour and his good quality that House found it fit to elect him, not to nominate him or just to appoint him, but to elect him without any dissension as the Deputy Speaker of the House. That shows how good he was and also shows how good he is.

So, I will not have very much to say because if it becomes necessary for me to say anything I will only have to say that I shall be surprised that our President has degenerated to the extent that people will ever say anything bad of him. The standard he has already attained in the West is such that I have no doubt that if he is given the chance in any legislature in the world he will prove his mettle. (Applause)

Senator Alhaji Sani Okin : Mr President, Sir, I am doubly happy to-day because my dream has now come to a reality. When a Motion was tabled here seeking the appointment of our President I said that I had never come in contact with him but the descriptions of him in the press made me to understand that he was the real man who can manage our own affairs here.

Now, I am appealing to the President because there are some points to be adjusted as far as the Senate is concerned. We members of the Senate are not fairly treated. I could remember that on one occasion Chief Asemota said that our Proceedings are not being heard by the people outside. I suggest that the President should speak to the Council of Ministers to see that the Senators are fairly treated.

Secondly, I am making another appeal through the President to the Council of Ministers to see that whenever we are to meet here attendance of the Ministers is necessary because there are always some points to be raised and which also require answers by the

Ministers concerned. But whatever we say deaf ears are being turned to us. I only suggest that the President should speak to the Council of Ministers and ask the Ministers to be present here and arrange things so that the meetings of the two Houses are not made concurrently.

If this is done, I think they will be able to attend the Senate.

Senator H. N. Udoh : Mr President, Sir, many people have been speaking about your behaviour and your ableness to conduct the affairs of this House. I am not surprised, for I know your record at Hope Waddell. You remember the World Jamboree in the days of the scouts; the part you played and when you got there you showed yourself a great man. And what happened in the Cameroons when you were there? So, I am not surprised to see other people praising you.

I am hopeful that you will continue. Your position will be an onward march. Well, Sir, you have come to a new House dealing with elderly men but they are not conventional. It does not mean that you should allow us to go loose, but do not be too strict with us particularly at times when conditions would not allow us to take to the Standing Orders and we are compelled to speak against the Standing Orders.

Finally, I congratulate you, Mr President.

Senator Chief S. O. Esangbedo : Mr President, Sir, I rise to associate myself with the previous speakers. There is no need for me to say much about you. I know you for long years, and I have no doubt that with your ability you will be able to lead the deliberations of this Senate without any difficulty.

Question put and agreed to.

Resolved, That this House do now adjourn *sine die.*

Adjourned accordingly at ten minutes past twelve o'clock.

MEMORANDUM

Pursuant to Standing Order 3 (1), Mr President has made the following allocation of seats :—

Mr L. T. Olamijulo No. 24

Pursuant to Standing Order 3 (2), Mr President has made the following change in the allocation of seats :—

Mrs W. Esan No. 23 (formerly No.24)

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